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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 /
ross.johnston@plymouth.gov.uk
www.plymouth.gov.uk/democracy
26 February 2013

PLANNING COMMITTEE

Thursday 7 March 2013
5 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.

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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 - 6)

The Committee will be asked to confirm the minutes of the meeting held on 31 January 2013.

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 Committee code of practice.

6.1. 282 OUTLAND ROAD, PLYMOUTH. 12/01724/FUL

(Pages 7 - 26)

Applicant:	WM Morrisons Supermarkets PLC
Ward:	Peverell
Recommendation:	Grant Conditionally

6.2. 48 MERAFIELD ROAD, PLYMOUTH. 12/02288/FUL (Pages 27 - 32)

Applicant: Mr R Wraight
Ward: Plympton Erle
Recommendation: Grant Conditionally

6.3. 7 RIDGE PARK AVENUE, PLYMOUTH. 13/00096/FUL (Pages 33 - 42)

Applicant: Mrs Tracey Harding
Ward: Drake
Recommendation: Grant Conditionally

6.4. 19 TITHE ROAD, PLYMOUTH. 13/00121/FUL (Pages 43 - 48)

Applicant: Mr Alan Moore
Ward: Plympton St Mary
Recommendation: Refuse

6.5. 1 SEATON AVENUE, PLYMOUTH. 13/00101/FUL (Pages 49 - 60)

Applicant: Mr Joseph McParlin
Ward: Compton
Recommendation: Grant Conditionally

6.6. 1 STADDISCOMBE PARK, PLYMOUTH. 13/00084/FUL (Pages 61 - 66)

Applicant: Mr C Pethick
Ward: Plymstock Dunstone
Recommendation: Grant Conditionally

7. PLANNING APPLICATION DECISIONS ISSUED (Pages 67 - 110)

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 22 January to 24 February 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 111 - 112)

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 31 January 2013

PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

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

Apologies for absence: Councillors Darcy and Sam Davey.

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

The meeting started at 4.00 pm and finished at 7.25 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.

80. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

81. **MINUTES**

Regarding minute 75.4, (Land East and West of Pennycross Close, Plymouth 12/01700/FUL) following the representations made by the applicant, the Lead Planning Officer had confirmed with the applicant that they had received written correspondence from the Planning Authority during the pre-application process.

Agreed the minutes of the meeting held on 3 January 2013.

82. **CHAIR'S URGENT BUSINESS**

The Chair thanked Paul Westrope, Area Planning Manager, who was retiring from the Local Authority after 26 years of service.

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

There were no questions from members of the public.

84. **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 85.2 and 85.3.

85.1 9 WYNDHAM STREET EAST, PLYMOUTH. 13/00002/FUL
(Mr William Tall)

Decision:

Application **GRANTED** 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.

85.2 LAND AT JUNCTION OF DALE ROAD AND SIDING ROAD, PLYMOUTH. 12/02008/FUL

(Trathen Properties Ltd)

Decision:

Application **GRANTED** conditionally.

An Informative was added to confirm that the applicant/developer should make the occupiers of Central Park Towers aware that this property lies within a resident parking permit scheme which is currently over-subscribed. As such the development will continue to be excluded from obtaining permits and purchasing visitor tickets for use within the scheme

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

85.3 UNITS 3-5 BREWHOUSE, 8 ROYAL WILLIAM YARD, PLYMOUTH. 12/02014/FUL

(Urban Splash)

Decision:

Application **GRANTED** 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 and a further condition as outlined below.

Condition – Prior to commencement of any commercial operation of the type hereby permitted acoustic insulation should be installed within the unit to prevent any unwarranted noise transmission from the commercial unit to residential properties above. Both clauses below should be met:

- a) The noise mitigation level of the ceiling(s) between the development and any residential development should be a minimum of 55dB DnT, W + Ctr for airborne noise;
- b) The insulation installed should allow the properties above to experience the “Good Room Criteria” as set out in

BS8233:1999, such that the noise level experienced within any living room or bedroom is 30dB LA(5minute).

The Lead Planning Officer would ensure that relevant officers liaise over any future alcohol licensing applications for the Brewhouse to consider disturbance issues raised by local residents.

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

(The Committee heard representations against the application).

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

**85.4 THE CORNWALL GATE, 71 NORMANDY WAY
PLYMOUTH, 12/02000/FUL.**

The application was withdrawn.

**85.5 27 SPRINGFIELD CLOSE AND LAND TO REAR,
PLYMOUTH. 12/02082/FUL**

(Senate Properties (SW) Ltd)

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 26th February 2013.

Members noted that there was a typing error on page 66 under Heads of Terms point b, the word “library” should read “health”.

(The Committee heard representations against the application from Councillor Mrs Pengelly and Councillor Wiggins ward members).

(The Committee heard representations against the application).

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

(Councillor Nicholson’s proposal to refuse the application, having been seconded by Councillor Mrs Bowyer, was put to the vote and declared lost).

(Councillor Churchill’s proposal to defer the application, having been seconded by Councillor Mrs Foster, was put to the vote and declared lost).

86. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report from the Assistant Director, Planning Services, on decisions issued for the period 20 December 2012 to 21 January 2013, including –

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

Members noted the planning applications issued.

87. **APPEAL DECISIONS**

Members noted the appeal decisions.

88. **EXEMPT BUSINESS**

There were no items of exempt business.

SCHEDULE OF VOTING (Pages 1 - 2)

PLEASE NOTE

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

PLANNING COMMITTEE – 31 January 2013

SCHEDULE OF VOTING

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
85.1 9 WYNDHAM STREET EAST, PLYMOUTH. 13/00002/FUL (Officer's Recommendation)	Councillors Churchill, Stark, Mrs Bowyer, Mrs Foster, Wheeler, P Davey, Vincent, J Smith, J Taylor, Tuohy and Stevens.				Councillor Nicholson.
85.2 LAND AT JUNCTION OF DALE ROAD AND SIDING ROAD, PLYMOUTH. 12/02008/FUL (Officers Recommendation)	Councillors Wheeler, P Davey, Vincent, J Smith, J Taylor, Tuohy and Stevens.	Councillors Churchill, Nicholson, Stark, Mrs Bowyer and Mrs Foster.			
85.3 UNITS 3-5 BREWHOUSE, 8 ROYAL WILLIAM YARD, PLYMOUTH. 12/02014/FUL (Officer's Recommendation)	Councillors Churchill, Nicholson, Stark, Mrs Bowyer, Mrs Foster, Wheeler, P Davey, Vincent, J Smith, J Taylor, Tuohy and Stevens.				
85.5 27 SPRINGFIELD CLOSE AND LAND TO REAR, PLYMOUTH. 12/02082/FUL (Motion for refusal)	Councillors Churchill, Nicholson, Stark, Mrs Bowyer and Mrs Foster.	Councillors Wheeler, P Davey, Vincent, J Smith, J Taylor, Tuohy and Stevens.			
85.5 27 SPRINGFIELD CLOSE AND LAND TO REAR, PLYMOUTH. 12/02082/FUL (Motion for deferral)	Councillors Churchill, Nicholson, Stark, Mrs Bowyer and Mrs Foster.	Councillors Wheeler, P Davey, Vincent, J Smith, J Taylor, Tuohy and Stevens.			
85.5 27 SPRINGFIELD CLOSE AND LAND TO REAR, PLYMOUTH. 12/02082/FUL (Officer's Recommendation)	Councillors Wheeler, P Davey, Vincent, J Smith, J Taylor, Tuohy and Stevens.	Councillors Churchill, Nicholson, Stark, Mrs Bowyer and Mrs Foster.			

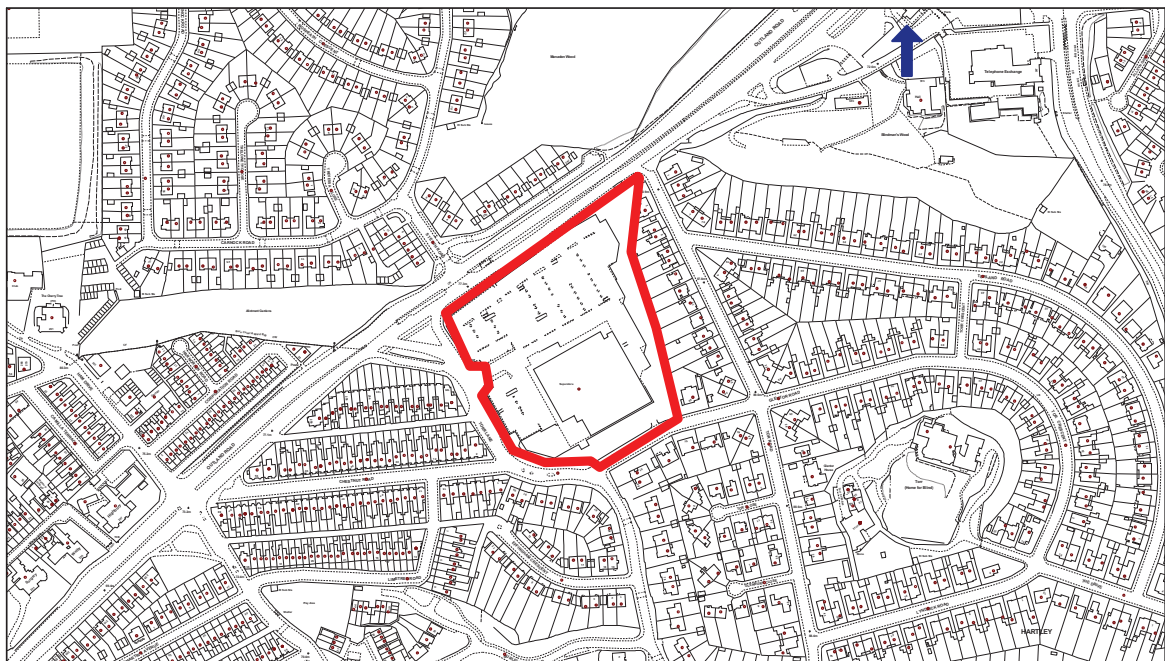
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PLANNING APPLICATION REPORT



ITEM: 01

Application Number:	12/01724/FUL
Applicant:	WM Morrisons Supermarkets PLC
Description of Application:	Extension to food store 1,030sqm including decked car park and access works
Type of Application:	Full Application
Site Address:	282 OUTLAND ROAD PLYMOUTH
Ward:	Peverell
Valid Date of Application:	02/10/2012
8/13 Week Date:	01/01/2013
Decision Category:	Major - more than 5 Letters of Representation received
Case Officer :	Mark Evans
Recommendation:	Grant Conditionally subject to a S106 Obligation with delegated authority to refuse in the event that the S106 Obligation is not completed by 29 th March 2013.
Click for Application Documents:	www.plymouth.gov.uk



Site Description

The application site comprises an area of approximately 2.4 hectares fronting onto Outland Road on the edge of the Peverell/Beacon Park area of the city. The site is currently occupied by a Morrison's food store, associated customer parking, servicing and landscaping. The store building occupies the south eastern and central parts of the site with customer parking located to the north, between the store building and Outland Road, and on the western part of the site, adjacent to Tor Lane. Shared vehicular access, for customers and delivery Lorries, is from Tor Lane.

There is a row of tall leylandi trees along the eastern boundary, which screens the property from residential property in Tor Road to the east, and rows of much smaller trees, planted as part of the original landscape strategy in the car park. These trees are protected by a group Tree Preservation Order (TPO No 271 and 209). Levels fall within the site from east to west (approximately 5m) and from south to north (approximately 2m) in accordance with the surrounding topography.

The existing store building is essentially a flat roofed structure, but this is disguised by an element of roof plane, all around and on the conspicuous higher parts of the building, so that it appears, when viewed from ground level, as a pitched roofed building with decorative arches and an entrance portico.

The character of the surrounding area is dominated by Outland Road (A386), a dual carriageway which forms one of the main arterial route ways into the city. The area around the site is completely residential in character. On the opposite side of Tor Lane, and in Chestnut Road to the west, are larger Edwardian/ Victorian terraces. Houses in Glentor to the south, Tor Road to the east and facing Outland Road, and in St Erth Road to the north, are a mixture of detached and semi detached houses in reasonable sized plots, dating from the middle of the last century.

Proposal Description

Full planning permission is sought for a 1,030sqm extension to the Morrisons food store including decked car park and access works. This is a revised submission of a previous application ref 12/00515/FUL which was withdrawn.

Plans show the proposed store extended on the northern elevation, towards Outland Road, with a new glazed/wood clad entrance. The flat roofed front extension is shown with an overhanging roof supported on columns and would give the resultant store a modern appearance very different from the existing. However, the proposed extension would encroach upon the existing parking area, manoeuvring and customer drop off /loading would be lost. In order to ensure that there is not a net overall loss in the number of parking spaces, it is proposed to provide a decked car park on the north eastern part of the site, between the extended store and Outland Road.

The decked car park, which includes a green wall, would provide 12 parking spaces, replacing in exact number those lost to the store extension, on two levels. The upper level would be accessed via a ramp between the deck and the properties in Tor Road on the western side of the site.

This revised proposal amends the access. The main access off Tor Lane is repositioned further down Tor Lane and is off a mini roundabout. The access from Outland Road, that was shown on the previous proposal, has been removed.

The application is accompanied by: Geo-Environmental Desk Study; Tree Report; Design & Access Statement; Energy Statement; Statement of community Involvement Transport Statement; Travel Plan; flood Risk Assessment; Retail Impact Assessment; and Acoustic assessment of noise from refrigeration/air conditioning plant.

Pre-Application Enquiry

No Development Enquiry service application has been submitted in respect of this proposal.

Two formal Development Enquiry Service (DES) requests were made in respect of earlier schemes:

Early 2011 Morrisons was asked to consider relocation, involving rebuild, of the store to the northern part of the site to improve the appearance along Outland Road, an important gateway corridor into the city; to segregate deliveries/servicing from customer parking and to provide better natural light for the café. Rejected due to difficulty in maintaining trading during construction period

Late 2011, Morrisons reported that options for rebuilding the store on the Outland Road frontage of the site and separating the customer and delivery traffic had been considered, but had been rejected as too expensive. The scheme for a decked car park on the front, with appearance mitigated by a 'green wall', and alterations to the access arrangements was re-tabled. Reservations were reiterated and the applicant was advised to undertake a design consultation with the South West Design Panel. The South West Design panel expressed concerns about the proposed decked parking, but did not object to the principle, subject to a significant redesign.

Relevant Planning History

The site has an extensive planning history (35 applications since 1974). Some predate the current supermarket use and others relate to signage and minor applications. The following are considered relevant:-

- Ref: 12/00515/FUL – Extension to food store (1,415sqm) including 2 storey car park and access works. Withdrawn. The application had been prepared for a recommendation to committee to refuse the application due to highway concerns, design concerns, amenity and safety.
- Ref: 00/00379/FUL - Single storey side extension to retail sales area to provide an additional 585 sq. metres of retail sales floor space. The scheme reduced the number of parking spaces by 31 and provided 50 additional jobs. Granted subject to conditions Oct 2001
- Ref: 99/01067/FUL - Alterations to covered unloading bay area (amendment to previously approved scheme. Granted
- Ref: 98/00780/FUL - Variation of Cond.13 & 14 of Notice No.643/90 to now permit Sun. trading & Sun. deliveries, revised (shorter) delivery hours Mon-Sat, alterations to enclose & landscape service yard, additional landscaping Approved Nov 1998

- Ref: 96/00743/FUL - Vary Condition 13 and 14 of Notice No. 0643/90 to now permit Sunday trading and Sunday deliveries, revised (shorter) delivery hours Monday-Saturday; alterations to increase height of boundary walls an Refused Dec 1996
- Ref: 96/00742/FUL - Variation of Cond.13 and 14 of Notice No.643/90 to now permit Sun. trading and Sun. deliveries, revised (shorter) delivery hours Mon-Sat, alterations to enclose and landscape service yard, and off site Withdrawn Dec 1996
- Ref: 93/00143/FUL - Variation of condition 13 of Notice ref NO.643/90 to allow for Sunday trading Granted Jun 1993
- Ref: 91/01241/REM - New access and highway improvements in connection with the outline permission Ref.0643/90 (dated Apr 1991). Granted
- Ref: 91/01372/REM - Erection of superstore with associated parking and service areas (approval of reserved matters) GRANTED Jan 1992
- Ref: 90/00643/OUT - outline application to develop industrial site by erection of a retail shop (47,050sqft) with car parking new access and highway improvements. GRANTED Jul 1990

Consultation Responses

Police Architectural Liaison Officer – The Devon and Cornwall Constabulary has no objection to the amended proposal which now includes CCTV for the main car parked and the decked parking areas.

Highways Agency – The amended plans are acceptable to the Highways Agency. A condition has been requested to secure a staff travel plan. It has also been suggested that a financial contribution be sought towards strategic transport investment.

Highway Authority – Supports the application.

Public Protection Service – No objection to the proposed development, subject to conditions.

Representations

Public consultation has resulted in receipt of more than 90 letters of representation (LORs).

