

Public Document Pack



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25 March 2013

PLANNING COMMITTEE

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

Members:

Councillor Stevens, Chair

Councillor Tuohy, Vice Chair

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

Members are invited to attend the above meeting to consider the items of business overleaf.

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

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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.

1. DECLARATIONS OF INTEREST

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

3. MINUTES

(Pages 1 - 8)

The Committee will be asked to confirm the minutes of the meeting held on 7 March 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 application guidance.

6.1. FORMER BLUE MONKEY SITE, 538 CROWNHILL ROAD, PLYMOUTH. 13/00053/FUL (Pages 9 - 22)

Applicant:	Vital Homes
Ward:	Honicknowle
Recommendation:	Grant Conditionally

- 6.2. HOOE BARN, HOOE ROAD PLYMOUTH, I3/00264/FUL **(Pages 23 - 42)**
- Applicant: Mr and Mrs Truscott
Ward: Plymstock Radford
Recommendation: Grant Conditionally
- 6.3. HOOE BARN, HOOE ROAD PLYMOUTH, I3/00265/LBC **(Pages 43 - 60)**
- Applicant: Mr and Mrs Truscott
Ward: Plymstock Radford
Recommendation: Grant Conditionally
- 6.4. I SEATON AVENUE, PLYMOUTH, I3/00101/FUL **(Pages 61 - 76)**
- Applicant: Mr Joseph McParlin
Ward: Compton
Recommendation: Grant Conditionally
- 6.5. HOE PARK, ARMADA WAY, PLYMOUTH, I3/00279/FUL **(Pages 77 - 84)**
- Applicant: Wheels Entertainment Ltd
Ward: St Peter and The Waterfront
Recommendation: Grant Conditionally
- 6.6. 83 STUART ROAD, PLYMOUTH. I3/00198/FUL **(Pages 85 - 90)**
- Applicant: Mr John Smith
Ward: Stoke
Recommendation: Grant Conditionally
- 7. PLANNING APPLICATION DECISIONS ISSUED (Pages 91 - 128)**

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 25 February 2013 to 21 March 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 129 -
132)**

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 7 March 2013

PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

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

Apology for absence: Councillor Sam Davey

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

The meeting started at 5 pm and finished at 9.20 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.

89. DECLARATIONS OF INTEREST

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

Name	Minute No. and Subject	Reason	Interest
Councillor Nicholson	93.4 19 Tithe Road, Plymouth 13/00121/FUL	Ward member representing constituent.	Personal
Councillor Stevens	93.4 19 Tithe Road, Plymouth 13/00121/FUL	Relative lives nearby.	Personal
Councillor John Smith	93.5 1 Seaton Avenue, Plymouth 13/00101/FUL	Owner of two HMOs.	Personal

90. MINUTES

Agreed the minutes of the meeting held on 31 January 2013.

91. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

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

There were no questions from members of the public.

93. **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 93.1, 93.2 and 93.5.

93.1 282 OUTLAND ROAD, PLYMOUTH. 12/01724/FUL

(WM Morrisons Supermarket PLC)

Decision:

Application **GRANTED** conditionally subject to:

- (a) a S106 Obligation with delegated authority to refuse in the event that the S106 Obligation is not completed by 29 March 2013;
- (b) the amendment of condition 21 to read:

‘The extension hereby permitted shall not be commenced 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’.

The following Informative was added to this decision:

Morrisons store or any of its staff will be prevented from being granted a parking permit if a Controlled Parking Zone (CPZ) is implemented on Torr Lane or Torr Road in the future.

(The Committee heard representations against the application from Councillor Martin Leaves ward member).

(The Committee heard representations against the application).

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

(Councillor Nicholson’s proposal to amend condition 21, having been seconded by Councillor Darcy, was put to the vote and declared carried).

93.2 48 MERAFIELD ROAD, PLYMOUTH. 12/02288/FUL

(Mr R Wraighte)

Decision:

Application **GRANTED** conditionally.

The following Informative was added to this decision:

Through the granting of this planning permission the Local Planning Authority is in no way indicating that the incorporation of this building into Lambspark Care Home would be acceptable. Should such a proposal come forward a planning application would be required which would be judged on its merits.

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

93.3 7 RIDGE PARK AVENUE, PLYMOUTH. 13/00096/FUL

The application was withdrawn.

93.4 19 TITHE ROAD, PLYMOUTH. 13/00121/FUL

(Mr Alan Moore)

Decision:

Application **REFUSED**.

(The Committee heard representations in favour of the application from Councillor Nicholson ward member).

(Councillors Nicholson and Stevens declared personal interests on the above item).

93.5 1 SEATON AVENUE, PLYMOUTH. 13/00101/FUL

(Mr Joseph McParlin)

Decision:

Application **DEFERRED** to allow Planning Officers to investigate further on whether a condition to employ an on-site warden at the premises was reasonable.

The Committee agreed that the conditions attached to this planning application are amended as follows:

- (a) Condition 2 (OCCUPATION RESTRICTION – STUDENT ACCOMMODATION) is removed;
- (b) the amendment of condition 8 to read:

‘A minimum of two off-street parking spaces within the site in accordance with the approved plan shall be retained and made available for the residents of the property and shall not be used for any purpose other than the parking

of vehicles’.

(The Committee heard representations against the application from Councillors Ball and Fry ward member).

(The Committee heard representations against the application).

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

(Councillor Wheeler’s proposal to remove Condition 2 and amend Condition 8, having been seconded by Councillor Nicholson, was put to the vote and declared carried).

(Councillor Stevens’ proposal to defer the application, having been seconded by Councillor Nicholson, was put to the vote and declared carried).

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

93.6 | STADDISCOMBE PARK, PLYMOUTH. 13/00084/FUL

(Mr C Pethick)

Decision:

Application **REFUSED** as deemed contrary to the Core Strategy policy CS34 and in particular with respect to points 4 and 6 of this policy.

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

(The Committee heard representations against the application).

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

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

94. PLANNING APPLICATION DECISIONS ISSUED

The Committee received a report from the Assistant Director, Planning Services, on decisions issued for the period 22 January 2013 to 24 February 2013, including –

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

Members noted the planning applications issued.

95. **APPEAL DECISIONS**

Members noted the appeal decisions.

96. **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.

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PLANNING COMMITTEE – 7 March 2013

SCHEDULE OF VOTING

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
93.1 282 OUTLAND ROAD, PLYMOUTH. 12/01724/FUL (Motion to amend the conditions)	Unanimous.				
93.1 282 OUTLAND ROAD, PLYMOUTH. 12/01724/FUL (To add an Informative)	Unanimous.				
93.1 282 OUTLAND ROAD, PLYMOUTH. 12/01724/FUL (Officer's Recommendation – Grant Conditionally)	Councillors Darcy, Philippa Davey, John Smith, Stark, Stevens, Jon Taylor, Tuohy, Vincent and Wheeler.	Councillors Mrs Bowyer, Mrs Foster and Nicholson.			
93.2 48 MERAFIELD ROAD, PLYMOUTH 12/02288/FUL (To add an Informative)	Unanimous.				
93.2 48 MERAFIELD ROAD, PLYMOUTH 12/02288/FUL (Officer's Recommendation – Grant Conditionally)	Councillors Philippa Davey, John Smith, Stevens, Jon Taylor, Tuohy, Vincent and Wheeler.	Councillors Mrs Bowyer, Darcy, Mrs Foster, Nicholson and Stark.			
93.4 19 TITHE ROAD, PLYMOUTH 13/00121/FUL (Officer's Recommendation - Refuse)	Councillors Mrs Bowyer, Darcy, Philippa Davey, Mrs Foster, John Smith, Stevens, Jon Taylor, Tuohy, Vincent and Wheeler.	Councillor Stark.		Councillor Nicholson	
93.5 1 SEATON AVENUE, PLYMOUTH 13/00101/FUL (Motion to amend the conditions)	Councillors Darcy, Philippa Davey, Mrs Foster, Nicholson, John Smith, Stevens, Jon Taylor, Tuohy, Vincent and Wheeler.	Councillor Mrs Bowyer	Councillor Stark		

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
93.5 I SEATON AVENUE, PLYMOUTH 13/00101/FUL (Motion for Deferral)	Councillor Darcy, Nicholson, John Smith, Stevens, Councillor Vincent. Councillor Stevens, Chair – casting vote.	Councillors Mrs Bowyer, Mrs Foster, Stark, Jon Taylor and Wheeler.	Councillors Philippa Davey and Tuohy.		
93.6 I STADDISCOMBE PARK, PLYMOUTH 13/00084/FUL (Motion for Refusal)	Unanimous.				

PLANNING APPLICATION REPORT



ITEM: 01

Application Number: I3/00053/FUL

Applicant: Vital Homes

Description of Application: Development of site by erection of 4 terraced dwellinghouses with 4 off street parking spaces and new footpath

Type of Application: Full Application

Site Address: FORMER BLUE MONKEY SITE, 538 CROWNHILL ROAD
PLYMOUTH

Ward: Honicknowle

Valid Date of Application: 11/01/2013

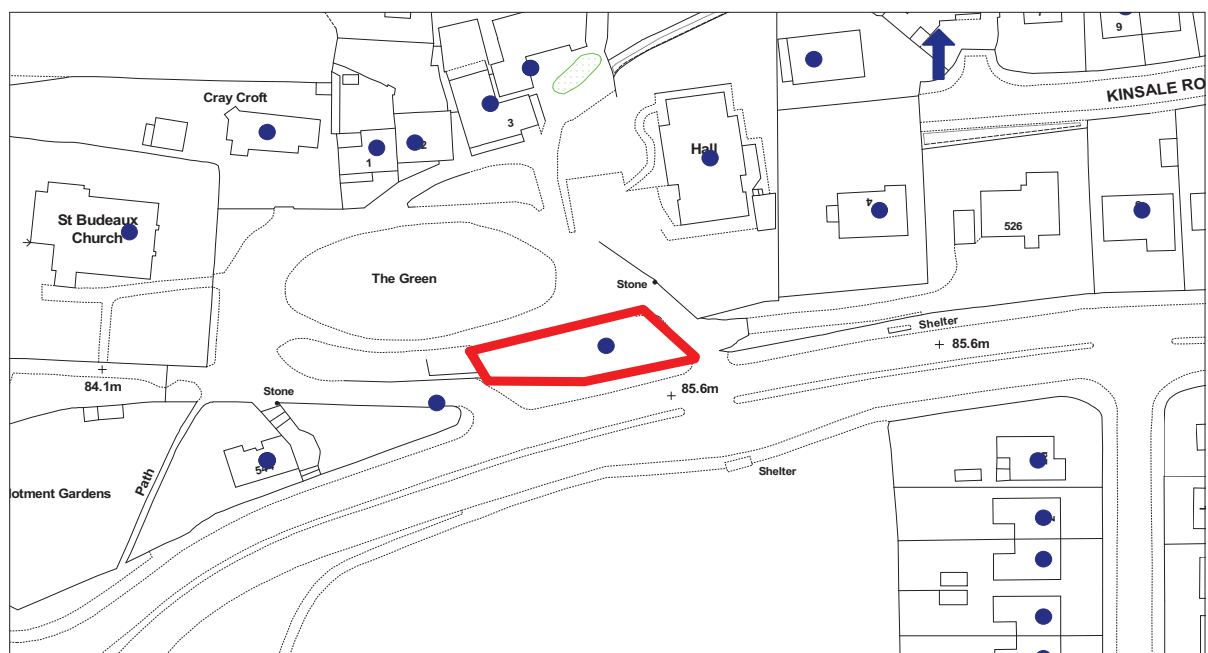
8/13 Week Date: **08/03/2013**

Decision Category: Member Referral

Case Officer : Olivia Wilson

Recommendation: Grant Conditionally

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OFFICER'S REPORT

This application has been referred to Planning Committee by Councillor Nicky Williams.

Site Description

This is the site of the former Blue Monkey pub which was demolished about 10 years ago and now lies vacant. The site is in a prominent elevated position, facing Crownhill Road on the south side site and facing 'The Green' on the North side which is a historic green space surrounded by the listed St Budeaux Church to the west, residential dwellings to the north and the Community Hall to the east. The access ways off Crownhill Road and the road around the Green are owned by the City Council and are private roads.

Proposal Description

Development of site by erection of 4 terraced dwellinghouses with 4 off street parking spaces and new footpath

Pre-Application Enquiry

Pre-application advice was sought for the previous application (11/01863/FUL). This identified the need for a footpath along the site frontage, the need to incorporate off-street parking and cycle parking into the proposal, and to provide sufficient amenity space and space for refuse storage. The advice noted that the development should not appear too dominant in the street-scene.

A follow-up meeting was held in December 2012 following the previous refusal and appeal decision, at which options for car-parking and development layout were discussed. It was emphasised that a modern design would detract from the setting of the listed church.

Relevant Planning History

11/01863/FUL Development of the site by erection of 5 terraced dwelling houses, with 5 off street parking spaces and a new footpath – REFUSED. An appeal was dismissed on the grounds that the proposed development would harm the character and appearance of The Green, the setting of the listed church and the neighbouring dwellings to the north.