The comments can be summarised as follows:

Traffic/transport

- The primary objections to the new proposal relate to highway concerns. A large number of the objectors are concerned that the new roundabout on Tor Lane would give priority to customers entering and leaving the store and would cause tailbacks and congestion on Tor Lane and Outland Road. This would ripple through to surrounding roads and lead to further congestion in the area and make the surrounding roads become rat runs. This is a residential area that should not be subjected to more traffic. The position of the roundabout close to a blind bend is dangerous. This increase in traffic in surrounding streets will cause danger to children and animals using facilities and parks in these areas. Traffic lights are required at this junction.
- It can take up to 40 minutes to leave the car park by car. This leads to people parking in the surrounding streets instead of risking parking in the car park. 40 new staff will be told to park on street.
- The proposal shows a reduction in disabled parking spaces and there is already a shortage of these spaces.
- The closure of the footpath from Outland Road will discourage use of public transport and encourage people to visit by car.
- The proposed new location of the bus stop is at a point where the road is narrow and will lead to traffic concerns.
- The changes to the traffic arrangements would occur at a time when improvements are planned for Manadon roundabout.
- The new cycle parking spaces are welcomed.
- The new highway arrangements would improve an existing difficult access.
- The new parking spaces are welcomed

Impact on the amenity of local residents

- Concern has been expressed about the incremental changes that have occurred since the original store was approved.
- The ramp and raised car park will cause disturbance/harm to local residents' amenity, due to car noise, headlights, lighting, overlooking and fumes.
- The levels of noise and movement of vehicles and deliveries in the service yard is concerning. The expansion of the site will exacerbate these problems.
- The repositioning of the bus stop closer to houses will cause disturbance to residential property.

- Levels of disturbance during construction will be unacceptable.
- House values will be reduced.
- Since the opening of the store, the area has been affected by increasing amounts of carelessly discarded paper and plastic products, which will become worse if this application is approved.

Principle of development

- A bigger store will attract more customers, which will harm other local shopping areas. There is no need for the store to expand.
- The additional retail area will increase customer volume and parking and traffic congestion problems.
- Overdevelopment will erode the amenity of the area.
- The new facilities on offer are very welcome.
- The scheme is welcomed as it will bring new jobs to the area.

Appearance

- The development is unsightly
- Morrisons has not maintained the existing landscaping well, there is therefore concern that the green wall would be well looked after, and would become unsightly.

The application was accompanied by a statement of public consultation and community engagement following a 2 day exhibition to display the current proposals. 77% of the responses supported the scheme, 15% opposed the proposals and 8% were undecided. Of those in favour of the scheme, people were supportive of the extension and the traffic improvements. The main concerns raised were related to traffic congestion, parking and the impact on neighbouring amenity.

Analysis

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

The key issues in this case are:

- The principle of a retail extension to this store (Policies CS01, CS07 and CS08 of the adopted Core Strategy)
- The design and appearance of the proposed extension (Policies CS02, CS20, CS22, CS32 and C34 of the adopted Core Strategy, and the adopted Design Supplementary Planning Document)

- Adequacy of access and parking arrangements (Policies CS28 and C34 of the adopted Core Strategy)
- Loss of TPO protected trees (Policy CS18 of the adopted Core Strategy)
- Impact on the amenities of neighbouring properties (Policy CS34 of the adopted Core Strategy)
- Measures to offset the impact of the development (Policy CS33 of the adopted Core Strategy, and the adopted Planning Obligations and Affordable Housing SPD)

The application is also considered in the light of the National Planning Policy Framework 2012.

The principle of a retail extension to this store

Policies CS01 (Development of Sustainable Linked Communities); CS07 (Plymouth Retail Hierarchy) and CS08 (Retail development considerations) are relevant to the assessment of the principle of retail extension to this supermarket.

The proposal is for a 1,415 square metre retail extension to an existing store. It is an extension to a stand-alone store that is not located in any of the shopping centres. Morrisons claims the existing store is 'overtrading' as evidenced by complaints it receives about aisle width and pressure on the car park. It also states that the extension will provide a better shopping experience leading to increased spend from existing customers, rather than an increase in customers.

Officers are satisfied with the applicant's assertion that the extension will not jeopardise Plymouth's retail hierarchy, or the Derriford District Centre as evidenced by the Retail Impact Assessment submitted with the planning application. Consequently there is no, in principle, objection to the proposed extension on retail hierarchy grounds and no conflict with relevant policies from the core strategy or NPPF.

The design and appearance of the proposed extension

Policies CS02 (Design), CS32 (Designing Out Crime), & CS34 (Planning Application Considerations) are relevant to the assessment of the design and appearance of the proposed development.

This application extends the store to the front, adding a decked car park between the store and Outland Road to compensate for the parking lost to the extension. The front extension relates well to the original building and is considered to be acceptable in design terms

The principle of a decked car park, enclosed within a green wall, has always been a concern in design terms, as it would obscure the main building, potentially not relate well to Outland Road and the design of the original store, and reduce the active frontage along this main route into the City.

Since the original application, and following comments received from the South West Design Panel, the plans have been amended. The frontage along Outland Road has been significantly reduced. The only section of the car park which remains in close proximity to the road, would largely be screened by existing planting. Furthermore, planting along the Outland Road frontage is proposed to be increased to better screen the site. In addition the design has been amended to include areas of glazing, which would help the building relate to the store frontage, and to read as one development.

The greenwall will help significantly to reduce the impact of the building, especially as it will largely be seen through a screen of trees, and to a certain extent, against a background of planting. It is important, therefore, that the maintenance of the wall is expertly and continuously managed. The applicants have agreed to enter into a section 106 agreement to ensure that the maintenance programme is adhered to for the life of the building.

On balance, it is considered by officers that the amended scheme overcomes the initial design concerns, and meets with the requirements of policies CS02 and CS34 of the Core Strategy, the Design SPD and the NPPF.

Adequacy of access and parking arrangements

Policies CS28 (Local Transport Considerations) and CS34 (Planning Application Considerations) of the Core strategy are relevant.

The issue of highway safety and convenience has given rise to the largest number of comments from members of the public. Since the previous withdrawn application (12/00515/FUL) the applicant has been working toward overcoming the previously identified difficulties, which largely related to access issues, traffic management through the design, parking levels and layout of the application site.

This latest application removes the previously proposed controversial vehicle entrance from Outland Road. It would reposition the vehicle entrance/exit on Tor Lane further to the south and away from the close proximity of the traffic signal junction of Outland Road. An additional right turn lane would also be created at the junction of Outland Road. This would provide more road space and opportunity for vehicles to queue, which would help reduce congestion and assist the free flow of vehicular traffic on the highway. To further assist the traffic flows the proposed new vehicle entrance/ exit would be served by a mini-roundabout on Tor Lane. Off-site highway works would be necessary to provide the proposed efficiency improvements, the details of which would need to be conditionally secured.

The level of car parking would be supported by providing an upper deck over part of the existing car park, accessed from within the car park by a ramp.

The service yard area would be segregated from the main customer car park and situated at the south end of the site, where some staff car parking would also be provided. The circulation in this area is now shown to be acceptable.

The latest proposed layout of the external areas of the application site would improve the flow of vehicles around and through the site. Transport officers consider that the improvements to vehicle flows and capacity both on the highway and within the application site car park should be sufficient to meet the expected modest additional customer demand.

A Staff Travel Plan would be conditionally sought with a view to supporting sustainable staff travel, and demonstrating a modal shift in travel patterns.

Subject to conditions, the amended proposal is considered to overcome all objections and comply with CS28 and the NPPF.

Loss of protected trees

The trees on the site are protected by a TPO. The current proposal would result in the loss of some of these trees. The area of most concern is the bank between the car park and the houses in Tor Road, where a number of shrubs and cherry trees would be lost to allow for the proposed car park ramp. Whilst the loss of these trees is regrettable, the applicants have agreed to a condition requiring additional planting along this bank, to replace those trees that cannot survive. Additional information has also been obtained, which shows that the leylandii hedge will be retained.

A condition will be required to ensure that works are carried out in accordance with an arboricultural method statement to ensure that the mature beech tree at the entrance is protected during construction.

Additional planting has been negotiated along the Outland Road frontage and within the car park, details of which would need to be secured by condition.

On balance the landscaping proposals and additional tree planting mitigate the loss of the trees to accommodate the new car park arrangements. The proposal is considered to comply with policies CS18 and the NPPF in this respect.

Impact on the amenities of neighbouring properties

The site is surrounded on all sides by residential property. Policy CS34 (Planning Application Considerations)

On three sides, roads separate the site from residential property; it is only on the eastern side where the site adjoins the rear gardens of property in Tor Road. Currently tree planting provides visual screening to these houses from the car park.

The proposed ramp to the car park would result in the loss of up to 5 mature cherry trees on the bank that provides the buffer between the site and the houses in Tor Road. It is possible that the leylandii may also be damaged by the works proposed. It is unfortunate that at the point that the ramp would be the most intrusive, the leylandii are sparse and have been cut back. The ramp and car park would not therefore be well screened from the residential property. In order to overcome this, the applicants have agreed to improve the landscaping along this boundary and have proposed an acoustic screen along the side of the ramp to reduce impact on neighbours amenity. This would prevent overlooking from vehicles, cut down noise and prevent car headlights from causing nuisance. The lighting on the ramp and the roof deck has been amended to prevent light from intruding into the surrounding area. The proposal is therefore considered to be

acceptable in terms of neighbours amenity and complies with policy CS34 in this respect.

Residents have also expressed concerns about disturbance during construction, but officers are satisfied that this could be adequately controlled by condition if approved.

The position of the proposed bus stop has given rise to objections about disturbance. The location is not significantly closer to residents than would be expected in a residential location. This aspect of the proposal is considered acceptable in terms of neighbour amenity.

Section 106 Obligations - measures to offset the impact of the development

The proposed development would make additional demands upon both local and strategic highway infrastructure. Were this application to be granted planning permission, this mitigation would be achieved through planning obligations in a section 106 agreement. By reason of the increased number of vehicular 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, particularly in the northern corridor, unless there is adequate mitigation. The estimated cost of mitigating this impact is £81,010 with an administrative fee of £3,429.

The impact on the highway infrastructure has been tested to ensure that it complies with the three tests set out in Reg.122 of the Community Infrastructure Levy Regulations April 2010.

The applicant has submitted a heads of terms document that agrees in principle to make a financial contribution to mitigate the impacts of the development on the transport network. As such the proposal complies with Policy CS33 (Community Benefits / Planning obligations) of the adopted Core Strategy and the adopted Planning Obligations and Affordable Housing Supplementary Planning Document.

Environmental protection

Having considered the Transport Statement for the above application, Public Protection Officers do not consider that the application is likely to have a detrimental effect on Air Quality due to the lack of significant additional traffic resulting from the scheme.

Having reviewed the acoustic assessment submitted in relation to the noise from the elevated car park, and the proposed use of plant, the results show that minimal increase in noise levels in relation to these elements is expected. Subject to conditions there is no objection from Public Protection officers in this respect.

Public protection has recommended conditions in respect of contamination in order to meet the requirements of policy CS22.

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. In this case, the application does not propose housing development and will therefore not generate any New Homes Bonus contributions for the authority. Therefore the development plan and other material considerations, as set out elsewhere in the report, are the only matters to be taken into account in the determination of this application.

Equalities & Diversities issues

Officers consider that adequate provision has been made in the new design layout to meet the requirements of mobility impaired visitors.

Conclusions

The applicants have made a convincing case that the existing store is 'overtrading' and that the proposed extension can be accommodated within the Plymouth Retail Hierarchy without adverse impact upon the viability of existing and planned local and district shopping centres. The application will bring new employment to the area. The design of the scheme has been amended to take into consideration comments from officers and the Design Panel. The highway layout has been significantly amended such that it now satisfies the Highway Authority and the Highway Agency. Improvements have been made to safeguard neighbours amenity and additional planting has been offered. As a result of these amendments the scheme is considered to comply with the aims of policies CS02, CS18, CS28, CS33, CS34 the Design SPD, Development Guidelines SPD and Planning Obligations and Affordable Housing SPD and the NPPF.

Recommendation

In respect of the application dated **02/10/2012** and the submitted drawings Amended access arrangements , ramp and car park details, and car park elevations Additional Information

existing site layout PL102, existing store plan PL103, existing elevations PL04, existing roof plan PL05, amended site layout plan PL106 rev E, amende tree retention plan PL109 rev B, amended site section plan PL114 rev B, amended car park SK01, Proposed Car Park Deck Layout SK100, proposed car deck 24412/112 and the accompanying design and access statement.,it is recommended to: **Grant Conditionally subject to a S106 Obligation with delegated authority to refuse in the event that the S106 Obligation is not completed by 29th 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.

CODE OF PRACTICE DURING CONSTRUCTION

(2) 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.

APPROVED PLANS

(3) The development hereby permitted shall be carried out in accordance with the following approved plans: existing site layout PL102, existing store plan PL103, existing elevations PL04, existing roof plan PL05, amended site layout plan PL106 rev E, amended tree retention plan PL109 rev B, amended site section plan PL114 rev B, amended car park SK01, Proposed Car Park Deck Layout SK100, proposed car deck 24412/112.

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

(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 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.

OPENING HOURS

(5) The use hereby permitted shall not be open to customers outside the following times: 2100 hours to 0800 hours Mondays to Saturdays inclusive and 1600 hours to 1000 hours on Sundays and Bank or Public Holidays.

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.

DELIVERIES

(6) No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: 2000 hours to 0800 hours Monday to Saturday inclusive; and 1600 and 0900 on Sundays and Bank Holidays.

Reason:

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

LANDSCAPE DESIGN PROPOSALS

(7) 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; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant; 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

(8) 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

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

Reason:

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

LANDSCAPE MANAGEMENT PLAN

(10) 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.

DETAILS OF TREE PLANTING

(11) The plans and particulars of the landscaping works submitted in accordance with condition 7 above shall include details of the size, species and positions or density of all trees to be planted, and the proposed time of planting.

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.

ARBORICULTURAL METHOD STATEMENT

(12) 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.

NOISE LIMIT THRESHOLD

(13) The development hereby approved should have a noise limit threshold for the cumulative effects of all plant of 38dB(A) at any nearby residential dwellings during nighttime hours (2300-0700) and should be free from any tonal elements. During the day the cumulative effects of all plant should not exceed 45dB(A) (0701-2259).

Reason: To ensure that the proposed development hereby permitted doesn't unduly impact upon nearby living standards and nearby dwellings 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

FURTHER DETAILS

(14) No development shall take place until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz: details of the proposed lighting for the car park. The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

FUTHER GLAZING DETAILS

(15) Notwithstanding the submitted plans, further details shall be submitted to and approved in writing by the Local Planning Authority, before works on site commence to show the exact details of the glazing in the car park. The works shall comply with the approved details.

Reason: To ensure that the details are acceptable and comply with policy CS02 and CS34 of the Local Development Framework Core Strategy (2006 - 2021)

FURTHER DETAILS

(16) No development shall take place until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz: the locations of the CCTV cameras and their management. The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 and CS32 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

OPENING HOURS FOR CAR PARK

(17) The ground and first floor of the two storey car park hereby permitted shall be closed to customers outside the opening hours of the store. Details of how customers will be prevented from accessing this car park shall be submitted to an approved in writing by the Local Planning Authority before the car park is brought into use. The works shall comply with the approved details.

Reason:

To protect the residential and general amenity of the area and to prevent any possible anti social behaviour, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS32 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

STREET DETAILS

(18) 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. The works shall comply 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/HIGHWAY IMPROVEMENTS (GRAMPIAN)

(19) No development shall take place until the proposed access and improvements to the existing highway shown on the approved plans have been completed.

Reason:

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

CAR PARKING PROVISION

(20) The extension shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by customers 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.

TRAVEL PLAN

(21) The extension hereby permitted shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The said Travel Plan shall seek to encourage staff and all site users 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 Travel Plan; and the name, position and contact telephone number of the person responsible for its implementation. From the date of [the commencement of the use][occupation] the occupier shall operate the approved Travel Plan.

Reason:

The Local Planning Authority considers that such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007. The applicant should contact Plymouth Transport and Infrastructure for site-specific advice prior to preparing the Travel Plan.

ACOUSTIC SCREEN

(22) Notwithstanding the submitted information, further details shall be submitted to and approved in writing by the Local Planning Authority, to show the details of the acoustic screen on the car park ramp. The works shall comply with the approved details before the upper deck of the car park is first used for customer parking. The approved ramp shall thereafter be retained.

Reason

To ensure that the amenities of the neighbours are maintained in accordance with the aims of policy CS34 of the Local Development Framework Core Strategy.