09/01265/FUL Development of site by erection of 5 two-storey terraced dwelling houses with one off street parking space and new footpath - REFUSED.

02/01727/FUL Demolition of public house and redevelopment of site by erection of 5 two storey terraced dwellings- REFUSED. This decision was appealed, the appeal was allowed and permission granted.

02/00374/FUL Demolition of public house and redevelopment of site by erection of a terrace of two and three storey houses - REFUSED.

Consultation Responses

The Highway Authority does not object in principle to the application. The Green, including the access way roads, is in the ownership of the City Council. The roads around The Green are of variable width. Although The Green is not a classified public highway, it is subject to parking restrictions. The parking restrictions would apply to any occupiers of the proposed new dwellings. The proposed development includes a narrow private footway along the side and front of the development to provide safe access to and from the dwellings on foot.

There are four off-street parking spaces proposed to serve the four dwellings. While this is considered to be a low level of provision, giving rise to concerns over unauthorised parking occurring on the private road, the Highway Authority does not object to this provision. In order to protect against unauthorised parking occurring as a result of the development, the Highway Authority has recommended that a S106 obligation be drawn up to require the developer to agree to inform any potential occupiers of the development that they do not have rights to park on the private road and land known as The Green. A condition is proposed relating to the reservation of the parking areas for car-parking only. A Code of Practice During Construction condition is also recommended to prevent detriment to residential amenity during construction.

The Public Protection Service notes that the noise assessment concludes that the site falls within Noise Exposure Category C which is considered to be a high level for residential development without suitable noise protection. Public Protection also recommends that a code of construction condition be applied and further land quality investigation carried out and necessary remediation undertaken prior to construction commencing.

Representations

15 letters of representation have been received.

The following concerns have been raised in the letters of representation:

- The development is too high and dominant
- The houses are higher than the former pub
- The development is over-dominant and will destroy the character of the Green
- It is detrimental to the setting of the listed building.
- The proposed timber cladding is out of character
- The revised plans are an improvement but still out of character and over-development of the site.
- There will be disruption from construction
- Parking around the Green is already grid-locked
- There is insufficient off-street parking provided for the development
- The garages may be used for storage rather than parking
- There is not enough private amenity space
- It will be visually over-bearing from the Crownhill side and the amenity areas will look messy.

- There is an astronomy club that runs from the Churchyard and it will be affected by light pollution and restrict the view.
- The end house with the large window will affect the privacy of the adjacent property (3 The Green).
- Is the whole development within the red line of the development?

Analysis

1. This proposal is for a terrace of four dwelling houses: two, two-bedroom dwellings (both end of terrace) and two, four-bedroom dwellings. The two end-of-terrace dwellings are raised above undercroft parking.
2. They are two-storey dwellings but with loft conversions and dormers to create a small second floor. Access to the dwellings will be from the Green and via a new pedestrian footpath.
3. The main planning considerations with this application are:

Principle of the development

Standard of accommodation

Highways and parking

Visual impact of the design on the listed Church and the Green

Visual impact on Crownhill Road

Impact on the amenities of neighbours

Local Financial implications

Principle of the development

4. The site is a former pub and has been a derelict site for a number of years. It is bordered by residential uses to the north, east and west and by Crownhill Road to the south. While Crownhill Road is a busy road, close to the A38 interchange, and therefore subject to traffic noise, officers do not consider that this is a reason to refuse residential development in principle (the issue of noise will be considered in relation to amenity below). The principle of residential use has been established through previous applications. Officers consider that the residential use is appropriate for this area of The Green.

Standard of accommodation

5. The two middle dwellings will have small amenity spaces to the rear of 30 sq m and 23 sq m respectively. There will be patio doors opening onto the rear gardens which are south-facing. The rear elevations of all the properties at first floor level will have Juliette balconies, with full first floor balconies for the end two dwellings.
6. A noise report has been submitted because of the location adjacent to Crownhill Road. The report suggests use of mechanical ventilation to supply ventilation without the requirement to open windows.
7. Officers are satisfied that the proposed dwellings meet the internal space guidelines for properties of this size as set out in the Development Guidelines Supplementary Document

8. Concerns have been expressed that there is insufficient amenity space for the occupiers. The level of amenity space is below the recommended standard of 50 sq m for private amenity space that is set out in the Development Guidelines SPD, but this is a guideline rather than an absolute standard and needs to be applied in the context of the individual site. Officers recognise that the site is constrained in size and that the location adjacent to Crownhill Road will compromise the privacy and amenity of occupiers. Officers note, however, the proximity of the development to public green space which provides a green setting and easily accessible public amenity space for occupiers. Officers consider, therefore, that a smaller amount of private amenity space is acceptable in this instance. However, a landscaping condition can be attached requesting landscaping along the boundary for screening purposes.
9. Concerns have been raised about the level of noise for occupiers associated with nearby traffic. Officers consider that noise concerns can be dealt with by condition requiring adequate levels of sound-proofing.
10. Refuse storage provision is provided for all the dwellings to prevent bins being stored on the footpath or road.

Highways and parking

11. Concerns have been raised that there is insufficient off-street parking provided for the dwellings which will add to already existing parking pressures in the area. The plans provide for one off-street parking space per dwelling to be provided in undercroft parking areas below the two end properties. There is also secure cycle parking provided for each dwelling. The dwellings are located on Crownhill Road which has a regular bus service.
12. One off-street space per dwelling is the minimum acceptable level, and it is recognised that this level may lead to pressure for on-street parking. The access roads and road around The Green are owned by the Council and are not public highway. There is no rights to on-street parking on the land, although unofficial on-street parking takes place already at certain times (especially when services are taking place in the Church).
13. The Highway Authority has recommended that the applicant enter into a S106 obligation to require the developer to inform any occupiers of the development that they will have no right to park on the private land. Officers understand the reasons behind this recommendation but believe that the same aim can be more reasonably achieved through a planning condition.
14. The number of dwellings has been reduced by one since the previous application, and this is seen by officers as a more appropriate number in terms of reducing pressure on highways and parking. It is also noted that the parking spaces are now car ports and therefore are more likely to be used for car parking than for storage. This can be secured by condition.

Visual impact of the design on the listed church and The Green

15. Concerns have been raised about the visual impact that the dwellings will have on the historic setting of The Green and the Listed Church. There is concern that the proposal will be too dominant and will be out of character.

16. The plans have been revised in relation to design details. The north elevation (facing onto The Green) has a traditional design with stone cladding at ground floor level and render above. Both central dwellings have an entrance door and ground floor windows to achieve natural surveillance, and roof dormers. The properties are 8.2m high. The two end properties are off-set, with the western-most set slightly forward and the eastern-most set slightly back. Both have stone-cladding details at ground floor level and timber cladding at first floor. The eastern-end design has been revised to reduce the amount of timber cladding. The western end property fronts onto The Green with a ground floor entrance door and a row of five windows above and two dormer windows in the roof. The eastern end dwelling has a gable end facing The Green with large, high windows at loft level. The entrance door is set back and to the side. Undercroft parking spaces are provided.

17. The development site lies 60m away from the edge of St Mary's Church which is Grade II* listed and set back within a churchyard. There is a strip of grass adjacent to the site on the western end of the development site to provide further separation. Officers consider that the development is sufficiently removed from the Church and Churchyard to provide a clear visual separation. The development site is to the south east of the Church, and therefore will only impinge on views of the Church from the South East. Officers note that a pub was previously on the site and that the proposed development, while more substantial in height than the pub, is not considered to be so substantially larger in scale as to damage the setting of and views of the Church.

18. The dwellings will impact more directly on the setting of The Green which is an historic area of green space and retains a 'village' feel to it. The Inspector in the previous appeal decision noted that the Green has a pleasant, compact, tranquil, historic feel to it. He was of the opinion that the height and mass of the proposed terrace with its 'vertical emphasis' and tall zinc cladded windows would visually dominate The Green. He felt that the design was too modern and would detract from the setting of the listed church. In addition, his view was that the lack of ground floor windows and dominance of garages would create a poor visual relationship with The Green with a lack of natural surveillance.

19. Officers consider that the design of the dwellings in this proposal has been revised from the previous application to be more sympathetic to the historic character of the Green and the Church, with greater use of stonework and render. While the height is similar to the previous scheme, the 'vertical emphasis' of the development which the inspector referred to in the appeal decision is less dominant with the more traditional pitched roofs and dormer windows.

20. The timber cladding on the end properties could be seen as alien to the historic setting, but will help to soften the outline of the dwellings and therefore reduce their visual dominance as well as add variety to their appearance.
21. Officers recognise that the dwellings to the north of The Green are detached dwellings that are set back and down from the Green and the Church. The Community Hall is also set back from The Green although is more visually dominant.
22. Officers recognise that a terrace of dwellings fronting directly onto The Green will have a much more visually direct relationship with it and will appear dominant. However, they consider that the proposed design allows a more positive relationship than the previous application, achieving natural surveillance over The Green.

Visual impact on Crownhill Road

23. Concerns have been raised about the appearance of the proposal from Crownhill Road as it is considered to be over-bearing and messy.
24. The south elevation (fronting Crownhill Road) has a more modern design with large, Juliette balconies at first floor level, and on the two end dwellings at loft level. The plans have been revised to reduce the number of Juliette balconies at roof level. Private amenity space is provided for the two central dwellings in the form of small gardens that will be accessed from patio doors. The two end properties have been revised to include private balconies at first floor level as the amenity space to the rear of these end properties lacks privacy. The two central dwellings are stone clad and render and the two end dwellings are timber clad. Railings will be installed along the existing wall fronting Crownhill Road.
25. In the previous appeal decision, the Inspector did not agree that the proposed development would dominate the view from Crownhill Road significantly more than the previous pub would have done. He was of the view that the amenity areas to the rear could be screened from the road by planting.
26. In this application, the design has been modified to create a more traditional design, but of similar height and boundary treatment. There will be more fenestration than previously with provision of balconies on the end two properties.
27. Officers consider that the design is an improvement on the previous design and will be visually acceptable within the street-scene. A landscaping condition can be attached to require planting along the boundary.

Impact on the amenities of neighbours

28. Officers do not consider that the development will be detrimental to the privacy or outlook of neighbouring properties around The Green because of the distance between the proposed development and surrounding dwellings.

Local financial considerations

29. Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended section 70 of the Town and Country Planning Act 1990. This development will generate a total of approximately £28,780 in New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in the determination of this application.

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

Section 106 Obligations

None

Equalities & Diversities issues

None

Conclusions

Officers consider that the proposal has adequately addressed the concerns relating to design raised with the previous application and confirmed in the appeal decision. It is recommended to grant conditional approval.

Recommendation

In respect of the application dated **11/01/2013** and the submitted drawings Amendments to windows on 2nd floor of development and changes to external materials

11849_EX101 Site location plan, EX102 Existing site survey plan, EX103 Site Analysis Plan, SD101B Ground floor plan, SD103B First floor plan, APPI03B Second floor plan, SD104A Roof plan, SD108 Proposed section AA, SD106B Proposed north elevation, SD105B Proposed south elevations, SD107B Proposed east and west elevations, Design and access statement, Noise assessment, Desk study report.,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: I1849_EXI01 Site location plan, EXI02 Existing site survey plan, EXI03 Site Analysis Plan, SDI01B Ground floor plan, SDI03B First floor plan, APPI03B Second floor plan, SDI04A Roof plan, SDI08 Proposed section AA, SDI06B Proposed north elevation, SDI05B Proposed south elevations, SDI07B Proposed east and west elevations, Design and access statement, Noise assessment, Desk study report.

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.

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(2) 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

(3) 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.

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.

PROVISION OF PARKING AREA

(5) Each parking space shown on the approved plans shall be constructed, drained, surfaced and made available for use before the unit of accommodation that it serves is first occupied and thereafter that space shall not be used for any purpose other than the parking of vehicles. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the undercroft parking area shall not be used for any purpose other than parking of a car and shall not in any way be enclosed or converted into habitable accommodation.

Reason:

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

NO PARKING ON THE ADJOINING PRIVATE LAND

(6) Prior to the marketing and occupation of the dwellings hereby approved, the developer shall submit marketing materials relating to the dwellings to the local planning authority for written approval. These materials shall include a statement to draw to the attention of any prospective occupier that the occupiers of the development will not have any rights to park on the adjoining private land, accessways and roads, comprising and known as 'The Green'. The approved statement will thereafter be used for any marketing of dwellings on the site.

Reason:

To protect the residential and general amenity of the area and to prevent 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.

LANDSCAPE DESIGN PROPOSALS

(7) No development shall take place until full details of both hard and soft landscape works for the rear amenity areas of the development hereby approved 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 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.

EXTERNAL MATERIALS

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

Reason:

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

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: Principle of the development, Standard of accommodation, Highways and parking, Visual impact of the design on the listed Church and the Green, Visual impact on Crownhill Road, Impact on the amenities of neighbours, Local Financial implications, 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:

INFORMATIVE: CODE OF PRACTICE

(1) A copy of the Public Protection Service Code of Practice for Construction and Demolition Sites is available from:
www.plymouth.gov.uk/homepage/environmentandplanning/pollution/noise/construction.htm.