INFORMATIVE: PRO ACTIVE WORKING

(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 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 impact on, the retail hierarchy of the city, highway safety and convenience, neighbours amenity, the visual appearance of the proposals, the impact on trees and landscaping, the wider impacts on the strategic transport of the city and public health 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
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS18 - Plymouth's Green Space
- CS22 - Pollution
- CS02 - Design
- SPD2 - Planning Obligations and Affordable Housing
- SPD1 - Development Guidelines
- SPD3 - Design Supplementary Planning Document
- NPPF - National Planning Policy Framework March 2012

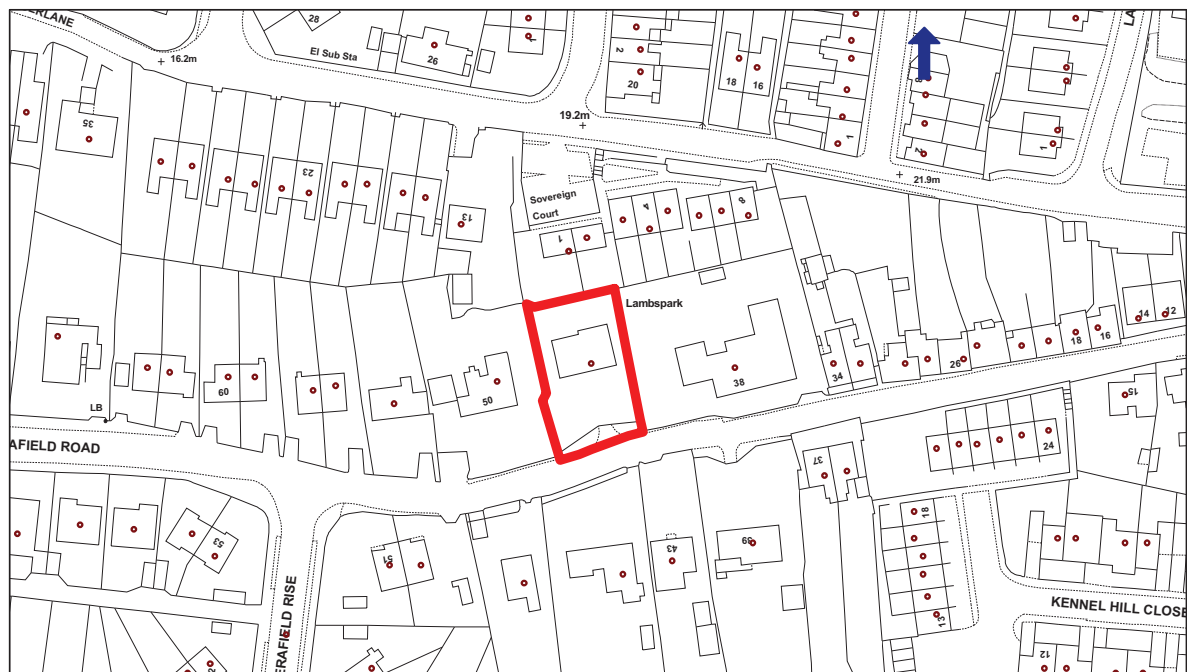
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PLANNING APPLICATION REPORT



ITEM: 02

Application Number:	12/02288/FUL
Applicant:	Mr R Wraighte
Description of Application:	Two storey front extension, rear balcony, loft conversion with roof ridge height raised
Type of Application:	Full Application
Site Address:	48 MERAFIELD ROAD PLYMOUTH
Ward:	Plympton Erle
Valid Date of Application:	20/12/2012
8/13 Week Date:	14/02/2013
Decision Category:	Member Referral
Case Officer :	Mike Stone
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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This application has been referred to Planning Committee by Councillor Beer.

Site Description

48, Merafield Road is a two storey detached house in the Plympton St Maurice neighbourhood. The property has a large front garden that is divided in two by a driveway. The west side of the garden is well screened from the road by tall mature shrubbery while the east side is more open in character. The house is home to the owners/managers of Lambspark Residential Home which is the property to the east. The land falls away steeply from the front curtilage of the property (south to north) so that the ground floor of the house is below the level of the road.

Proposal Description

Two storey front extension, rear balcony, loft conversion with roof ridge height raised.

Pre-Application Enquiry

None.

Relevant Planning History

Lambspark Care Home, 38 Merafield Road

12/00511/FUL - Extension to care home, new entrance porch, replacement fire escape and new front boundary wall and fence – Grant conditionally.

Lambspark Care Home and 48 Merafield Road

09/01133/FUL - Four-storey side extension, front entrance porch and replacement fire escape to side of residential home, change of use, conversion and two storey front extension to dwellinghouse (owners' accommodation) to form day care centre, and works to alter vehicular accesses, provide additional parking and replace front boundary – Refuse.

Consultation Responses

Public Protection Service – recommend approval subject to a condition controlling the hours of demolition and construction.

Representations

Two letter of objection have been received from residents of Merafield Road expressing concerns that the property could eventually become a part of the neighbouring residential home. Other issues raised were the loss of views resulting from the raising of the ridge height, loss of parking space available to staff of the home who can park on the driveway and the impact of development on the narrow road.

Analysis

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

The application seeks consent for a two storey gable end extension that would be built at the front of the house and would occupy virtually half the front of the property. The roof space would be converted to residential accommodation resulting in the roof ridge height increasing by roughly 2 metres. At the rear of the property an existing Juliet balcony would be replaced by a larger external balcony. In addition the driveway would be widened and the front entrance be remodelled.

Impact on neighbour amenity

Front extension.

The proposed front extension is well separated from the neighbouring properties in terms of distance and by high boundary fences and shrubbery. A new window is proposed at first floor level facing no. 50 to the west, but as this property is over 11 metres away officers consider that this will not lead to a significant increase in overlooking or loss of privacy.

Rear balcony

Due to the way the ground falls away the properties to the rear are set well below the level of no. 48 and are screened by a high boundary fence and would not be affected by the new balcony. The applicants have added a privacy screen to the western end of the balcony and this together with a tall tree on the boundary will mitigate any overlooking to the neighbouring house.

Impact on the character and appearance of the area.

The applicant's agent has argued that some of the proposed changes to the external appearance of the house have been designed to make it more in keeping with the extension approved for the care home to the east. This includes the steeper roof pitch, replacement of clay tiles with natural slate and spar and brick with stucco render. Given the fact that there is no single architectural style in the immediate area this is not felt to be a significant issue. The SPD states that front extensions will generally be resisted but makes an exception where there is no obvious building line or where the property is set back from other houses. No. 48 is well set back from the road and the neighbouring houses. Even with the proposed addition the new extension would still be over 11 metres away from the pavement. Given this distance, the fall in land levels that help to reduce the visual impact and the high degree of cover provided by the shrubbery it is felt by officers that the extension would not have an adverse impact on the street scene.

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

Section 106 Obligations

Not applicable.

Equalities & Diversities issues

None.

Conclusions

The application is recommended for approval.

Recommendation

In respect of the application dated **20/12/2012** and the submitted drawings Site location plan, I2942/S, I2942/01, I2942/03, I2942/04, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, I2942/S, I2942/01, I2942/03, I2942/04.

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.

INFORMATIVE: PRO ACTIVE WORKING

(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 with the Applicant 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 impact on neighbour amenity and the impact on the character and appearance of the area, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

CS34 - Planning Application Consideration

CS02 - Design

SPD1 - Development Guidelines

NPPF - National Planning Policy Framework March 2012

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PLANNING APPLICATION REPORT



ITEM: 03

Application Number:	13/00096/FUL
Applicant:	Mrs Tracey Harding
Description of Application:	Change of use from single dwelling house (Use Class C3) to 4 bedroom house in multiple occupation (Use Class C4)
Type of Application:	Full Application
Site Address:	7 RIDGE PARK AVENUE PLYMOUTH
Ward:	Drake
Valid Date of Application:	28/01/2013
8/13 Week Date:	25/03/2013
Decision Category:	Member Referral
Case Officer :	Liz Wells
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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Committee referral

This application has been referred to Planning Committee by Councillor Ricketts.

Site Description

7 Ridge Park Avenue is a mid-terrace residential property in the Drake ward of the City. The property is used as a single dwelling with two bedrooms on the first floor and a converted loft forming a third bedroom. The property has a modest rear garden with steps down to the rear service lane.

The street comprises similar properties in a continuous terrace.

Proposal Description

Change of use from single dwelling house (Use Class C3) to 4 bedroom house in multiple occupation (Use Class C4). The proposal makes limited changes to the existing layout and indicates that the ground floor room at the front 'may' be used as a fourth bedroom.

Pre-Application Enquiry

None

Relevant Planning History

None

Consultation Responses

Transport – comments awaited – likely to be no objections due to the relatively inconsequential change in demand for parking from existing to proposed use.

Public Protection Unit - Any nuisance or anti-social behaviour emanating from the future proposed development would normally be addressed through legislation. Should the application be granted, there is a requirement for an adequate management plan, to control the future operation of the accommodation and to address any issues that may be created by future tenants. A copy of this management plan should be submitted to the Local Planning Authority and so a condition and informative are recommended that support this requirement.

Regarding conversion/ construction management, because the proposed development involves potentially noisy and disruptive activities a condition is recommended to help mitigate any effect on nearby residents.

Conditions recommended for Management Plan and hours of construction and demolition.

Representations

Thirteen letters of representations have been received of which one is from Ward Cllr Ricketts and six from local residents, all objecting to the application on the following grounds:

- There are too many multi-occupied properties in the PL4 area due to absentee landlords letting to students in particular.

- The change of use of this property would possibly increase further the pressure on the present unsatisfactory zonal parking arrangements for we permanent residents.
- The street is already suffering from litter, with bins left out.
- The noise is already at an unacceptable level, from late night partying. These students couldn't care less about their neighbours!
- Ridge Park is presently still a fairly family orientated street which will begin to change further if yet another student house is allowed to open.
- Recently the council passed change of use application for the Trathens owned student car park at the end of Dale Road, which will further add to the parking pressure on residents in Zone R, and which is in close proximity to Ridge Park.
- Recent permission granted at the old Royal Eye Infirmary for 220 students.
- Yet another property will be exempt from council charges.
- These people are not so slowly pushing the residents of this area out, lowering the value of our homes, and impacting upon the safety of our children.

Analysis

For the purpose of this report it is noted that the application site lies in the recently designated Article 4 direction area which requires changes of use of dwellings C3 to C4 to require planning permission from the Council.

This application turns upon the NPPF, policies CS01 (Development of Sustainable Linked Communities), CS15 (Overall Housing Provision), CS22 (Pollution), CS28 (Local Transport Considerations), and CS34 (Planning Application Considerations) of the Council's Core Strategy, adopted April 2007, Development Guidelines Supplementary Planning Document (SPD) and the draft revised 'First Review' Development Guidelines SPD (with appropriate weight attached). The primary planning considerations are the impact on the character of the area, highway considerations, the impact on neighbouring properties, and residential amenity.

Character of area

The conversion of family dwellings into HMOs reduces the local stock of family dwellings and changes the character of the neighbourhood. HMOs are often associated with negative impacts such as noise, on-street car parking, anti-social behavior and run-down properties. The degree of impact of a proposed HMO will depend on the location and the nature of the existing and resulting housing stock, and the number of existing HMOs and other non-family dwellings in the area. Proposed HMOs should not cause the loss of a viable use that it is considered important to retain given the Council's objective of creating sustainable, linked communities.

The draft SPD states that in Plymouth it is considered that a threshold of approximately 25% is an appropriate ceiling to maintain balanced communities. This figure is the number of buildings that are in HMO use as a percentage of all residential buildings. Changes of use that would result in a concentration of HMOs higher than 25% will normally be resisted. Consideration is given to the concentration of HMOs in the local area, the census output area and at the street level.

From the data available to the Council the percentage of licensed HMOs and Council Tax exempt properties in the census output area is 11-20% and from the contiguous census output area for this location is 26-30%.

Reference to the individual property data available to the Council for properties within 100m range of the application property in each direction indicates that 13-19% are already in some form of multiple occupation either shared houses or flats/bedsits, while the remaining 80+ percent remain as single dwelling use. A simple externally assessment survey carried out on 5 February 2013 confirmed that this level of use appeared consistent with the data available to the Council, although it is appreciated that occupancy is sometime difficult to determine by external survey.

The Trathen development subject of application 12/02008/FUL referred to in letters of representation is beyond the 100m range of the application site.

The proposed change of use would not result in a HMO percentage above 25% threshold outlined in the draft SPD. In this respect the proposal is therefore considered to be acceptable on the character of the area.

Residential Amenity

The dwelling is a modest size, with gross floor area in the region of 115m² when including the loft conversion. Whilst there is no specific planning policy which sets minimum room size standards for HMOs, Policy CS15 of the LDF Core Strategy (status - adopted April 2007) is relevant. Point 5 states: All new dwellings must be of sufficient size to provide satisfactory levels of amenity for future occupiers and respect the privacy and amenity of existing occupiers. This is supplemented by guidance provided in section 2.3 of the Development Guidelines SPD and guidance in Licensing of Housing Multiple Occupation which relates to Housing legislation. The latter contains a section on space standards including the size of 6.5m². The proposed bedrooms are all larger. All rooms received a good level of natural light.

A communal kitchen-diner-lounge is proposed on the ground floor. The 'possible' fourth bedroom on the ground floor would be adjacent to the communal area and therefore appropriate sound insulation between these rooms would be required. A bathroom on the first floor is proposed, although it is understood that the property has an outside toilet.

There is considered to be an adequate amount of communal living space, washrooms and an adequate sized kitchen for the proposed number of occupiers. The sizes and level of day light for the property are considered provide an adequate standard of living. There would be little if any external change and therefore the proposal would have little impact on the visual amenity of the area.

The residents of the dwelling would have access to a rear area which would provide adequate outdoor amenity space for limited recreation, hanging washing. There would also be adequate room for bin storage and cycle storage in the front or rear.

Impact on neighbouring properties

The occupation of the property by up to 4 occupiers, on a shared-dwelling basis, would be likely to generate more comings and goings, and therefore some additional disturbance to neighbouring occupiers. This is considered to be a valid additional reason for opposing this application, but on balance officers consider that the impact would not be significant enough to recommend refusal of this application.

Highway/Transport Considerations

The application form indicates that no off-street parking spaces exist and would be retained at the property. The site visit confirmed that the rear garden level is higher than the service room level and therefore ground level would need to be lowered to accommodate parking within the site.

The maximum parking standards for HMOs set out in the SPD is one space per two occupiers and as such the proposal falls short of this. The Transport consultation comments will be detailed in an addendum report but the initial indication is that no objection will be raised on the basis of the relatively inconsequential change from the parking demand generated by the existing use.

Concern has been raised in letters of representation about the impact on traffic and parking, but in the absence of objection from the Transport officer, it is considered that a refusal on transport grounds may be difficult to sustain at appeal. Parking spaces, and cycle storage spaces (that could be secured by condition), mean that in the context of this property, the proposal is considered to comply with policy CS28. Further details of the layout of a minimum of two bicycles to be securely stored within the site (or further details on the off-street car parking arrangement proposals) in line with SPD guidance in terms of visual impact and access is recommended to be secured by condition.

As a result of the planning application, the property will be excluded from the resident parking scheme.

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. Using the calculator created for this purpose, this development would generate a total of approximately £959 in New Homes Bonus contributions for the authority if approved over a 6 year period. However, this calculator does not take account for the fact that a change of use does not necessarily imply that the Valuation Officer will re-band the property and is not adjusted for the potential reduction in Council Tax applied to student properties. 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.

Other considerations

Policy CS15 indicates that only dwellings where the gross floor area is more than 115m² are suitable for conversion, however this policy was written prior to the Article 4 Direction and relates to HMOs for more than 7 or more people. Policy CS15 also refers to the decent standard of accommodation and the impact on the character of the area having existing number of converted and non-family dwellings in the vicinity. Further guidance on this is provided in the draft SPD, as detailed above.

The applicant has been invited to submit a management plan in order to support their application which could be secured by condition. This could include arrangements for refuse collection and noise control.

Although no significant work is proposed to the property as part of the scheme, some work may be required to achieve cycle storage and therefore the hours of construction and demolition recommended by the Public Protection Unit is recommended to be added to cover this.

The applicant has stated that they would be willing a temporary consent for 4 years to cover the time that their daughter is at university and either sell or rent the property to a family after that time. Temporary consents are not generally applied to change of use application unless exceptional circumstances apply.

With regard to the recent planning application for the old Royal Eye Infirmary this planning application was withdrawn without a decision being made.

Issues raised in letters of representation have been discussed above, with the exception of property value which is not a material planning consideration.

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 further issues.

Conclusions

For the reasons given in this report the proposal is considered to comply with the relevant policies and guidance and is therefore recommended for approval subject to the provision of secure cycle storage.

Recommendation

In respect of the application dated **28/01/2013** and the submitted drawings site location plan, annotated floor plans, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

APPROVED PLANS

(2) This permission relates to the following approved plans: site location plan, annotated floor plans .

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.

OCCUPATION RESTRICTION - STUDENT ACCOMODATION

(3) The occupation of the accommodation hereby approved shall be limited to students in full-time education only.

Reason:

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

BEDROOMS

(4) No more than 4 rooms at the property shall be used as bedrooms. Only the rooms annotated as bedrooms on the approved floor plans shall be used as bedrooms, unless the Local Planning Authority gives written approval to any variation of this requirement.

Reason:

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

MANAGEMENT

(5) Prior to the commencement of the use hereby approved, a management plan for the operation of the accommodation, which shall include contact details (including postal address, email address and telephone number) of the person to be contacted regarding any issues arising from the use of the building or its curtilage and shall include a commitment to keep this information up to date, shall be submitted to the Local Planning Authority for approval in writing. The approved management plan shall thereafter be adhered to strictly at all times.