INFORMATIVE: POSITIVE AND PROACTIVE WORKING

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

CS28 - Local Transport Consideration
CS34 - Planning Application Consideration
CS22 - Pollution
CS03 - Historic Environment
CS02 - Design
CS15 - Housing Provision
CS16 - Housing Sites
SPDI - Development Guidelines
NPPF - National Planning Policy Framework March 2012

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PLANNING APPLICATION REPORT



ITEM: 02

Application Number: 13/00264/FUL

Applicant: Mr and Mrs Truscott

Description of Application: Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT garage/car sales together with repair and restoration of Hooe Barn to form retail unit and café and creation of car parking and associated landscaping (revision to application 12/02047/FUL)

Type of Application: Full Application

Site Address: HOOE BARN, HOOE ROAD PLYMOUTH

Ward: Plymstock Radford

Valid Date of Application: 15/02/2013

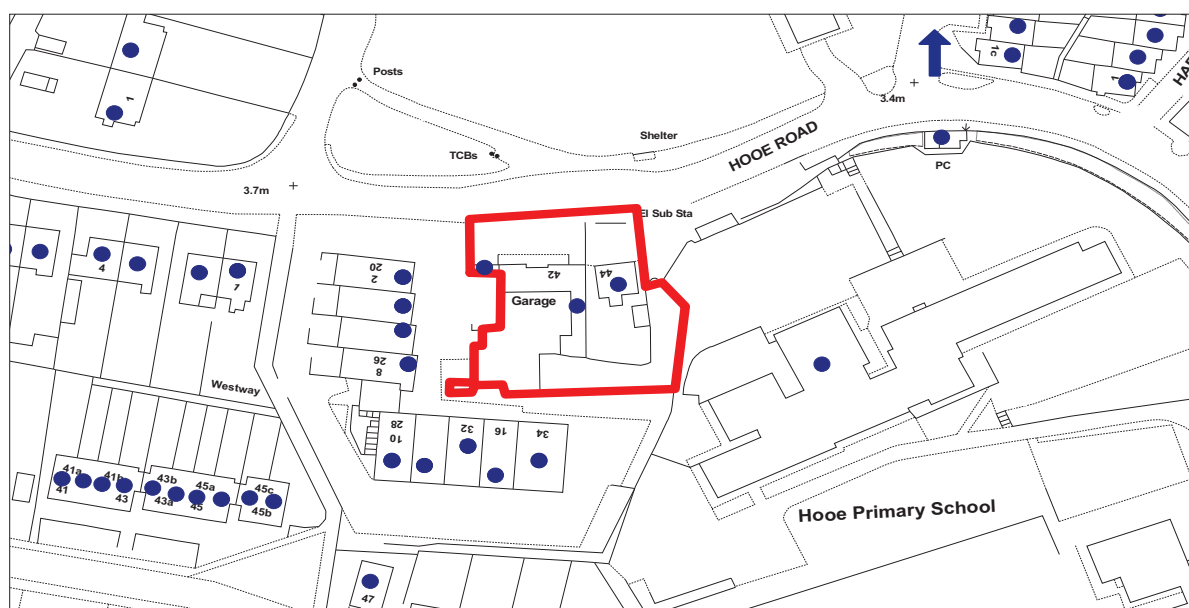
8/13 Week Date: **12/04/2013**

Decision Category: Member Referral

Case Officer : Olivia Wilson

Recommendation: Grant Conditionally

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



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OFFICER REPORT

This application has been referred to Planning Committee by Councillor Ken Foster.

Proposal Description

Hooe Barn is a Grade II listed Elizabethan threshing barn located within the Hooe Local Shopping Centre adjoining Hooe Road.

Pre-Application Enquiry

Pre-application advice was sought and the Council's advice was that the principle of demolishing the existing garage and erecting a new purpose-built garage/ MOT centre would be acceptable. The reuse of the barn was considered positive and that a retail/café use would be acceptable in principle. The proposal to keep the barn as one large open space was welcomed.

A meeting was held with the applicant following withdrawal of the earlier application to discuss revisions to the application. Revisions to parking layout, the addition of car sales, the café, design of windows, and hours of operation were all discussed.

A site meeting was held on the 8th Feb 2013 with a representative from the Society for the Protection of Ancient Buildings. Their advice was that some intervention to the building would be necessary to make the use commercially viable, but that intervention should be kept to a minimum.

Relevant Planning History

12/02048/LBC – Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT/Car repair garage, together with repair and restoration of Hooe Barn – withdrawn.

12/02047/FUL – Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT/car repair garage together with repair and restoration of Hooe Barn to form commercial space and creation of car parking and associated landscaping - withdrawn.

13/00265/LBC - Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT garage/car sales together with repair and restoration of Hooe Barn to form retail unit and café and creation of car parking and associated landscaping (revision to application 12/02048/LBC) – under consideration.

Consultation Responses

The Highway Authority does not object to the application as sufficient parking spaces are provided for the uses proposed and the proposals do not generate a significantly greater number of trips than the current uses. It requests that the car sales area shown on the plans should be controlled by condition to avoid customer parking spaces being taken up by car sales. A further condition will be required for highway works to extend the traffic island and resurfacing of the footway.

The Public Protection Service does not object to the application but requests conditions to protect residential amenity during construction and when the uses are operating, and to ensure that adequate land remediation is carried out prior to commencement of development. It notes that the proposal includes a café use, but does not provide details of ventilation.

Representations

106 letters of representation have been received.

The following concerns have been raised:

- Concerned about the safety of pedestrians using the pavement from cars entering and leaving the site. It is a busy pavement used by school children at Hooe Primary School.
- There is not enough space for 8 parking bays between the front of the Barn and the pavement.
- The barn is a listed building and should not be altered. The buildings to be demolished are also listed because they are attached to the barn.
- There is currently little regulation of parking around the present garage, so residents are concerned that parking restrictions will be ignored with the new proposal.
- There could be a danger to road users from vehicles entering and leaving the site.
- The driveway acting as a service road and parking area behind the shops/ flats will be reduced in size which will impact on residents who live and park their vehicles there.
- The demolition and construction works will cause disruption to road users and pedestrians. There will also be disturbance to the nearby businesses.
- An MOT station would generate more traffic and congestion than the present garage as a viable MOT garage would require many customers a day to sustain it.
- The proposal does not appear to have a community use as was agreed when originally purchased by the owner.
- The west end of the barn is landlocked therefore the door cannot be used for the purpose of the business.
- The application fails to take into account the loss of local services including red diesel provision for agricultural machines and the boating community. It is one of the few businesses to serve marine diesel which is also used for agricultural machines. Removal of this facility would greatly increase costs to farmers.
- There will be employment loss from the proposal as the existing employees of the garage and shop would lose their jobs.
- The proposed area is subject to flooding. The road in front of the site floods easily.

- Turning space for heavy vehicles is limited.
- The development will destroy the rustic look of Hooe Village.
- The loss of a facility that has been at the heart of the local community for years would be a gap not easily filled.
- It seems redundant to knock down the existing garage with a new one that provides fewer services and more congestion. The current garage provides MOT tests as well as repairs and vehicle maintenance and car sales, a paper shop and pasty shop. Reducing the number of services is a great inconvenience to the local residents and will suck the life out of the village.
- The design of the new building does not fit with the rural character of the village. It is an industrial-looking block.
- Further retail development will affect the viability of the existing businesses.
- Public money has been allotted to the restoration of the barn but no repairs have been carried out. Why is demolition of existing buildings required to restore the barn?
- An MOT station would be noisy and not helpful to the community feel of the village.
- The proposed plans will have a detrimental effect on the appearance and value of Hooe Barn. The barn has an established character and significance within the community that would be destroyed by this application. This vital piece of history would be lost.
- 8 parking spaces would not be enough to service a small shop and garage.
- This retail unit is not ideally situated and could end up sitting empty. What will happen to the barn then?
- There is no need for more retail space in the village.
- Plymouth City Council sold the barn on the understanding that it would be for community use.
- The proposed large window will not be sensitive to the building or its history. It will take away the authenticity of the barn, turning it into just another shop.
- Due to recent changes in the layout of Hooe Road access to the site has been hampered due to the positioning of a bus bay next to a traffic island.
- The application gives no information about the proposed use of the barn.
- There is no provision for waste storage and collection and deliveries.
- How does the application benefit local people?
- The shops that were on the ground floor of the flats behind the barn were converted into residential. Don't want the same change of use to happen here.
- There does not appear to be a plan which shows clearly how the location of the proposed development relates to the recently altered junction and new mini-roundabout at nearby Barton Road. There is one plan showing the old and the new road layouts superimposed but no clear indication as to how it relates to the application site.
- Because of the location of the adjacent re-located bus stop and its proximity to the parking access for users of the proposed Barn redevelopment vehicles exiting and turning right (eastwards) from the parking area could well find their view of traffic approaching from the west completely obstructed by a waiting bus-giving the potential for a serious accident to an unwary or careless driver.

- Concerns have been raised about the lack of a proper heritage statement with the application setting out a clear justification for the works proposed, especially for the window in the north elevation.
- It is noted that the proposal includes an energy report which recommends the installation of solar panels on the roof (location not specified).

Some comments of support have also been received that raise the following points:

- Supportive of overall principle but would like to see the roofline of the new garage reflect the barn with a change of slope such as shown on application 11/01235/out. Suggests that traffic will be a concern but that this relates more to the Hooe Lake Quarry development. The City Council should undertake measures to improve public parking in the area.
- Pleased that car sales are not included in the proposal. The current garage frequently blocks existing parking with cars for sale.
- The proposed viewing window in the north elevation of the barn should be free of posters and advertising in perpetuity.
- It is important that vehicles are able to enter and leave the site in forward gear.
- The Council should consider double-yellow lining Hooe Road along the whole frontage of the site to prevent illegal parking and place bollards on the footpath and the traffic island.
- The new bus bay has not done anything to improve the situation at this junction and obscure the views of drivers.
- The owners could engage the view of the community on the type of retail/community uses.

Analysis

1. This application is being considered alongside application 13/00265/LBC which is for listed building consent. Detailed considerations in relation to the listed building will be considered in relation to this listed building consent application.
2. The barn is thought to have been constructed during the Elizabethan period as a threshing barn near the banks of Hooe Lake. It is one of only four such barns in the country. Shippens (smaller barns for livestock) were constructed on the north west, south west and north east walls of the barn, although only the south west and north east shippens remain.
3. The garage and newsagents shop were built in the 1930s and much of the farmland was sold for housing following the Second World War. The farm remained in agricultural use until the 1960s when the farm and associated buildings were sold to Wimpeys. The farmhouse and outbuildings were demolished but following a local campaign the barn was saved and became a listed building. Hooe Lake was infilled in the 1960s to create the green recreation area.
4. In the 1970s efforts were made to find a community use for the barn but no viable use was found. In 1987 Wimpeys sold the barn to Plymouth City Council for £150 but the shop and garage to the north and east of the barn remained in private ownership. The barn was sold to the present owner in 2010.

5. The barn is orientated with doorways on an east-west orientation, to catch the prevailing westerly winds to create a draft for threshing and winnowing. The West door is slightly higher than the east door, suggesting that loaded wagons entered from the west side and exited to the east.
6. The threshing floor would originally have been of oak planks but this has gone. The floor is mainly cobbled, but with some flagstones. Pigeon holes are incorporated in the North wall. The slit windows were designed to provide light whilst keeping out the worst of the weather. Some of the windows were blocked up over the years.
7. The thick walls are of limestone rubble which taper to the top. The walls would have been at one time lime plastered and white washed.
8. The half-hipped and gabled slated roof was replaced in the 1960s so many of the original oak timbers have been lost.
9. The north elevation of the barn is set back about 11m from the edge of the footway on Hooe Road. There are currently 3 separate vehicle cross-overs, two serving the garage and the third providing access to the pasty shop forecourt. The north elevation is currently obscured by the garage and newspaper shop, that span the whole elevation (the existing garage and shop are 3m high, 5m deep and 21m across). The garage offers car repairs, car sales and sells fuel with fuel pumps on the forecourt selling red diesel.
10. On the west side of the barn is a wide pedestrian path (in private ownership) providing access to the west door of the barn, the south-west shippen, and the row of shops that form Hooe Local Centre. The path follows around the south side of the barn to provide access to flats at the rear.
11. The pasty shop is a detached single-storey building located to the east and forward of the barn, with the frontage in line with the front of the garage. Behind the pasty shop is a yard with a lean-to store against a stone retaining wall that is thought to be part of the historic farmyard. The height difference between the yard and the upper courtyard behind the retaining wall is about 1.5m.
12. The north-east shippen is used by the garage as a store and is not visible from the outside because it is obscured by the garage. The south-west shippen and the barn are vacant.

The proposal

13. The proposal is to demolish the later additions to the barn (the garage, pasty shop and lean-to) and expose the north and east elevations of the barn in order to return it to its original appearance, increase its public visibility and support a commercially viable change of use.
14. The works to the barn include: repairing the roof, walls, reinstating and opening up former windows, replacing the roof lights, providing a new floating floor in the barn. It is proposed to create a new 4m high window opening in the north

elevation facing the road in order to create a more public frontage to the barn. The proposed use for the barn is for retail with a cafe. The south-west shippen will be a craft shop. The north-east shippen will have a disabled toilet for use by staff and customers of the barn and can be used as a kitchen for the cafe. A privy on the outside east wall will be removed.