Reason:

In the interests of neighbours' amenities and to provide a ready point of contact for any person who needs to address an issue in relation to the use of the property, in accordance with policies CS15, CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Plymouth's adopted Development Guidelines Supplementary Planning Document 2010.

REFUSE STORAGE

(6) Prior to the commencement of the use hereby approved, space shall be laid out within the site for refuse storage in accordance to details previously submitted to the Local Planning Authority for approval in writing and shall remain available at all times 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 adequate facilities in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE PROVISION

(7) Prior to the commencement of the use hereby approved, space shall be laid out within the site for 2 bicycles to be securely parked in the rear garden in accordance with details submitted to the Local Planning Authority for approval in writing and this cycle storage space shall remain available at all times for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

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

HOURS OF CONSTRUCTION AND DEMOLITION

(8) Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 of Plymouth City Council's Local Development Framework.

INFORMATIVE: RESIDENTS PERMIT PARKING SCHEME

(1) The property lies within a resident permit parking scheme which is currently oversubscribed. As such, the property will be excluded from obtaining permits and visitor tickets for use within the scheme.

INFORMATIVE - MANAGEMENT PLAN

(2) With regard to the management plan, it is recommended that there is an appropriate selection process for tenants and that an appropriate anti-social behaviour clause is included in the tenancy agreement so that any anti-social behaviour or noise nuisance created by the tenants can be adequately addressed. Should a noise nuisance be created at the property, then action may be taken in line with statutory nuisance provisions under the Environmental Protection Act 1990.

INFORMATIVE: PRO ACTIVE WORKING

(3) 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: standard of accommodation and the impact on the amenity of future occupants, impact on neighbour amenity, impact on the character and appearance of the area, and transport and parking aspects, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (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:

CS34 - Planning Application Consideration

CS01 - Sustainable Linked Communities

CS15 - Housing Provision

SPD1 - Development Guidelines

NPPF - National Planning Policy Framework March 2012

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PLANNING APPLICATION REPORT



ITEM: 04

Application Number:	13/00121/FUL
Applicant:	Mr Alan Moore
Description of Application:	Retrospective application for first floor front extension and pitched roof to double garage
Type of Application:	Full Application
Site Address:	19 TITHE ROAD PLYMOUTH
Ward:	Plympton St Mary
Valid Date of Application:	31/01/2013
8/13 Week Date:	28/03/2013
Decision Category:	Member Referral
Case Officer :	Liz Wells
Recommendation:	Refuse
Click for Application Documents:	www.plymouth.gov.uk



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Committee Referral

This application has been referred to Planning Committee by Cllr Nicholson.

Site Description

19 Tithe Road is a semi-detached residential property in Plympton. The property is located where Tithe Road turns into Cundy Close.

Proposal Description

Retrospective application for first floor front extension and pitched roof to double garage

Pre-Application Enquiry

None. The application has been submitted following a planning compliance investigation.

Relevant Planning History

09/00797/FUL - First-floor front extension (above existing porch) – REFUSED and APPEAL DISMISSED

08/01039/FUL - Extension to enlarge private motor garage – GRANTED CONDITIONALLY

06/01923/FUL - Rear conservatory on existing raised patio area – REFUSED

80/02105/FUL - Erection of private motor garage - GRANTED

Consultation Responses

None requested or received.

Representations

Eight letters of representation have been received in respect of the application from nearby residents.

- Seven are in support of the application commenting that both the front extension and pitched roof on the garage are in keeping with the road, including the adjacent Cundy Close and an improvement to the flat roofed garage.
- One letter objects to the application on the basis that it is not in keeping with any other property in the road and that the bedroom could have been extended into bedroom 1 achieving the same result. It also objects on the basis that planning and building control which was not obtained prior to the start of the work and questions whether the structure is safe in its building construction. In relation to the garage, concern is raised for the potential for the roofspace to be used for business use.

Background

The planning application has been submitted following a planning compliance investigation. An anonymous third party enquiry was made in November 2012 about works to the roof and potential loft and this alerted planning officers to the construction of the first floor front extensions that had been dismissed on appeal by the Planning Inspectorate in 2009. No previous reports had been made to the Council about this work.

Given the planning history relating to the first floor front extension, the owner was contacted to discuss the matter prior to a planning contravention notice being served in January 2013. A planning contravention notice takes the form of a questionnaire as a pre-cursor to serving a planning enforcement notice. Its purpose was to seek confirmation of when the development was carried out.

A further planning application for the front extension was not invited by the Council in these circumstances. However, the owner was advised that the pitched roof added to the garage was also considered to be breach of planning control and advised that it should be made the subject of a planning application should he wish to retain it in its current form.

On receipt of the retrospective planning application for both the pitched garage roof and the front extension, officers considered implementing a procedure whereby a Local Planning Authority can decline to validate the application. However as the application was made prior to an enforcement notice being served and because the previous decision was over 2 years ago, there were no grounds for Council to turn away the application.

Analysis

The main considerations in assessing this application are the impact on the neighbouring property's amenities and the impact on the streetscene. The application turns on policy CS34 of the Core Strategy and the Development Guidelines SPD.

The two aspects of the proposal are considered in turn.

- (i) The first floor front extension

The proposed extension is located on top of the pre-existing porch. The porch measures approximately 1.5 metres deep by 3 metres wide. The proposal increases the height of the structure to 6.1 metres and has a simple pitched roof.

The proposal is set away from the boundary with the neighbouring property and is not considered to have any unreasonable harm to privacy, outlook or light of the attached neighbour, no. 18 .

The Development Guidelines SPD advises that extensions that project forward of the existing house will generally be resisted and where a street has a clear established building line, the only development that might be acceptable at the front is likely to be a small, sympathetically designed porch. Porches are not a common feature of the street although a handful of properties have constructed porches

under “permitted development”. Two storey front extensions are not a feature found in the vicinity of the site. A first floor extension has a much greater impact on the appearance of the property than a single storey porch and is considered to detract from the built form of this run of semi-detached houses on the same design on the south side of Tithe Road.

It is noted that the property is located at the end of a run of properties of the same design and the last of two pairs of semi-detached properties set further back from the road and that there is a mix of housing styles further along the road to the west. In addition, the extension has been completed in materials to match the main house and ties in with the eaves of the existing house. However, these issues were carefully considered both by the Council and then the Planning Inspectorate prior to construction and concluded that the development would appear out of character and be detrimental to the visual quality of the area, contrary to policy CS34 and the Development Guidelines SPD. The policy context has not changed significantly since those decisions, and so those decisions are a material planning consideration.

(ii) The pitched roof to the existing double garage

As the existing double garage - or pair of single garages to be precise – is in front of the house, planning permission is considered to be required for the pitched roof addition. The applicant has indicated that he was advised that planning permission was not required before carrying out this work.

The Development Guidelines SPD advises that garages in front gardens will generally be resisted as they are prominent sites and can detract from the streetscene. Although the planning history shows the garages have been granted specific permission in the past, the context of the site may have been different at that time – perhaps prior to Cundy Close being developed in the early 1980s. The addition of the pitched roof greatly increases the mass of the previously flat roof garages and makes it a prominent feature. Viewed from the west, it is seen in context with 1A Cundy Close, and appears to be a comparable size. Due to its mass and location, the garage with this pitched roof is considered to appear out of character and be detrimental to the visual quality of the area, contrary to policy CS34 and the Development Guidelines SPD.

The garage is set away from the boundary with the neighbouring property to the east and given the existing boundary treatment, the lower level of their garden, and the relative orientation, the addition of the garage roof it is not considered to have any unreasonable harm to light, outlook or privacy to that neighbour .

Other issues

The other issues raised in the letters of representation are considered below:

- The fact that the application is retrospective can be given very little weight in determining the planning application, which must be determined on the planning policies and guidance as set out above.
- Queries relating to the safety of the building works will be addressed through the Building Regulations process. A contravention file was raised in November 2012 but action has been deferred pending the outcome of the planning compliance case.

- Concern raised regarding the potential for the roofspace to be used for business use appears to be speculation and does not form part of the proposal. The roof space is understood to be used for additional storage for the property. Whether a business use requires planning permission is a matter of 'fact and degree', depending on the type and frequency of use and its impact on the surroundings. There have been no reports to the Council that the garage roofspace is being used for business purposes. Should such a report be received, it would be investigated accordingly.

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

Section 106 Obligations

Not applicable to this application

Equalities & Diversities issues

None. As the development has already been constructed, the applicant has indicated that it will put his family in difficulty however he was aware at the time of construction that planning permission had been refused and he carried out the development at his own risk.

Conclusions

This is a very unusual situation where development has proceeded despite a dismissed appeal, and without being drawn to the attention of this Council previously. The appeal decision remains the key material planning consideration in this case and for the reasons set out above, the proposal is recommended for refusal due to the detrimental impact on the streetscene.

Recommendation

In respect of the application dated **31/01/2013** and the submitted drawings site location plan, plans and elevations first floor extension dwg S367/05/09 and garage plans and elevation as existing and as proposed dwg PL7 4QQ/GR/001 and 002 and accompanying photographs, it is recommended to: **Refuse**

Reasons for Refusal

DETRIMENTAL TO THE STREETSCENE - FIRST FLOOR FRONT EXTENSION

(1) The Local Planning Authority considers that the proposed front extension, by virtue of its size and position, will be an unduly prominent addition to the streetscene. The proposed extension will extend beyond the main front elevation of the property and the building line of neighbouring properties in the street. The proposal will be out of character with development in the area, which is contrary to Policy CS34 of the adopted City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and advice in the Development Guidelines Supplementary Planning Document (2010).

DETRIMENTAL TO THE STREETSCENE - PITCHED ROOF TO GARAGE

(2) The Local Planning Authority considers that the proposed pitched roof to the garage, by virtue of its size, increase in bulk and massing and position in front of the dwelling, will be an unduly prominent addition to the streetscene. The proposal will be out of character with development in the area, which is contrary to Policy CS34 of the adopted City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and advice in the Development Guidelines Supplementary Planning Document (2010).

INFORMATIVE: PROACTIVE WORKING

In accordance with the requirements of Article 31 of the Town and Country Planning (1) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council works in a positive and pro-active way with Applicants and looks for solutions to enable the grant of planning permission. This includes the offer of pre-application discussions to resolve issues of concern to the Council prior to formal submission of a planning application. However in this case the proposal is not sustainable development for the reasons set out and the Council was unable to identify a way of securing a development that improves the economic, social and environmental conditions of the area.

Relevant Policies

The following (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, were taken into account in determining this application:

CS34 - Planning Application Consideration

CS02 - Design

SPDI - Development Guidelines

NPPF - National Planning Policy Framework March 2012

PLANNING APPLICATION REPORT



ITEM: 05

Application Number: 13/00101/FUL

Applicant: Mr Joseph McParlin

Description of Application: Retrospective application for change of use from 6 bedroomed house in multiple occupation (HMO, Use Class C4) to 8 bedroomed house in multiple occupation

Type of Application: Full Application

Site Address: 1 SEATON AVENUE PLYMOUTH

Ward: Compton

Valid Date of Application: 30/01/2013

8/13 Week Date: 27/03/2013

Decision Category: Member Referral

Case Officer : Liz Wells

Recommendation: Grant Conditionally

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Committee referral

This application has been referred to Planning Committee by Councillor Ball.

Site Description

1 Seaton Avenue is a three-storey end-terrace residential property located close to Mutley Plain in the Compton Ward of the city. The property is a large period property with service lane to side and rear with a modest sized yard with garage. The proposed use had already been implemented at the time of the officer's site visit.

Proposal Description

Retrospective application for change of use from 6 bedroomed house in multiple occupation (HMO, Use Class C4) to 8 bedroomed house in multiple occupation.

Note: the proposal description has been amended during the course of the application following clarification from the applicant that prior to September 2012, the property was being used as an HMO for up to 6 people. The application was described by the Council as the 'change of use from 6 bedroom dwelling house (use class C3)', although the application form submitted stated 'Increase from a 6 bedroom to an 8 bedroomed licenced HMO i.e. to regularise from 6 to 8 beds (retrospective)'.

Pre-Application Enquiry

None

Relevant Planning History

No planning history for this property.

Recent planning application on 7-9 Seaton Avenue for 'Change of use, conversion and alteration of care home to form two student houses in multiple occupation (containing a total of 17 bed spaces) including removal of rear extensions to No.9 and formation of parking area and associated bin and cycle storage' 12/00676/FUL. Application REFUSED and appeal DISMISSED.

Consultation Responses

Transport – no objections to the proposal based on amended description. Recommended conditions for restriction to student accommodation and cycle storage provision for a minimum of 4 bicycles. If the applicant is not willing to accept the condition to restrict occupation to bona-fide students only then an amended response will be provided with a recommendation to refuse, due to the increase in parking demand based on the increase of non-student occupied rooms. Alternatively, if the applicant can provide an additional off-street parking space in the rear garden then the shortfall will be the same as the former 6 bed HMO and the status-quo, in terms of shortfall of 2 spaces, will be retained, thus making the proposal acceptable without the need to restrict occupation .

The property lies within a resident permit parking scheme which is currently oversubscribed and as such the property would be excluded from obtaining permits and visitor tickets for use within the scheme.

Public Protection Unit - Any nuisance or anti-social behaviour emanating from the future proposed development would normally be addressed through legislation. Should the application be granted, there is a requirement for an adequate management plan, to control the future operation of the accommodation and to address any issues that may be created by future tenants. A copy of this management plan should be submitted to the Local Planning Authority and so a condition and informative are recommended that support this requirement.

Regarding conversion/ construction management, because the proposed development involves potentially noisy and disruptive activities a condition is recommended to help mitigate any effect on nearby residents.

Regarding Land quality, due to the narrow scale and scope of the development and/or limited record of previous potentially contaminative land use on site and in the near vicinity, no further information is required.

Conditions recommended for Management Plan and hours of construction and demolition.

Representations

Two letters of representation received, objecting to the application on the basis of:

- Noise nuisance from existing properties used in multiple occupation, social club to rear and young people returning from bars on Mutley Plain and proposal will add to this.
- Parking as students bring their cars and sometimes leave them on the street unused for the whole term. Also from visitors to the property.
- Evidence collected and the fact that the Article 4 direction has been issued to reason enough for the change of use to be turned down.
- Visual impact, maintenance and refuse – due to absentee landlords – for example blankets at windows and overgrown gardens, and some bins left permanently out Council could issue specific conditions.
- Single person/residence imbalance and transient residents – we do not want the transient community to number more than the permanent community – residents would welcome property being converted into flats for families.
- The application is retrospective as students are already renting rooms in the house.

Analysis

The main considerations in assessing this application are the impact on the character and appearance of the area, highway considerations, the impact on neighbouring properties' residential amenity.

This application turns upon the NPPF, policies CS01 (Development of Sustainable Linked Communities), CS15 (Overall Housing Provision), CS22 (Pollution), CS28 (Local Transport Considerations), and CS34 (Planning Application Considerations) of the Council's Core Strategy, adopted April 2007, Development Guidelines Supplementary Planning Document (SPD) and the draft revised 'First Review' Development Guidelines SPD (with appropriate weight attached).

Character and appearance of the area

For the purpose of this report it is noted that the application site lies in the recently designated Article 4 direction area which requires changes of use of dwellings C3 to C4 to require planning permission from the Council. This came into effect from 14 September 2012. A C4 dwelling is one used for 3 to 6 people living in multiple occupation. However, this application is for 8 people living in multiple occupation which in planning terms is *sui generis* meaning in a Use Class of its own. As such, whilst the Article 4 Direction and draft SPD guidance provides a useful evidence base and guidance in terms of changes to the character of a neighbourhood, appropriate weight needs to be given to the fact that this proposal is not for a C4 dwelling. In addition, the applicant has confirmed that the property was used in multiple occupation for up to 6 people prior to the Article 4 Direction coming into effect. It could therefore be argued that the proposed change of use intensifies the existing use but does not represent the loss of a single dwellinghouse use.

The property is large, arranged over three floors and submitted plans show that it was previously used as a six bedroom house. An HMO license application was received by the Private Rented Team of the Housing Service of the Council in June 2012 and has been inspected several times by that team. An officer has confirmed from their last visit on 11 May 2012, the property was occupied by maximum of 4 persons.

Due to the size of properties in this terrace, a number have already been sub-divided into flats or used in multiple occupation. From the data available to the Council 30-50% of the properties in the street and within 100 metres of the property are already in some form of multiple occupation. The letter of representation raises concern about the balance of permanent and transient residents in the street but suggests that other forms of sub-division would be acceptable to residents.

In the recent appeal decision for 7 to 9 Seaton Avenue, which related to a change of use of a former care home to a 17 bed HMO, there was no dispute over the loss of family housing due to the previous care home use, and the inspector considered that the only issue that led him to dismiss the appeal was on the basis of the management arrangements put forward by the applicant.