15. The proposal has been revised from the previous scheme. The main changes are:

- the MOT garage has been set further back on the site to create more car parking space to the front, three car sales spaces have been provided,
- the area for deliveries has been moved from in front of the barn to the front of the garage,
- The internal arrangement within the north east shippen has been revised to enable a kitchen to be installed to serve the café.
- The window opening in the north elevation of the barn has been reduced in size from 3m wide to 1.8m wide and from 4.65m high to 4.2m high, as have the rooflights.
- The use as retail and café has been clarified with a plan showing a café layout.
- Glazing has been removed from the west elevation of the MOT garage to reduce visibility to the garage.
- The 'privy' has been removed from the east wall.
- A pedestrian path across the forecourt has been added to provide a clear pedestrian route to the barn's east entrance.
- Access to the east side of the barn has been clarified, with steps added from the forecourt to the east door.
- Refuse storage and cycle parking have been repositioned.

16. It is proposed to replace the existing garage with a new 3 bay MOT garage that will be set back from the front of the barn to be subservient to it. The area to the front of the barn will become a parking area with a paved pedestrian path providing a clear route from the footpath to the east door of the barn.

17. The garage will be set back from the north wall of the barn by about 8m, and will be at least 2.5m from the external wall of the north east shippen. It will be clad in stone to 3m high with flat cladding panels above. In order to achieve a level area for the garage, part of the upper courtyard will need to be excavated by about 1.5m, extending back from the current retaining wall by about 10m and 15m across. The existing stone retaining wall will be demolished.

18. The garage will have a shallow pitched roof, 6m high at the ridge, which will be of standing seam zinc with a double-glazed ridge light.

19. There will be 3 MOT bays within the garage with a reception, waiting area and toilet set back by 5m to the side and a secure tyre store at the rear. The frontage of the garage will be 12m with a further 3m width for the reception area. The garage will be 18m deep. The west elevation (facing the barn) will have high level windows. From the south elevation, the garage will only appear to be 4.5m high as it will be cut into the slope.

20. The garage forecourt area will be 19m from the street frontage to allow parking in front and deliveries. There will be 4 customer parking spaces for the MOT garage, with 3 car sales spaces along the east boundary. There will be space for deliveries to be made in front of the MOT garage and also space for refuse lorries. The forecourt area in front of the barn will be 11m width from the street frontage, with seven customer parking spaces. There will be two disabled parking spaces, one for the barn and one for the MOT garage. A pedestrian path (1m wide) will lead from the footpath to the east entrance of the barn to provide a clear pedestrian route over the forecourt.

21. The forecourt surfacing will be of bitumen macadam while the paving will be permeable block paving. Two new vehicle crossovers will be provided and the existing crossovers restored. One crossover will serve the MOT garage and the other the barn. An existing traffic island will be extended to prevent vehicles turning right out of the barn parking area.

22. The barn is 9m high to the roof ridge with tapered walls that are 5.5m high to the eaves and appear to lean outwards. Internally, the barn is 5.5m wide. Externally, the barn together with the entrances and shippens is 18m wide and 24m long. It slopes down inside from south to north.

23. The north elevation has a half-hipped roof and 3 existing high level arrow-slit windows. It is proposed to glaze these windows.

24. The current garage and shop that spans the width of this elevation will be demolished and the fuel pumps and underground tanks will be removed. The pasty shop will also be demolished. The existing paving on the forecourt will be removed.

25. A new window opening is proposed in the north elevation that will be 4.2m high and 1.8m wide. The east elevation will have 6 rooflights along the main roof and one small rooflight above the doorway. Two former blocked up windows will be re-opened below the eaves. The east doorway will be accessed via 4 steps. These will be 1.4m wide and 0.75m high. The east doorway itself will be 2.5m high. The privy that is built on the east wall adjacent to the east door will be demolished.

26. The north-east shippen will have a doorway entrance, a glazed full height window (in a former door opening) and a window. The plans for this shippen have been revised to amend the internal layout of the space. The walls will be painted with a lime-based paint and a floating floor installed. The revised plans show that the stalls and dividers will be removed in order to create sufficient clear wall space for fittings. The revised plans also show a revised position for the toilet and the lobby. There will be a step up into the lobby and then a level access through to the barn. The windows will be timber window frames with toughened glass. The doorway will be of timber and made to match the original with a glazing panel.

27. The west elevation has a level access from the pedestrian path to the side. The doors are 3.5m high and 2.5m wide, with 6 rooflights along the west roof. The south west shippen is at the upper courtyard level with a step up to it. There will be a doorway and window. The floor will be a floating floor. The walls will be repaired

and painted with a lime-based paint to a height of 2.1m. The window will be a timber-framed top-hung casement of 1m high and 1.5m wide with toughened glass. The door will be made of timber to match existing with a small glazed panel. The stalls and dividers will be painted with an oil-based paint. The south elevation will be unchanged.

28. Internally, the walls will be painted up to a height of 2.1m with a lime-based paint leaving the upper stone walls exposed. The floor will be covered with a floating timber floor with part covered by a panel of toughened glass to expose the original floor below. In order to provide safe access throughout the barn there will be a need to install ramps between the upper and lower barns. The existing windows and the two re-opened window openings on the east elevation will be glazed with double-glazed timber-framed windows.

29. The main doors into the barn on the east and west elevations of the barn will be restored and replaced, although an exact match will be made for the right-hand door of the west elevation. There will be a fully glazed glass screen inside each doorway with a single glazed entrance door. During opening hours, the wooden external doors will be kept open.

30. The roof of the barn will be repaired with the slates relaid/ replaced and new conservation rooflights installed (4 to be electronically operated, 4 fixed). Roof insulation will be laid between the rafters with 12.5mm thick plasterboard. The new opening in the north elevation will have a fixed glazed window. A new internal door will be constructed between the barn and the north east shippen to match the existing.

31. Two small refuse stores will be provided – one adjacent to the garage reception by the east wall and the other adjacent to the east door of the barn. This latter area will be excavated to a depth of about 1.5m.

32. The granite arch that is attached to the south west corner of the barn will be repaired using a lime-based mortar.

Planning considerations

33. The main planning considerations with this application are considered to be:

- Principle of the development
- Impact on the setting of the listed building, the fabric of the listed building and archaeology (these are considered in more detail in the accompanying listed building consent application)
- Transport and Highways
- Employment
- Impact on the amenity of neighbours

Principle of the development

34. The proposal is to convert the barn to a retail/ café use with a separate craft shop in the south west shippen, to demolish the existing garage and pasty shop and to construct a new MOT garage with three car sales spaces. It is located within Hooe Local Centre adjacent to a row of shops (a flooring shop, a mini-market and

Post Office, a Chinese take-away and an Indian take-away) and already has a garage, newspaper shop and pasty shop on the site.