The Inspector's report stated:

- I. The provision of student accommodation to keep pace with the expansion of the University clearly poses a challenge, given the University's city centre location and the predominance of densely developed residential areas around it. The appeal premises are well located in relation to the University, to public transport and to local shopping facilities on Mutley Plain. The submitted plans indicate that the premises would be converted from the former nursing home use to high standard self-contained student accommodation. The street scene of terraced houses would be improved by taking away a rear extension and by reinstating a front entrance to one of the two former houses that comprise the property. Furthermore, I acknowledge that students do bring considerable benefits to the City's economy, and bring a vibrancy that furthers one of the main aims of the

Core Strategy, which is to build balanced and mixed sustainable communities.

2. Notwithstanding these merits of the scheme, the proposal would result in just over one third of the properties in Seaton Avenue being in multiple occupation. I share the concern of local residents that the scale of the proposal that would create accommodation for 17 students has the potential to generate noise and disturbance that would be out of character with the Avenue.

There is no doubt that the proposed 8 bedroom HMO is likely to result in more comings and goings than a 6 bedroom HMO. As commented by the Inspector in the recent appeal decision, it would be wrong to assume that all students are noisy and that the maintenance and repair of the property would necessarily decline as a result of its change in use. Indeed the property appeared to be in very good state of repair externally at the time of the site visits and scaffolding on the rear elevation was to address maintenance issues with roof vents. In light of the Inspector's comments, a management plan has been invited to support this application.

The submitted Management Plan from the applicant states:

- *The property is Managed by a well established and respected local property Management agent, Chris Shorey and Co. Lettings (Established 1982, employing 15 staff) to undertake the day to day letting and Management of this HMO. They are members of ARLA, NFOPP and are accredited by Plymouth University and the National Landlords Accreditation Scheme, which is in turn recognized by Plymouth City Council. There are strict rules governing Anti Social Behavior and management. However, I fully understand that the ultimate responsibility for the management of the above property lies with me as License holder and I have a good working relationship with the agency, being told immediately of any issues regarding this rented property.*
- *All of the immediately neighbours have been informed in writing of this arrangement and have been given their office contact details, including an emergency number for out of office hours contact. This is in order to raised any issues that might occur at the property such as Anti Social Behavior, Refuse and Maintenance or any other nuisance issues. A record of any such incidents is to be kept by the agency for any future reference, as per the HMO guidelines for effective management.*
- *Their Tenancy Agreement/Contract expressly states that "Anti Social Behaviour, Refuse will NOT be tolerated and that breaching any such conditions of the Tenancy can lead to possible eviction from the property, loss of their security deposit and potentially, legal action being taken against them".*
- *The required Notices informing Tenants of their duties with respect to Anti Social Behaviour Code, as well as All of the relevant paragraphs copied from their own signed Tenancy Agreements are prominently displayed in the communal area of tis property, as required by the HMO management guidelines.*

- *Also prominently displayed in the communal areas are the exact Refuse Collection Arrangements, including the necessity to replace all refuse and recycling bins back into the rear storage area as soon as possible after they are emptied. These notices are in place to ensure that the use of this HMO does not affect other adjacent residents in the street.*

A copy of the relevant paragraphs copied from the Tenancy Agreement, Anti Social Behaviour Code and Letting company contact details have also been submitted as information to support the planning application.

Details of the management could be secured by condition.

Highways considerations / Parking

The property has an existing garage and the application form indicates that there is provision for 8 motorcycles and 8 bicycles to be parked, however no dedicated cycle/motor cycle storage was observed during the site visit and the garage was in use for storage by the applicant. However, with minor alteration, the garage could be converted for the secure storage of bicycles with the subsequent loss of the single off-street car parking space.

The Highways Officer has given the following explanation of parking demand for the property as it was before the change to the proposed 8 bed roomed HMO, and on the basis of the recommended conditions for a restricting the accommodation to use by student and the provision of secure cycle storage provision for a minimum of 4 bicycles, has not raised objection to the proposal. The Transport consultation response states:

Currently 1 off-street parking spaces exists in the form of a garage with access off the side access lane. The applicant has suggested storage for 8 cycles will be provided.

The main issue in terms of impacts on the highway network, in this instance, relates to that of parking demand. The property lies within a resident permit parking scheme which is currently oversubscribed and as such the property would be excluded from obtaining permits and visitor tickets for use within the scheme.

The permit scheme operates between 0800-1000 Monday to Saturday and as such in accordance with the City Council Development Guidelines SPD the applicant must make a contribution towards meeting parking demand. For a HMO in a short term permit zone, such as this, an off-street provision of 1 space per 2 rooms is required. This would result in the existing HMO generating a parking demand of 3 cars.

The proposed 8 bed HMO would require 4 spaces so is considered to be an intensification of the use compared to the 6 bed HMO. This in itself would be reason to refuse the proposal as even though one space is available the parking demand is not being met.

However, although the application proposal does not suggest that the 8 bed HMO is for student use only it is noted from the application form that the 8 rooms, subject to this retrospective application, are currently let to students. Student HMOs have a lower parking requirement in short term permit zones where a 50% reduction of the standard is

acceptable, to comply with the SPD requirements. This would result in a parking provision of 2 off-street parking spaces. In this regard the actual parking demand is reduced from that of a standard 6 bed HMO.

As the application form makes reference to the current occupation by students it is deemed appropriate to secure and restrict this by way of a planning condition. The required parking provision of 2 spaces is less than a standard HMO and with the use of the garage there is only a short-fall of 1 space. However, this is still an improvement from the current shortfall of 2 spaces (based on a 6 bed HMO).

As above the applicant will provide cycle storage for 8 cycles. The minimum requirement is 1 space per 2 rooms so a 100% provision is commendable. Again a condition should be attached to any grant of consent to secure the minimum provision for 4 cycles.

I have no objections to the proposal but if the applicant is not willing to accept the condition to restrict occupation to bona-fide students only then an amended response will be provided with a recommendation to refuse, due to the increase in parking demand based on the increase of non-student occupied rooms.

Alternatively, if the applicant can provide an additional off-street parking space in the rear garden then the shortfall will be the same as the former 6 bed HMO and the status-quo, in terms of shortfall of 2 spaces, will be retained, thus making the proposal acceptable without the need to restrict occupation.

Details and provision of secure cycle storage could be secured by condition, but due to the retrospective nature of the application, the condition has been amended to ensure the provision is made within 2 months of the date of decision. The applicant has verbally agreed to accept the condition restricting the use to students.

The property would be removed from the list of eligible properties for applying for the residents permit parking scheme that operates in the street.

Impact on Neighbouring Residential Amenities

Neighbouring residents have raised concerns that the development will have a demonstrably harmful effect on noise levels, will increase incidences of anti-social behaviour and impact on current problems with refuse. As previously discussed, it is considered that this could be substantively covered by the management plan which can be secured by condition.

The applicant has reported that there was a complaint about noise in October 2012 that was dealt with and the tenant involved was evicted.

As the work is retrospective, the recommended condition from the Public Protection Unit relating to hours of construction and demolition seems unnecessary as no further internal works are recommended, however as there is potential for further works in the rear yard to accommodate cycle storage, this condition is recommended to be applied to cover such works.

Living Conditions

The proposal will involve very few alterations to the internal fabric of the building. The period nature of the property means all rooms will be light and airy. All bedrooms will be of a sufficient size and communal areas will provide a full range of facilities. The accommodation will provide a decent standard of living for all future occupiers.

Other issues

The rear yard area has plenty of room for storage of refuse bins. The Management plan advises that refuse and recycling bins are to be stored in this rear yard area plan and this could then be covered by a condition.

The retrospective nature of the application can be given little weight as it must be determined on its merits in line with the adopted planning policies and guidelines.

New Homes Bonus:

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. Using the calculator created for this purpose does not account for properties over 5 bedrooms, but the increase in bedrooms generally increases the Council Tax by one band, suggesting this development would generate a total of approximately £959 in New Homes Bonus contributions for the authority if approved over a 6 year period. However, this calculator does not take account for the fact that a change of use does not necessarily imply that the Valuation Officer will re-band the property and is not adjusted for the potential reduction in Council Tax applied to student properties. 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.

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

Section 106 Obligations

Not applicable to this application.

Equalities & Diversities issues

None

Conclusions

The inspector who presided over the 7-9 Seaton Avenue appeal identified management shortcomings as the reason for turning down the appeal. That appeal decision is a material consideration in the context of this application, and the judgement of the Inspector to not turn down the appeal on HMO concentration grounds suggests that this application should, on balance, be recommended for approval, subject to conditions. Conditions recommended include: details of the management plan, cycle storage to be provided within 2 months and limiting the number of occupants to the 8 applied for.

Recommendation

In respect of the application dated **30/01/2013** and the submitted drawings site location plan, floor plans including site layout on ground floor and rear yard as current and floor plans existing before, it is recommended to: **Grant**

Conditionally

Conditions

APPROVED PLANS

(1) This permission relates to the following approved plans: site location plan, floor plans including site layout on ground floor and rear yard as current and floor plans existing before.

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.

OCCUPATION RESTRICTION - STUDENT ACCOMMODATION

(2) The occupation of the accommodation hereby approved shall be limited to students in full-time education only.

Reason:

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

BEDROOMS

(3) No more than 8 rooms at the property shall be used as bedrooms. Only the numbered rooms on the approved floor plans shall be used as bedrooms, unless the Local Planning Authority gives written approval to any variation of this requirement.

Reason:

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

MANAGEMENT

(4) The management plan for the operation of the accommodation, including the contact details (including postal address, email address and telephone number) of the person to be contacted regarding any issues arising from the use of the building or its curtilage and a commitment to keep this information up to date, submitted to the Local Planning Authority on 20 February 2013 shall be adhered to strictly at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of neighbours' amenities and to provide a ready point of contact for any person who needs to address an issue in relation to the use of the property, in accordance with policies CS15, CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Plymouth's adopted Development Guidelines Supplementary Planning Document 2010.

REFUSE STORAGE

(5) Within 2 months of the date of decision, space shall be laid out within the rear yard area of the site for refuse storage and shall remain available at all times 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 adequate facilities in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE PROVISION

(6) Within 2 months of the date of this decision notice, space shall be laid out within the site for 4 bicycles to be securely parked in the rear yard and this cycle storage space shall remain available at all times for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

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

HOURS OF CONSTRUCTION AND DEMOLITION

(7) Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the occupiers of adjoining properties and to comply with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 of Plymouth City Council's Local Development Framework.

INFORMATIVE: RESIDENTS PERMIT PARKING SCHEME

(1) The property lies within a resident permit parking scheme which is currently oversubscribed. As such, the property will be excluded from obtaining permits and visitor tickets for use within the scheme.

INFORMATIVE - MANAGEMENT PLAN

(2) With regard to the management plan, it is recommended that there is an appropriate selection process for tenants and that an appropriate anti-social behaviour clause is included in the tenancy agreement so that any anti-social behaviour or noise nuisance created by the tenants can be adequately addressed. Should a noise nuisance be created at the property, then action may be taken in line with statutory nuisance provisions under the Environmental Protection Act 1990.

INFORMATIVE: PRO ACTIVE WORKING

(3) 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: standard of accommodation and the impact on the amenity of future occupants, impact on neighbour amenity, impact on the character and appearance of the area, and transport and parking aspects, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (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:

- CS34 - Planning Application Consideration
- CS01 - Sustainable Linked Communities
- CS15 - Housing Provision
- SPDI - Development Guidelines
- NPPF - National Planning Policy Framework March 2012

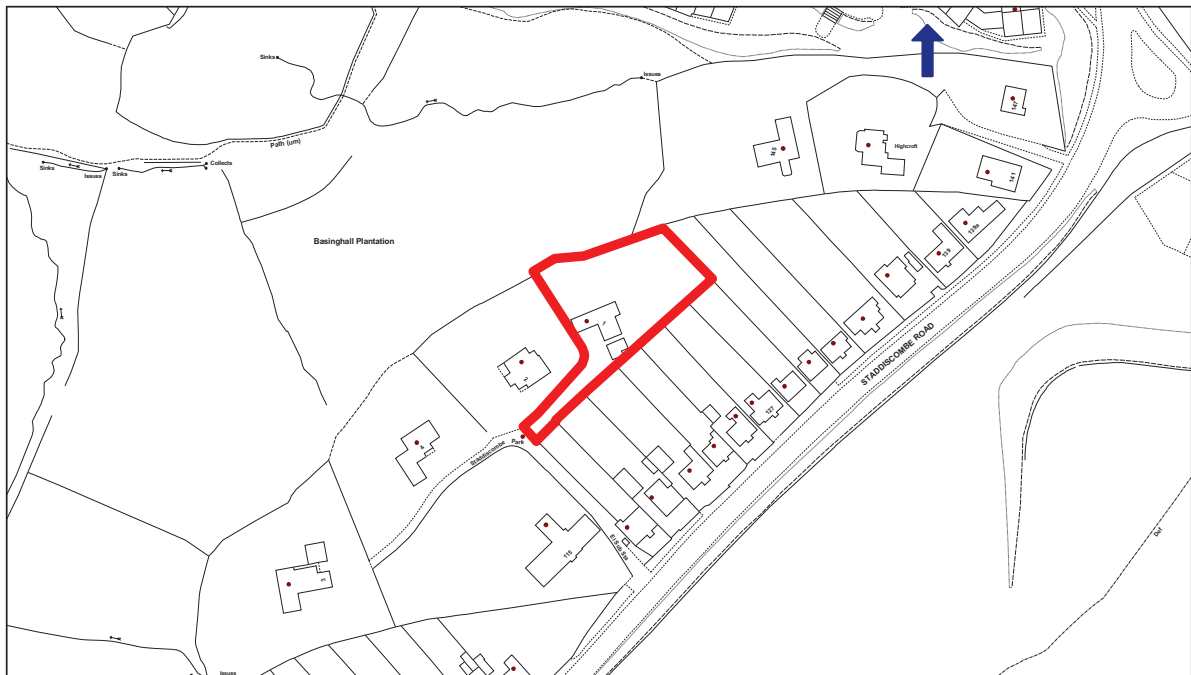
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PLANNING APPLICATION REPORT



ITEM: 06

Application Number:	I3/00084/FUL
Applicant:	Mr C Pethick
Description of Application:	Retrospective application for a rear balcony
Type of Application:	Full Application
Site Address:	I STADDISCOMBE PARK PLYMOUTH
Ward:	Plymstock Dunstone
Valid Date of Application:	17/01/2013
8/13 Week Date:	14/03/2013
Decision Category:	Member Referral
Case Officer :	Liz Wells
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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Committee referral

This application has been referred to Planning Committee by Councillor Churchill.

Site Description

1 Staddiscombe Park is a detached residential dwelling, in the Staddiscombe area of Plymouth. It is located on Staddiscombe Park which is a private driveway with three other properties.

The property lies to the south of a small woodland (Basinghall Plantation) and the ground slopes down from south to north, such that the south (front) of the properties appear single storey but the north (rear) is two storey. The property and its neighbour enjoy an open aspect on the northern side and relatively large gardens.

Proposal Description

Retrospective application for a rear balcony.

The balcony measures approximately 3 metres by 3 metres and is understood to have been constructed in 2010 with the associated change of a window to door to access the balcony. The balcony is bounded by 1.1 metre high glass screen and balustrade. The submitted plans propose to replace the low glass screens on the western side of the balcony with 1.7 metre high obscure glass screen to create a privacy screen.

Pre-Application Enquiry

None. This application has been submitted following a planning compliance investigation raised in November 2012.

Relevant Planning History

12/01840/FUL – Retrospective application for part two storey, part single storey side extension – Granted conditionally.

Note: this application had been submitted prior to the Planning Department contacting the owner about the building not being in accordance with the approved plans for 11/01002/FUL.

11/01002/FUL – Single storey side extension to provide a private swimming pool – Granted conditionally.

12/01006/TPO – 2x Ash – Crown raise by 1-2m and laterals on house side by 1-2m
5 Beech, Horsechestnut and Hornbeam – Crown raise by 0.5-1m – Granted Conditionally.

94/01489/FUL – First floor side extension – Granted conditionally.

87/01165/FUL – Erection of detached double garage – Granted conditionally.

78/02991/FUL – Erection of dwelling and private motor garage – Granted conditionally.

77/00525/FUL – Erection of one detached dwellinghouse land adjacent to Staddiscombe Road – Granted Conditionally.

Consultation Responses

None requested or received.

Representations

One letter of representation from the neighbouring property, 2 Staddiscombe Park, objecting to the application on the following grounds:

- Invasion of privacy to garden and lounge
- Balcony is unsightly and often used for drying washing
- Noise and nuisance from its use
- Built without any communication, consultation or consideration – would have objected from the outset
- Loss of property value
- There is a covenant on extending properties and becoming a nuisance in Staddiscombe Park

The letter also makes note of other issues not directly linked to the proposal under consideration – namely the disturbance during the recent extension works, blocking access by workmen and deliveries and damage to a hedge for gate post construction. The letter notes the inaccuracies or inconsistencies in the submitted plans which have been amended during the course of the application.

The issues are addressed in the analysis section below.

Analysis

The application turns upon policies 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). The primary planning consideration in this case is the impact on neighbour amenity, particularly regarding privacy of the adjacent neighbour at 2 Staddiscombe Park.

Privacy:

The Development Guidelines SPD advises that balconies are often unacceptable in urban areas because of the impact they can have on the privacy of neighbours. Due to the height of the balcony relative to the existing boundary screening and the elevation of the property relative to the garden, which slopes down away from the house, the balcony as built results in overlooking of a large part of the no. 2's rear garden and the side first floor living room window of no. 2. However, much of this overlooking would be mitigated by the proposed privacy screen. With the proposed privacy screen erected, the balcony will result in overlooking of the northeast corner of no. 2's garden which is currently occupied by two sheds and a greenhouse and only when standing at the front edge of the balcony. Comparing this degree of overlooking with the overlooking achieved from standing in the house and looking out of the window (as it would have been before the balcony was erected), officers consider that there is no significant loss of privacy to that neighbour.

Visual impact:

Due to the property's location, in a private drive, and topography of the area, officers consider that the balcony has no impact on the character and appearance of the area as viewed from the public vantage points. It can be seen from the neighbouring property, no. 2 and potentially from the far ends of the very long gardens of properties on Staddiscombe Road.

From these properties, the balcony is seen in the context of the house and is not considered to have any detrimental impact on the visual amenity enjoyed by those properties. The balcony and screen is within the development guidelines in terms of impact of their outlook and light due to the separation distance from neighbouring.

Concern raised in the letter of representation about the visual amenity and drying of washing will be shielded by proposed privacy screen.

Noise:

Concerns raised in the letter of representation about noise from the use of the balcony are not considered to warrant the application for refusal. The Local Planning Authority would not be able to control the use of the garden ancillary to the enjoyment of the dwelling house and the noise generated from the use of the balcony area is not considered to be substantially different from use of other areas of the garden. In addition, the proposed privacy screen is likely to deflect some of the noise away from the neighbouring property.

Other properties:

The balcony is not considered to result in any significant impact on 145 Staddiscombe Road (which lies to the northeast) due to the relatively large rear garden, giving a separation distance of at least 40 metres to the boundary at an angle to the balcony, and due to the number of established tall trees and difference in ground level.

Other issues:

The other issues raised in the letter of representation are considered below:

- This planning application has been received as a result of a planning compliance investigation. The balcony has been built without planning permission which is now sought retrospectively and has been subject to the statutory consultation for planning applications. The lack of consultation between neighbouring properties outside of the statutory planning process is a civil matter. Two other recent compliance investigations concerning the application property have been closed.
- The loss of property value is not a material planning consideration.
- The enforcement of covenants is not a material planning consideration and the objector is advised to seek legal advice in this regard.

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

Section 106 Obligations

Not applicable to this application.

Equalities & Diversities issues

None

Conclusions

Whilst it is accepted that there may be a perception of overlooking, increased noise and dominance resulting from the elevated balcony, the proposed privacy screen mitigates the loss of privacy from the balcony as built. For the reasons explained above, these other issues are, on balance, not considered to warrant the application for refusal. The application is therefore recommended for approval subject to a condition requiring the proposed privacy screen to be erected within six weeks of the date of the application being approved. This will be monitored through the compliance case.

Recommendation

In respect of the application dated **17/01/2013** and the submitted drawings amended site location plan, block plan 35/020-4 issue 01, existing ground floor plan 05:01:2013, first floor plan as built 05:02:2013, proposed first floor plan 05:03:2013, existing elevations drawing 05.04.2013 issue 01 Rev B, and proposed elevations 05:05:2013 Rev A, it is recommended to: **Grant Conditionally**

Conditions

APPROVED PLANS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: amended site location plan, block plan 35/020-4 issue 01, existing ground floor plan 05:01:2013, first floor plan as built 05:02:2013, proposed first floor plan 05:03:2013, existing elevations drawing 05.04.2013 issue 01 Rev B, and proposed elevations 05:05:2013 Rev A.

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.

PRIVACY SCREEN

(2) Within six weeks of the date of this decision notice the privacy screen shall be erected in accordance with the approved plans. The screen shall be constructed of frosted glass (the glass of which shall have an obscurity rating of not less than level 5) unless otherwise agreed in writing by the Local Planning Authority. The privacy screen shall thereafter be retained at all times.

Reason:

To protect the privacy currently enjoyed by neighbouring property in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE: PRO ACTIVE WORKING

(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 with the Applicant including pre-application discussions in connection with the planning compliance investigation 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: impact on the amenities of neighbouring properties, 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

SPDI - Development Guidelines

NPPF - National Planning Policy Framework March 2012

PLANNING COMMITTEE

Decisions issued for the following period: 22 January 2013 to 24 February 2013

Note - This list includes:

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

Item No 1

Application Number: 12/00844/FUL **Applicant:** Affinity Sutton Homes Limited

Application Type: Full Application

Description of Development: Demolition of existing building and redevelopment of site by erection of 25 new affordable residential units comprising one apartment block with 9 flats and 16 houses (8 residential units to remain as affordable housing in perpetuity)

Site Address WATERLOO COURT, WATERLOO CLOSE PLYMOUTH

Case Officer: Matt Coombe

Decision Date: 13/02/2013

Decision: Grant Subject to S106 Obligation - Full

Item No 2

Application Number: 12/01171/REM **Applicant:** Persimmon Homes (SW) Ltd

Application Type: Reserved Matters

Description of Development: Reserved Matters for the first 110 dwelling and associated highways, landscaping and enclosures to be provided within Phase 1 of the proposed 'Morley Park' development within Plymstock Quarry (Relates to Outline Permission 07/01094/OUT for up to 1684 dwellings in total, phased as part of a new mixed use neighbourhood)

Site Address PLYMSTOCK QUARRY, THE RIDE PLYMOUTH

Case Officer: Simon Osborne

Decision Date: 14/02/2013

Decision: Grant Conditionally

Item No 3

Application Number: 12/01302/REM **Applicant:** Redrow Homes Limited
Application Type: Reserved Matters
Description of Development: Reserved matters approval for mixed use comprising 956sqm commercial floor space, 390sqm of retail floor space and 33 residential units together with associated parking and landscaping
Site Address VISION, ZONE G DEVONPORT PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 22/01/2013
Decision: Grant Conditionally

Item No 4

Application Number: 12/01304/FUL **Applicant:** BDW Trading Limited
Application Type: Full Application
Description of Development: Redevelopment of site by erection of 347 new mixed tenure homes in the form of 60 flats and 287 houses with associated parking and improvements to Cookworthy Green
Site Address WOODVILLE ROAD PLYMOUTH
Case Officer: Carly Kirk
Decision Date: 13/02/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 5

Application Number: 12/01339/FUL **Applicant:** Mr Andrew Preston
Application Type: Full Application
Description of Development: Re-develop site by erection of new 4 storey building containing commercial unit on ground floor and 7 apartments on upper floors with associated car parking, refuse and cycle storage (demolition of existing building)
Site Address SEAWINGS, 101 LAWRENCE ROAD PLYMOUTH
Case Officer: Robert Heard
Decision Date: 24/01/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 6

Application Number: 12/01340/FUL **Applicant:** Soltaire Property Developments
Application Type: Full Application
Description of Development: Demolition of existing buildings and redevelopment of site by construction of retail unit (Class A1) and student accommodation (16 cluster flats comprising 112 bedspaces) with associated cycle and refuse storage (amended scheme)
Site Address FROBISHER HOUSE AND FLEET HOUSE 64-68
EBRINGTON STREET AND 15 HEWERS ROW PLYMOUTH
Case Officer: Mark Evans
Decision Date: 25/01/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 7

Application Number: 12/01449/FUL **Applicant:** Urban Splash
Application Type: Full Application
Description of Development: Change of use to a mixed use for a range of uses comprising: B1 business, A1 shops, A2 financial and professional services, A3 restaurants and cafes, A4 drinking establishments, A5 hot food takeaway, D1 non-residential institutions, D2 gymnasium use and D2 spa use, internal alterations and removal of external escape staircases with variation to Condition 12 of planning permission notice no. 10//01384/FUL to now require no more than 550 square metres of floorspace to be used for a combined total of A1 shop purposes, A2 financial and professional services, A3 restaurants and cafes, and A4 drinking establishments, without prior written approval of the local planning authority
Site Address NEW COOPERAGE, ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 04/02/2013
Decision: Grant Conditionally

Item No 8

Application Number: 12/01455/FUL **Applicant:** Mr M Cryer
Application Type: Full Application
Description of Development: Redevelopment of carpark and erection of student accommodation comprising 20 units within 4 cluster flats and 2 studio flats within a four storey building (amendments to application 10/00939)
Site Address CAR PARK SITE, TRAFALGAR STREET PLYMOUTH
Case Officer: Mark Evans
Decision Date: 25/01/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 9

Application Number: 12/01504/FUL **Applicant:** CornerstoneZed Plymouth Ltd
Application Type: Full Application
Description of Development: Full planning permission for a maximum 91 residential Code 6 dwellings with an overall gross internal floor area of 12,520 m2 (Class C3); a 672 m2 assembly area with covered arcade (Class B1) to be used for flexible Class A3/A4/B1/D1 use on completion of development ((Blocks A & B); 117 m2 of flexible Class A3/A4/B1/D1 use (Block C); 368 m2 of Class B1/live-work accommodation fronting Tavistock Road together with associated carparking, community green open space and landscaping, village square and new vehicular access off Woolwell Crescent and Towerfield Drive
Site Address LAND OFF TOWERFIELD DRIVE PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 15/02/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 10

Application Number: 12/01523/FUL **Applicant:** LHC Architecture
Application Type: Full Application
Description of Development: Variation to planning permission ref: 09/01910/FUL to add a condition listing plan numbers
Site Address FORMER ARK ROYAL PUBLIC HOUSE DEVONPORT PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 07/02/2013
Decision: Grant Conditionally

Item No 11

Application Number: 12/01713/FUL **Applicant:** Old Priory Junior Academy
Application Type: Full Application
Description of Development: Demolition and remodelling of buildings plus new extensions to provide four new classrooms, offices and reception area, extended paladin fence, new vehicle access way and provision of access ramp and path/steps
Site Address OLD PRIORY JUNIOR ACADEMY, RIDGEWAY PLYMOUTH
Case Officer: Jon Fox
Decision Date: 12/02/2013
Decision: Grant Conditionally

Item No 12

Application Number: 12/01779/FUL **Applicant:** Plymouth Leisure Ltd
Application Type: Full Application
Description of Development: Change of use from amusement centre with cafe to a use within either Class A1 (shops) or A2 (financial and professional services) or A3 (restaurants and cafes) or A5 (hot food takeaways) of the Use Classes Order
Site Address 76 EMBANKMENT ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 05/02/2013
Decision: Grant Conditionally

Item No 13

Application Number: 12/01867/FUL **Applicant:** Linden Homes South West
Application Type: Full Application
Description of Development: Development of 23 houses (3 x 2 bed and 20 x 3 bed houses) associated landscaping and parking (34 parking spaces)
Site Address CURTIS STREET PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 14/02/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 14

Application Number: 12/01875/FUL **Applicant:** Mr Essy Kamaie
Application Type: Full Application
Description of Development: Change of use of ground floor to provide residential flat
Site Address 17 BISHOPS PLACE, WEST HOE ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 07/02/2013
Decision: Grant Conditionally

Item No 15

Application Number: 12/01891/FUL **Applicant:** Affinity Sutton Ltd
Application Type: Full Application
Description of Development: Demolition of one block of flats and garages; refurbishment of the five remaining blocks into eight houses and eight flats, erection of three blocks creating 12 flats, re-arranged access roads, parking and landscaping. All the dwellings to be affordable housing with nine dwellings to remain as affordable housing in perpetuity.
Site Address DAWSON CLOSE PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 31/01/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 16

Application Number: 12/01927/FUL **Applicant:** Mr Nigel Passmore
Application Type: Full Application
Description of Development: Erection of stable block and associated works
Site Address LAND OPPOSITE WARLEIGH ACRE, OLD WARLEIGH LANE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 30/01/2013
Decision: Grant Conditionally

Item No 17

Application Number: 12/01934/FUL **Applicant:** Mr David Wright
Application Type: Full Application
Description of Development: Change of use and conversion of single family dwelling house (Class C3) to a five bedroom house in multiple occupation (Class C4)
Site Address 6 PATNA PLACE PLYMOUTH
Case Officer: Chris Watson
Decision Date: 25/01/2013
Decision: Refuse

Item No 18

Application Number: 12/01958/FUL **Applicant:** Mr & Mrs Shirley
Application Type: Full Application
Description of Development: Demolition of garage and erection of two-storey split level dwelling with integral garage, and formation of new vehicular access to serve Lake House (78 Radford Park Road)
Site Address LAKE HOUSE, 78 RADFORD PARK ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 29/01/2013
Decision: Grant Conditionally

Item No 19

Application Number: 12/01962/FUL **Applicant:** Tesco Stores Ltd
Application Type: Full Application
Description of Development: Change of use of 8 customer parking spaces to 2-bay customer shopping pick-up facility, and associated van loading bay, and new canopy over
Site Address TESCO STORES LTD, TRANSIT WAY PLYMOUTH
Case Officer: Jon Fox
Decision Date: 01/02/2013
Decision: Grant Conditionally

Item No 20

Application Number: 12/01970/FUL **Applicant:** Pillar Land Securities Ltd
Application Type: Full Application
Description of Development: 0
Site Address 1 PLYMBRIDGE LANE PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 22/01/2013
Decision: Application Withdrawn

Item No 21

Application Number: 12/02000/FUL **Applicant:** Select Developments Ltd
Application Type: Full Application
Description of Development: 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)
Site Address THE CORNWALL GATE, 71 NORMANDY WAY PLYMOUTH
Case Officer: Robert Heard
Decision Date: 30/01/2013
Decision: Application Withdrawn

Item No 22

Application Number: 12/02008/FUL **Applicant:** Trathen Properties Ltd
Application Type: Full Application
Description of Development: 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.
Site Address LAND AT JUNCTION OF DALE ROAD AND SIDING ROAD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 01/02/2013
Decision: Grant Conditionally

Item No 23

Application Number: 12/02009/FUL **Applicant:** Belton Dev (S.W.) Ltd
Application Type: Full Application
Description of Development: Conversion of garage to family room on Grade II* listed building, replace fixed window on ground floor south elevation with a double glazed oak framed door to match existing front door
Site Address THE WATER TOWER, 91 CRAIGIE DRIVE PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 24

Application Number: 12/02014/FUL **Applicant:** Urban Splash
Application Type: Full Application
Description of Development: Change of use from exhibition/arts area to restaurant and café use (Use class A3)
Site Address UNITS 3-5 BREWHOUSE,8 ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 15/02/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 25

Application Number: 12/02017/LBC **Applicant:** Belton dev (S.W) Ltd
Application Type: Listed Building
Description of Development: Conversion of garage to family room on Grade II* listed building. Replace fixed window on ground floor south elevation with a double glazed oak-framed door to match existing front door
Site Address THE WATER TOWER, 91 CRAIGIE DRIVE PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 24/01/2013
Decision: Grant Conditionally

Item No 26

Application Number: 12/02023/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Change of use from industry (B1 and B2) to motor cycle training facility
Site Address 4 HAXTER CLOSE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 31/01/2013
Decision: Grant Conditionally

Item No 27

Application Number: 12/02044/FUL **Applicant:** Nordic Construction
Application Type: Full Application
Description of Development: Variation of Condition 30 of decision notice 09/00005 to allow for changes to the external appearance and internal layout of the proposal to create an additional 4 bedspaces
Site Address 24 ALEXANDRA ROAD MUTLEY PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 07/02/2013
Decision: Grant Conditionally

Item No 28

Application Number: 12/02054/FUL **Applicant:** Mr Essy Kamaie
Application Type: Full Application
Description of Development: Demolition of office building and rear boundary wall and erection of detached, two-storey dwellinghouse
Site Address REAR OF 10 WOODSIDE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 05/02/2013
Decision: Refuse

Item No 29

Application Number: 12/02066/LBC **Applicant:** Devington Homes
Application Type: Listed Building
Description of Development: Linking apartments 11 and 12 by blocking the front door to apartment 11 and creating a linking door to apartment 12
Site Address 19 AND 20 THE JARVIS GRAND HOTEL, 24 ELLIOT STREET PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 24/01/2013
Decision: Grant Conditionally

Item No 30

Application Number: 12/02083/FUL **Applicant:** Plymouth Garden Centre Limited
Application Type: Full Application
Description of Development: Alteration and extension of coffee shop and kitchen
Site Address PLYMOUTH GARDEN CENTRE, FORT AUSTIN AVENUE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 12/02/2013
Decision: Grant Conditionally

Item No 31

Application Number: 12/02086/FUL **Applicant:** Mr Ian Cooney
Application Type: Full Application
Description of Development: Single storey side extension
Site Address 34 GREENLEES DRIVE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 22/02/2013
Decision: Grant Conditionally

Item No 32

Application Number: 12/02087/FUL **Applicant:** Glen Park Primary School
Application Type: Full Application
Description of Development: Construction of new admin offices within existing inner courtyard, new entrance lobby (secure) together with a new ramped access path
Site Address GLEN PARK PRIMARY SCHOOL, GLEN ROAD PLYMPTON PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 20/02/2013
Decision: Grant Conditionally

Item No 33

Application Number: 12/02093/FUL **Applicant:** Mrs Janet James
Application Type: Full Application
Description of Development: Change of use of kiosk (A1) to include sale of hot food (A5)
Site Address WEST HOE PARK, HOE ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 01/02/2013
Decision: Grant Conditionally

Item No 34

Application Number: 12/02100/FUL **Applicant:** Mr Trevor Hext
Application Type: Full Application
Description of Development: Demolish existing front porch with construction of larger porch with pitched roof
Site Address 91 LYNWOOD AVENUE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 31/01/2013
Decision: Grant Conditionally

Item No 35

Application Number: 12/02103/PRDE **Applicant:** Paul Langmaid
Application Type: LDC Proposed Develop
Description of Development: Construction of a hardstanding and creation of a new access
Site Address HOMESTEAD, THORNHILL ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 24/01/2013
Decision: Issue Certificate - Lawful Use

Item No 36

Application Number: 12/02108/FUL **Applicant:** Carpwright
Application Type: Full Application
Description of Development: Installation of two new display windows to existing front elevation of retail unit
Site Address CARPETRIGHT PLC, UNIT 3, LONGBRIDGE ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 25/01/2013
Decision: Grant Conditionally

Item No 37

Application Number: 12/02124/TPO **Applicant:** Mr Daniel Shepard
Application Type: Tree Preservation
Description of Development: Two Copper Beech and One Oak tree - Pruning works
Site Address 22 JELICOE ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 15/02/2013
Decision: Grant Conditionally

Item No 38

Application Number: 12/02125/FUL **Applicant:** Mr L Clear
Application Type: Full Application
Description of Development: Demolition of commercial buildings, removal of wall along front elevation and erection of 4 semi-detached 2-bedroom houses with associated parking and landscaping
Site Address 18 BROOKINGFIELD CLOSE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 11/02/2013
Decision: Refuse

Item No 39

Application Number: 12/02130/FUL **Applicant:** Mr Paul Butler
Application Type: Full Application
Description of Development: Two-storey side and rear extension and internal alterations (lean-to barn to be removed) and erection of shed in garden
Site Address STENTAWAY COTTAGE, 62 STENTAWAY ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 07/02/2013
Decision: Grant Conditionally

Item No 40

Application Number: 12/02131/FUL **Applicant:** Eggbuckland Community Colleg
Application Type: Full Application
Description of Development: Extension to existing sports hall to form new table tennis facility and dance studio
Site Address EGGBUCKLAND COMMUNITY COLLEGE, WESTCOTT CLOSE PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 23/01/2013
Decision: Grant Conditionally

Item No 41

Application Number: 12/02132/LBC **Applicant:** Ocean Studios
Application Type: Listed Building
Description of Development: Works of conversion and alterations associated with the change of use of the premises community art studios, gallery space, workshops and associated facilities
Site Address COOPERAGE ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Ray Williams
Decision Date: 20/02/2013
Decision: Grant Conditionally

Item No 42

Application Number: 12/02146/FUL **Applicant:** Mr and Mrs Stockman
Application Type: Full Application
Description of Development: Demolition of outbuildings and garage to create car-port with erection of single storey extension to north elevation and two-storey extension to west elevation
Site Address TREBAR, ROCK HILL PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 23/01/2013
Decision: Grant Conditionally

Item No 43

Application Number: 12/02150/FUL **Applicant:** Devonport High School For Girls
Application Type: Full Application
Description of Development: First floor extension above existing single-storey building with courtyard to form offices and meeting room
Site Address DEVONPORT HIGH SCHOOL FOR GIRLS, LYNDHURST ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 25/01/2013
Decision: Grant Conditionally

Item No 44

Application Number: 12/02152/TPO **Applicant:** Mr Gary Watson
Application Type: Tree Preservation
Description of Development: Ash tree reduce by 3m and reduce over-extended limb by 3m
Site Address 40 PRIORY ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 24/01/2013
Decision: Grant Conditionally

Item No 45

Application Number: 12/02156/FUL **Applicant:** Mr Graham Wilson
Application Type: Full Application
Description of Development: Change of use and conversion of single family dwellinghouse (Class C3) to a four bedroom house in multiple occupation (Class C4)
Site Address 90 STUART ROAD PLYMOUTH
Case Officer: Chris Watson
Decision Date: 19/02/2013
Decision: Grant Conditionally

Item No 46

Application Number: 12/02157/FUL **Applicant:** Mr Gotham
Application Type: Full Application
Description of Development: Retrospective application for a single storey rear extension and section of raised decking
Site Address 50 VILLIERS CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 47

Application Number: 12/02163/FUL **Applicant:** Mr G Ashton
Application Type: Full Application
Description of Development: Demolish existing garage and construction of large garage with pitched roof
Site Address 8 BURLEIGH LANE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 24/01/2013
Decision: Grant Conditionally

Item No 48

Application Number: 12/02164/FUL **Applicant:** Plymouth Hospitals NHS Trust
Application Type: Full Application
Description of Development: Variation of Condition 2 of Planning Permission 07/02088/ (Erection of two temporary modular operating theatres and associated works) to allow the permitted buildings to remain on site until 31st December 2020.
Site Address PLYMOUTH HOSPITALS NHS TRUST, DERRIFORD HOSPITAL, DERRIFORD ROAD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 22/02/2013
Decision: Grant Conditionally

Item No 49

Application Number: 12/02165/FUL **Applicant:** Mr M Evans
Application Type: Full Application
Description of Development: Develop part of garden by erection of detached bungalow, demolition of garage to provide parking and turning for proposed bungalow and existing dwelling, and provision of steps to existing dwelling
Site Address ACACIA, BECKHAM PLACE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 50

Application Number: 12/02169/LBC **Applicant:** Wagamama

Application Type: Listed Building

Description of Development: Internal fit out

Site Address UNIT 2, BREWHOUSE, ROYAL WILLIAM YARD
PLYMOUTH

Case Officer: Adam Williams

Decision Date: 31/01/2013

Decision: Grant Conditionally

Item No 51

Application Number: 12/02173/PRDE **Applicant:** Mr and Mrs L Jarvis

Application Type: LDC Proposed Develop

Description of Development: Hip to gable and rear dormer extension

Site Address 35 BREAUN DOWN ROAD PLYMOUTH

Case Officer: Liz Wells

Decision Date: 24/01/2013

Decision: Issue Certificate - Lawful Use

Item No 52

Application Number: 12/02174/FUL **Applicant:** Mr & Mrs Gary Harwood

Application Type: Full Application

Description of Development: Single storey side and front extension

Site Address 18 BERTHON ROAD PLYMOUTH

Case Officer: Mike Stone

Decision Date: 06/02/2013

Decision: Grant Conditionally

Item No 53

Application Number: 12/02178/FUL **Applicant:** Mr Ryan Dickson
Application Type: Full Application
Description of Development: Construction of detached 2-bedroom dwelling in grounds of 17 Lipson Vale with access of Bernice Terrace
Site Address 17 LIPSON VALE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 28/01/2013
Decision: Application Withdrawn

Item No 54

Application Number: 12/02179/FUL **Applicant:** Mrs J Manning
Application Type: Full Application
Description of Development: Erection of two-storey dwelling with integral garage
Site Address 48 WEMBURY ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 11/02/2013
Decision: Application Withdrawn

Item No 55

Application Number: 12/02182/FUL **Applicant:** Ms T Tippett
Application Type: Full Application
Description of Development: Erection of granny annexe and porch with alteration to kitchen roof (revision to application 12/00832/FUL)
Site Address 90 AYREVILLE ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 24/01/2013
Decision: Grant Conditionally

Item No 56

Application Number: 12/02185/ADV **Applicant:** Domino's Pizza UK & Ireland limi
Application Type: Advertisement
Description of Development: Illuminated fascia and projecting sign
Site Address 65 to 67 EXETER STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 23/01/2013
Decision: Grant Conditionally

Item No 57

Application Number: 12/02186/FUL **Applicant:** Rolls-Royce Plc
Application Type: Full Application
Description of Development: Retention of portacabin for a further 2 years
Site Address DEVONPORT DOCKYARD, SALTASH ROAD KEYHAM
PLYMOUTH
Case Officer: Adam Williams
Decision Date: 05/02/2013
Decision: Grant Conditionally

Item No 58

Application Number: 12/02188/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Change of use of informal green space to children's play area including installation of play equipment (revision to application 12/01815/FUL)
Site Address LANCASTER GARDENS PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 31/01/2013
Decision: Grant Conditionally

Item No 59

Application Number: 12/02190/FUL **Applicant:** Redrow Homes South West
Application Type: Full Application
Description of Development: Hybrid planning application with detailed proposals for development of 95 dwellings, with new accesses from Ham Drive and Recreation Road, associated car parking and landscaping; and outline proposals (with all matters reserved except for access) for the provision of 2 sports pitches with associated changing facilities and car parking
Site Address FORMER CIVIL SERVICE SPORTS CLUB, RECREATION ROAD PLYMOUTH
Case Officer: Robert Heard
Decision Date: 14/02/2013
Decision: Application Withdrawn

Item No 60

Application Number: 12/02192/FUL **Applicant:** Mr Andrew Downey
Application Type: Full Application
Description of Development: Erection of conservatory to rear of property
Site Address FLAT B, 104 TO 106 NORTH ROAD EAST PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 07/02/2013
Decision: Grant Conditionally

Item No 61

Application Number: 12/02199/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Change of use from 2 flats to a single dwelling
Site Address 9A AND 9B DUNCOMBE AVENUE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 04/02/2013
Decision: Grant Conditionally

Item No 62

Application Number: 12/02206/FUL **Applicant:** Mrs S Blackmore
Application Type: Full Application
Description of Development: Single storey front extension (porch - existing porch to be replaced)
Site Address 22 ROGATE DRIVE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 07/02/2013
Decision: Grant Conditionally

Item No 63

Application Number: 12/02208/FUL **Applicant:** Plymouth Garden Centre Ltd
Application Type: Full Application
Description of Development: Construction of new office and covered area
Site Address PLYMOUTH GARDEN CENTRE, FORT AUSTIN AVENUE
PLYMOUTH
Case Officer: Jon Fox
Decision Date: 11/02/2013
Decision: Grant Conditionally

Item No 64

Application Number: 12/02210/PRDE **Applicant:** Lloyds Banking Group
Application Type: LDC Proposed Develop
Description of Development: Replacement of single glazed wooden framed windows with upvc double glazed units
Site Address 3A TO 5A THE BROADWAY PLYMOUTH
Case Officer: Jody Leigh
Decision Date: 31/01/2013
Decision: Issue Certificate - Lawful Use

Item No 65

Application Number: 12/02211/FUL **Applicant:** Lipson Vale Trust
Application Type: Full Application
Description of Development: Extension to the north west elevations of the 'Bobtails' building
Site Address LIPSON VALE PRIMARY SCHOOL, BERNICE TERRACE
PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 11/02/2013
Decision: Grant Conditionally

Item No 66

Application Number: 12/02213/PRDE **Applicant:** Ms Trudie Tippett
Application Type: LDC Proposed Develop
Description of Development: Single storey rear/side extension
Site Address 90 AYREVILLE ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 24/01/2013
Decision: Issue Certificate - Lawful Use

Item No 67

Application Number: 12/02229/FUL **Applicant:** Mr Arthur Cragg
Application Type: Full Application
Description of Development: Erection of private detached motor garage to front of property
Site Address 66 GLENFIELD ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 12/02/2013
Decision: Refuse

Item No 68

Application Number: 12/02232/FUL **Applicant:** Mr Victor Goord
Application Type: Full Application
Description of Development: Single-storey side extension, alterations to roof and refurbishment to the rear of the property
Site Address 11 HARTLEY ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 04/02/2013
Decision: Grant Conditionally

Item No 69

Application Number: 12/02234/FUL **Applicant:** Mr Kenneth Foster
Application Type: Full Application
Description of Development: Single storey side extension to form private motor garage (existing garage to be demolished)
Site Address 79 OUTLAND ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 05/02/2013
Decision: Grant Conditionally

Item No 70

Application Number: 12/02236/FUL **Applicant:** Mr G Rogers
Application Type: Full Application
Description of Development: Single storey side extension, side dormer and rear dormer extension
Site Address 4 FLETCHER CRESCENT PLYMOUTH
Case Officer: Liz Wells
Decision Date: 14/02/2013
Decision: Grant Conditionally

Item No 71

Application Number: 12/02238/FUL **Applicant:** Mr Julian Gumbrall
Application Type: Full Application
Description of Development: Enlargement of dwellinghouse to provide additional floor of accommodation at second floor level, raising overall height of building
Site Address 900 WOLSELEY ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 12/02/2013
Decision: Application Withdrawn

Item No 72

Application Number: 12/02239/FUL **Applicant:** Mr & Mrs West
Application Type: Full Application
Description of Development: Loft conversion, dormer to south elevation, front juliet balcony and roof ridge to be raised by 900mm
Site Address 2 ROLLIS PARK CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 05/02/2013
Decision: Grant Conditionally

Item No 73

Application Number: 12/02241/FUL **Applicant:** Mr and Mrs Rodney Searle
Application Type: Full Application
Description of Development: Erection of a first floor side extension over existing double garage/ extension of time
Site Address 58 POWISLAND DRIVE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 74

Application Number: 12/02242/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Replace timber windows with UPVC
Site Address 133 - 147 VAUXHALL STREET PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 08/02/2013
Decision: Grant Conditionally

Item No 75

Application Number: 12/02245/TPO **Applicant:** Mr Derek Wood
Application Type: Tree Preservation
Description of Development: Fell one small sycamore
Minor pruning of one sycamore
Re-pollard group of sycamores
Site Address 21 LOPWELL CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 30/01/2013
Decision: Grant Conditionally

Item No 76

Application Number: 12/02246/TPO **Applicant:** Mr John Bowden
Application Type: Tree Preservation
Description of Development: Weeping Ash - reduce roadside lateraly by 2 metres
Site Address 195 OUTLAND ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 77

Application Number: 12/02249/TPO **Applicant:** Barton Park Homes
Application Type: Tree Preservation
Description of Development: Tree management works
Site Address GLENHOLT PARK, GLENFIELD ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 07/02/2013
Decision: Grant Conditionally

Item No 78

Application Number: 12/02250/FUL **Applicant:** Mr R McCary
Application Type: Full Application
Description of Development: Proposed alterations to roof to include a rear dormer, hip to gable and front balcony
Site Address 868 WOLSELEY ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 31/01/2013
Decision: Grant Conditionally

Item No 79

Application Number: 12/02252/LBC **Applicant:** Le Bistrot Pierre
Application Type: Listed Building
Description of Development: The conversion of units 3-5 New Cooperage to a restaurant to include commercial kitchen, servery bars, underfloor heating system, fixed banquet seating, internal lobby doors, decorative finishes, and louvers fixed internally inside two windows facing onto the Western alley, with the windows partially deglazed to allow movement of air in and out of plant systems
Site Address UNITS 3-5 NEW COOPERAGE, ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 08/02/2013
Decision: Grant Conditionally

Item No 80

Application Number: 12/02257/FUL **Applicant:** Mr I Hamid
Application Type: Full Application
Description of Development: Change of use of existing car sales to hand car wash
Site Address CAMERONS CAR SALES, 1 EDGAR TERRACE
PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 22/02/2013
Decision: Application Withdrawn

Item No 81

Application Number: 12/02259/ADV **Applicant:** Marine Biological Association
Application Type: Advertisement
Description of Development: Erection of 3 interpretation boards
Site Address THE MARINE BIOLOGICAL ASSOCIATION OF THE UK THE
LABORATORY, HOE ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 05/02/2013
Decision: Grant Conditionally

Item No 82

Application Number: 12/02263/FUL **Applicant:** Mr Raymond Dyer
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 23 SHIRBURN ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 83

Application Number: 12/02264/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Change of use of 2 flats to 1 dwelling. Internal alterations to plan layout only
Site Address 1-3 KENLEY GARDENS PLYMOUTH
Case Officer: Liz Wells
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 84

Application Number: 12/02266/FUL **Applicant:** Mr and Mrs Gary Hooper
Application Type: Full Application
Description of Development: Enlargement of existing single storey rear extension (removal of existing conservatory)
Site Address 72 TORLAND ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 85

Application Number: 12/02269/FUL **Applicant:** Seven Mile LLP
Application Type: Full Application
Description of Development: Change of use from 2 front rooms used as communal lounge to self-contained one bedroom flat
Site Address 59 CITADEL ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 22/02/2013
Decision: Grant Conditionally

Item No 86

Application Number: 12/02270/LBC **Applicant:** Secretary of State for Defence
Application Type: Listed Building
Description of Development: Internal alterations to and refurbishment of office accommodation on basement and ground floors
Site Address BUILDING 108 (NORTH BLOCK), RMB STONEHOUSE, DURNFORD STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 11/02/2013
Decision: Grant Conditionally

Item No 87

Application Number: 12/02271/LBC **Applicant:** Seven Mile LLP
Application Type: Listed Building
Description of Development: Change of use from 2 front rooms used as a communal lounge to self-contained one bedroom flat
Site Address 59 CITADEL ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 22/02/2013
Decision: Grant Conditionally

Item No 88

Application Number: 12/02272/TPO **Applicant:** Mr Matthew Bower
Application Type: Tree Preservation
Description of Development: Crown reduction of Ash, Hawthorn, Hazel, Hornbeam and Beech
Site Address 25 HOLLY PARK CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 11/02/2013
Decision: Grant Conditionally

Item No 89

Application Number: 12/02273/ADV **Applicant:** Taxi Telephone Services Ltd
Application Type: Advertisement
Description of Development: Two non-illuminated hoarding signs at first floor level.
Resubmission of 12/00387/ADV
Site Address 41A MUTLEY PLAIN PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 90

Application Number: 12/02274/REM **Applicant:** Mrs Judith Sheehy
Application Type: Reserved Matters
Description of Development: Reserved matters application for the approval of details of access, appearance, landscaping, layout and scale following the grant of outline planning permission for the construction of garage with store above
Site Address 20 BENBOW STREET PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 13/02/2013
Decision: Refuse

Item No 91

Application Number: 12/02276/LBC **Applicant:** Secretary of State for Defence
Application Type: Listed Building
Description of Development: Internal alterations to heating system in basement and replacement of part of window to provide a flue extract
Site Address THE LONGROOM (BUILDING 203 - GYM), RMB
STONEHOUSE, DURNFORD STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 13/02/2013
Decision: Grant Conditionally

Item No 92

Application Number: 12/02277/LBC **Applicant:** Secretary of State for Defence
Application Type: Listed Building
Description of Development: Installation of external flue on lower ground floor
Site Address SOUTH BLOCK EAST (BUILDING 123), RMB
STONEHOUSE, DURNFORD STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 13/02/2013
Decision: Grant Conditionally

Item No 93

Application Number: 12/02280/FUL **Applicant:** Mrs Gillian Garlick
Application Type: Full Application
Description of Development: Erection of rear balcony at first floor level and addition of
outward opening French windows
Site Address COOMBE COTTAGE, 11 STADDISCOMBE ROAD
PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 94

Application Number: 12/02286/FUL **Applicant:** Mr R Leverton
Application Type: Full Application
Description of Development: Single storey side extension
Site Address 141 DUNSTONE VIEW PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 95

Application Number: 12/02289/FUL **Applicant:** Mr C Coldwell
Application Type: Full Application
Description of Development: Variation to Condition 2 (list of approved plan numbers) of planning permission ref 11/01839/FUL to approve replacement plan showing single storey 'log cabin' (5 x 4) in NW part of the site as replacement for two existing sheds
Site Address DOWNHAM HOUSE,94 CHURCH ROAD PLYMSTOCK PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 08/02/2013
Decision: Grant Conditionally

Item No 96

Application Number: 12/02292/FUL **Applicant:** Mr S Errington
Application Type: Full Application
Description of Development: Loft conversion with rear dormer and hip to gable conversion
Site Address 157 PEMROS ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 97

Application Number: 12/02293/FUL **Applicant:** Mr Craig Richman
Application Type: Full Application
Description of Development: Development of garden by erection of two storey detached dwelling
Site Address MEADOW HOUSE, HORN LANE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 18/02/2013
Decision: Application Withdrawn

Item No 98

Application Number: 12/02294/FUL **Applicant:** Mr T Hill
Application Type: Full Application
Description of Development: Alterations to approved planning application 12/01606/FUL to include flat roof on extension and increase from 5m to 5.5m in width
Site Address 52 POWISLAND DRIVE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 99

Application Number: 12/02295/TPO **Applicant:** Mr A McNeill
Application Type: Tree Preservation
Description of Development: Various tree management works
Site Address 40 VAPRON ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 05/02/2013
Decision: Grant Conditionally

Item No 100

Application Number: 12/02296/FUL **Applicant:** Mr M Ingall
Application Type: Full Application
Description of Development: Alterations to enlarge ground floor rear window opening
Site Address 10 SHACKLETON COURT PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 101

Application Number: 12/02298/ADV **Applicant:** Wagagamama
Application Type: Advertisement
Description of Development: 1x externally illuminated individual letter fascia sign, 1x non-illuminated projecting signs
Site Address UNIT 2 BREWHOUSE, ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 22/02/2013
Decision: Grant Conditionally

Item No 102

Application Number: 12/02304/FUL **Applicant:** Mr M Conyers
Application Type: Full Application
Description of Development: Change of use from 6-bedroom house in multiple occupation with separate self-contained flat to 7-bedroom house in multiple occupation (full time students only) with separate self contained flat
Site Address 44 IVYDALE ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 18/02/2013
Decision: Grant Conditionally

Item No 103

Application Number: 12/02305/LBC **Applicant:** Princess Yachts International
Application Type: Listed Building
Description of Development: Removal of existing 'modern' flooring in gazebo (grade II* listed building) and provision of replacement flooring
Site Address BABCOCK INTERNATIONAL GROUP DEVONPORT DOCKYARD, SALTASH ROAD KEYHAM PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 11/02/2013
Decision: Refuse

Item No 104

Application Number: 12/02313/FUL **Applicant:** Mrs S Anthony
Application Type: Full Application
Description of Development: Detached side garage and driveway
Site Address 5 CROWNDALE AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 08/02/2013
Decision: Grant Conditionally

Item No 105

Application Number: 12/02316/FUL **Applicant:** Mrs C Young
Application Type: Full Application
Description of Development: Rear conservatory
Site Address 11 PARK CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 106

Application Number: 13/00002/FUL **Applicant:** Mr William Tall
Application Type: Full Application
Description of Development: Erection of Juliet balcony to front elevation including change of window to french doors
Site Address 9 WYNDHAM STREET EAST PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 06/02/2013
Decision: Grant Conditionally

Item No 107

Application Number: 13/00004/FUL **Applicant:** Mr Peter Warm
Application Type: Full Application
Description of Development: Change of use from first floor flat to an office
Site Address 3 ADMIRALS HARD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 13/02/2013
Decision: Grant Conditionally

Item No 108

Application Number: 13/00017/TPO **Applicant:** Mr Johns
Application Type: Tree Preservation
Description of Development: Oak - reduce to secondary crown to approx 6m.
Site Address 1 LAVINGTON CLOSE CHADDLEWOOD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 05/02/2013
Decision: Grant Conditionally

Item No 109

Application Number: 13/00019/PRDE **Applicant:** Mr & Mrs Taylor
Application Type: LDC Proposed Develop
Description of Development: Construction of single storey extension and pitched roof above existing flat roofed extension
Site Address 12 WESTFIELD PLYMOUTH
Case Officer: Jody Leigh
Decision Date: 19/02/2013
Decision: Issue Certificate - Lawful Use

Item No 110

Application Number: 13/00021/FUL **Applicant:** Mr S Reynolds
Application Type: Full Application
Description of Development: Change of use from residential home to house in multiple occupation for students
Site Address 2 TOTHILL AVENUE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 22/02/2013
Decision: Grant Conditionally

Item No 111

Application Number: 13/00022/TPO **Applicant:** Mr J Papowsky
Application Type: Tree Preservation
Description of Development: 1 ash - Remove
Group of ash - raise crown to 3m above ground
Site Address 56 GRANTHAM CLOSE PLYMPTON PLYMOUTH
Case Officer: Jane Turner
Decision Date: 13/02/2013
Decision: Grant Conditionally

Item No 112

Application Number: 13/00023/TPO **Applicant:** Mr J Hoskin
Application Type: Tree Preservation
Description of Development: Holm oak - remove branches over drive
Sycamore Stem - Remove leaning over property
Site Address 61 FURZEHATT ROAD PLYMPTON PLYMOUTH
Case Officer: Jane Turner
Decision Date: 12/02/2013
Decision: Grant Conditionally

Item No 113

Application Number: 13/00028/FUL **Applicant:** Mrs D Rosson
Application Type: Full Application
Description of Development: Change of use of garage and store into studio flat
Site Address REAR OF 26 ANSTIS STREET PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 22/02/2013
Decision: Refuse

Item No 114

Application Number: 13/00029/FUL **Applicant:** Mrs and Mrs Lane
Application Type: Full Application
Description of Development: Single storey rear extension (removal of existing conservatory)
Site Address 19 ERNESETTLE CRESCENT PLYMOUTH
Case Officer: Mike Stone
Decision Date: 22/02/2013
Decision: Grant Conditionally

Item No 115

Application Number: 13/00036/FUL **Applicant:** Italee Restaurants
Application Type: Full Application
Description of Development: Change of use from hairdressers (class A1) to restaurant (class A3) with installation of external extraction equipment to rear elevation
Site Address 23 MUTLEY PLAIN PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 19/02/2013
Decision: Grant Conditionally

Item No 116

Application Number: 13/00038/FUL **Applicant:** Mrs L stock
Application Type: Full Application
Description of Development: Replacement of timber windows and fascia boards with white UPVC windows and fascia boards
Site Address FLAT A-F WARLEIGH COURT,338 ST LEVAN ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 20/02/2013
Decision: Grant Conditionally

Item No 117

Application Number: 13/00040/FUL **Applicant:** Mr S Rundle
Application Type: Full Application
Description of Development: Variation of condition 2 (Approved plan numbers) of ref 12/01831/FUL to substitute a plan showing echelon parking arrangement (in order to comply with minimum car park/manoeuvring space size required by condition 3)
Site Address STONEHALL FLATS STONEHOUSE PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 11/02/2013
Decision: Grant Conditionally

Item No 118

Application Number: 13/00041/FUL **Applicant:** Mr R Karkeek
Application Type: Full Application
Description of Development: Variation of permission 12/01739/FUL (Provision of external play area) to extend the end date of the temporary planning permission from 31.8.17 to 28.2.18
Site Address PLYMOUTH HOSPITALS NHS TRUST, 3 DERRIFORD BUSINESS PARK DERRIFORD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 22/02/2013
Decision: Grant Conditionally

Item No 119

Application Number: 13/00044/FUL **Applicant:** Mr R Karkeek
Application Type: Full Application
Description of Development: Variation of condition 1 of permission 12/00819/FUL (Change of use, conversion and alteration of office building to form a children's day nursery use class D1) to extend the end date of the temporary planning permission from 31.08.17 to 28.2.18
Site Address PLYMOUTH HOSPITALS NHS TRUST, 3 DERRIFORD BUSINESS PARK DERRIFORD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 22/02/2013
Decision: Grant Conditionally

Item No 120

Application Number: 13/00072/FUL **Applicant:** Rockfish
Application Type: Full Application
Description of Development: Change of use to restaurant with takeaway facility
Site Address THE DESIGN STUDIO, 3 ROPE WALK PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 21/02/2013
Decision: Grant Conditionally

Item No 121

Application Number: 13/00079/FUL **Applicant:** Mr Steve Carpenter
Application Type: Full Application
Description of Development: NEW DWELLING
Site Address LAND ADJACENT TO 64A GLENFIELD ROAD PLYMOUTH
Case Officer:
Decision Date: 24/01/2013
Decision: Application Withdrawn

Item No 122

Application Number: 13/00089/FUL **Applicant:** Mr M Burgess
Application Type: Full Application
Description of Development: Rear dormer
Site Address 21 WINSBURY COURT PLYMOUTH
Case Officer: Liz Wells
Decision Date: 13/02/2013
Decision: Application Withdrawn

Item No 123

Application Number: 13/00094/LBC **Applicant:** Mrs Joanna Hunt
Application Type: Listed Building
Description of Development: Listed building consent for alterations to provide a new gas connection
Site Address ST. MICHAEL'S LODGE, 197 DEVONPORT ROAD
PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 22/02/2013
Decision: Grant Conditionally

Item No 124

Application Number: 13/00141/CAC **Applicant:** Sutton Harbour Holdings PLC
Application Type: Conservation Area
Description of Development: ERECTION OF FOOD PAVILION
Site Address QUAY POINT, THE BARBICAN PLYMOUTH
Case Officer:
Decision Date: 31/01/2013
Decision: CAC Not Required

Item No 125

Application Number: 13/00148/PRDE **Applicant:** Mr S Perry
Application Type: LDC Proposed Develop
Description of Development: Hip to gable roof extension, rear dormer and loft conversion
Site Address 153 BILLACOMBE ROAD PLYMOUTH
Case Officer: Jody Leigh
Decision Date: 22/02/2013
Decision: Issue Certificate - Lawful Use

Item No 126

Application Number: 13/00152/ESR10 **Applicant:** Hyder Consulting (UK) Limited
Application Type: Environmental Ass
Description of Development:
Site Address PLYMOUTH CENTRAL WASTE WATER TREATMENT
WORKS, FINNIGAN ROAD PLYMOUTH
Case Officer:
Decision Date: 07/02/2013
Decision: Enviroment Assessment R10

Item No 127

Application Number: 13/00185/LBC **Applicant:** Mr Craig Hammond
Application Type: Listed Building
Description of Development: GARDEN OFFICE
Site Address 3 LIPSON TERRACE PLYMOUTH
Case Officer:
Decision Date: 13/02/2013
Decision: LBC not required

Item No 128

Application Number: 13/00189/TPO **Applicant:** Mrs Connie Baggott
Application Type: Tree Preservation
Description of Development: TREE WORKS
Site Address 22 BURLEIGH MANOR PLYMOUTH
Case Officer:
Decision Date: 11/02/2013
Decision: Application Withdrawn

Item No 129

Application Number: 13/00191/CAC **Applicant:**
Application Type: Conservation Area
Description of Development: CHANGE OF USE OF FORMER CHANGING ROOMS
Site Address CHANGING ROOMS, HOE ROAD PLYMOUTH
Case Officer:
Decision Date: 11/02/2013
Decision: CAC Not Required

Item No 130

Application Number: 13/00216/TCO **Applicant:**
Application Type: Trees in Cons Area
Description of Development: White mulberry - shorten over extended side branches by 2-3m
Pittisporum - reduce to 1-2m above previous reduction point
Site Address ELIZABETHAN GARDEN REAR OF 39 TO 40 NEW
STREET PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 15/02/2013
Decision: Grant Conditionally

Item No 131

Application Number: 13/00236/LBC **Applicant:** Mr and Mrs Manuel
Application Type: Listed Building
Description of Development: Installation of 12 solar panels in the curtilage of a listed building
Site Address 3 BOWDEN FARM, CHURCH HILL PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 15/02/2013
Decision: LBC not required

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

Application Number **11/01880/FUL**
Appeal Site **20 MOORLAND ROAD PLYMOUTH**
Appeal Proposal Change of use of former residential care home to provide a 10 bedroomed house in multiple occupancy and a separate one bedroomed ground floor flat
Case Officer Jon Fox

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 29/10/2012
Conditions
Award of Costs Awarded To

Appeal Synopsis

The Inspector considered the internal layout to be acceptable for studio flats and the external space also. He considered the units would have acceptable outlook. The Inspector considered the level of activity at the site would not be harmful to the character of the area. With regard to infrastructure contributions, the Inspector indicated that the Council had not indicated the costs involved and the detailed programme of implementation; he therefore concluded that Council's request for planning contributions has not met the exacting tests set out in the National Planning Policy Framework and that failure to provide for contributions is not a reason for dismissing the appeal.

Application Number **12/00539/FUL**
Appeal Site **MILLBRIDGE GARAGE, WILTON ROAD PLYMOUTH**
Appeal Proposal Continue use of premises for hand car wash/valet purposes for temporary period of 3 years
Case Officer Olivia Wilson

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 04/02/2013
Conditions
Award of Costs Awarded To

Appeal Synopsis

The principal issues are impact on the amenity of residents and land contamination risks. The inspector found that the level of noise generated by the use was not detrimental to residential amenity subject to an opening hours condition and a noise condition. This view was influenced by the consideration that the use is temporary, it creates employment and the previous use as a car sales garage would also have involved the washing and valeting of cars. In relation to land contamination the inspector found that conditions requiring land quality investigation would not pass the tests of Circular 11/95 in relation to a temporary use, bearing in mind that no ground works are proposed and therefore there will be no disturbance of the fuel tanks. Details of waste water from the car washing are requested by condition. The inspector found that the temporary use was compatible with policies CS22 and CS34 for a period of three years.

Application Number **12/00871/FUL**
Appeal Site **34 ENDSLEIGH ROAD PLYMOUTH**
Appeal Proposal **First floor balcony to south gable**
Case Officer **Mike Stone**

Appeal Category
Appeal Type **Written Representations**
Appeal Decision **Allowed**
Appeal Decision Date **13/12/2012**

Conditions

Award of Costs Awarded To

Appeal Synopsis

The inspector felt that, because of the lack of side widows at the neighbouring property and their large rear garden the impact of the balcony would be confined to a relatively small area. The proposed balcony would have a relatively lightweight structure and the deck would be at the neighbour's eaves height and forward of their rear elevation. On balance he felt that the proposed balcony would not appear so imposing and overbearing as to cause a harmful loss of outlook from the neighbours rear garden.