35. The relevant policies are: SO7 (Delivering adequate shopping provision) CS1 I (Changes of use in District and Local Centres), and CS01 (Development of Sustainable Linked Communities) of the adopted Local Development Framework Core Strategy. The Shopping Centres Supplementary Planning Document also provides guidance on Hooe Local Centre.

36. The Shopping Centres SPD identifies the whole site as being within the Local Centre. It notes that the Local Centre has struggled to function fully and that some of the retail units have been converted to residential. It notes that the Local Centre has a poor relationship to the street and the green beyond it. It states that the Council will encourage opportunities to strengthen the Local Centre.

37. Policy CS01 states that development should meet the needs of the neighbourhood and contribute to promoting a sustainable, linked community. Strategic Objective 7 states that new shopping development should strengthen district and local centres by encouraging a range of facilities and uses to meet people's day to day needs. CS1 I refers to changes of use away from A1 (retail) use. It states that changes of use are acceptable as long as the primary function of the centre is maintained and the proposed use provides a complementary role to the retailing function of the centre.

38. Officers consider that the proposals will replace the existing uses (retail and motor garage/ car sales) on the site but with a new layout. The use as a garage has evolved over the years in an ad hoc way and dominates the frontage of the site.

39. The retail element will be increased with the change of use of the barn (which is currently vacant). A café use will be added and this is seen as important to add to the range of uses within the centre and to introduce a use that can enable the community to enjoy the interior of the barn.

40. Officers consider that the changes will create a focal point for the local centre with the barn that will strengthen the character of the local centre as a whole. By setting the garage to the back of the site it will reduce the dominance of the garage use and enhance the retail element.

41. Concerns have been raised that the proposals do not include a community use. When the barn was sold to the current owner the covenant stated that the barn should be used for leisure purposes and for uses that benefit the local community. Officers recognise the need for any use to be commercially viable. Officers consider that a retail and café use will benefit the local community by providing local services and facilities and strengthening the local community.

42. Officers consider that the proposal is in conformity with the City Council's policies on local centres and sustainable communities.

Impact on the setting of the listed building and the fabric of the building

43. Policy CS03 states that the Council will safeguard and where possible enhance historic environment interests and the character and setting of areas of acknowledged importance.

44. The NPPF Para. 131 states that Local Planning Authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

45. This proposal will enable a commercially viable use for the barn which will enable its restoration. Officers consider that the proposed retail and café use is consistent with the conservation of the barn. The barn has fallen into a dilapidated state and is also largely hidden from public view by the garage and shop. The demolition of the garage will reveal the north elevation of the barn to public view and it is the officer's view that this will enhance the setting of the barn by opening it up. The east elevation of the barn will also be exposed by the demolition of the pasty shop and lean-to.

46. Officers consider that the new garage to the side is set back far enough from the barn frontage that it will not detract from the setting of the barn. They recognise that the forecourt in front of the barn will be dominated by parking which will detract from the historic setting, but this is required for the commercial viability of the site and to reduce off-site impacts from car parking.

47. Historic records show that the barn was part of a farmyard and manor and there is a chance that historic artefacts exist within the site. The demolition of the garage, shop and lean-to provides an opportunity to carry out archaeological surveys. This can be required by condition.

48. The main proposed change to the fabric of the building is the insertion of a large window in the north elevation of the building. It is noted that the window will be 4.2m high and 1.8m wide which is a significant intrusion into the fabric of the building. However, officers consider that this is necessary to make the internal use visible to the public realm and to enable commercial viability of the use. The NPPF states that substantial harm to a designated heritage asset should only be allowed where it is necessary to achieve substantial public benefits, including bringing the site back into use. Officers consider that the benefits of bringing the barn back into use and restoring its fabric outweigh the harm to the fabric of the building from creating the new opening.

49. Officers consider that the proposals to repair the barn and shippens and carry out works to enable the new uses will protect and enhance the fabric of the building. In order to ensure that the works to the barn progressed alongside the new MOT garage, a phasing condition can be applied.

50. Officers note that the submitted energy statement recommends the installation of solar panels to reduce the proposal's carbon emissions in accordance with policy CS20 (Sustainable Resource Use). However, no details are provided on the submitted plans or other supporting information. They consider that solar panels would be detrimental to the character and setting of the listed building and would not be appropriate in this instance.

Transport and highways

51. The current use at the site consists of a garage and associated car sales/storage, a newsagents and a pasty shop. The forecourt area is fully utilised for car sales and no customer or visitor parking is currently provided on site.

52. The proposal will provide a total of 11 formally marked out parking spaces (7 in front of the barn and 4 in front of the MOT centre). There is also space for delivery vehicles to pull in and turn, 3 working bays for the MOT garage and 3 waiting bays, and an area for a maximum of 3 cars for sale to be parked (this can be controlled by condition). Officers consider that the customer parking spaces meet the parking standards for a development of this kind, as set out in the Development Guidelines SPD.

53. The current access arrangements into the site are poor and designed to serve a petrol station forecourt. There are three vehicular crossings. The proposals will create two vehicular crossings: the barn will be served by a formal vehicular access with associated pedestrian crossing while the MOT garage will be served by a dropped kerb across the footway. Sufficient space is provided for cars to enter and leave in forward gear. There is a traffic island on the road which will be opposite the turning into the barn. In order to prevent vehicles turning right onto the road when coming out of the site, the traffic island will need to be increased in length eastwards to enable a second bollard to be installed. Drivers wishing to turn right will then have to turn left and go around the mini-roundabout. This can be enforced by a 'Grampian' condition requiring the works under a Section 278 Agreement. A secure cycle parking area is shown, and the site is considered to be accessible on foot and by public transport, being located on the main road through Hooe.

Employment

54. No details of existing or proposed employment are stated in the application. However, the existing garage, shop and pasty shop are existing sources of employment. Officers consider that the proposals will create at least the same amount of employment and may create additional jobs.

Impact on the amenity of neighbours

55. The proposals involve potentially noisy uses in close proximity to residents. Officers consider that conditions can be attached to protect residents from noise nuisance during construction and once the proposals are brought into use. Any proposal for ventilation extract equipment, or other internal works associated with

the café use, is likely to require a further application for listed building consent, and this can be added as an informative.

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

Section 106 Obligations

None

Equalities & Diversities issues

The proposal includes disabled parking spaces and makes adequate provision for disabled access to the barn, balanced against the constraints of the layout of the listed building. The east door of the barn will be accessed via steps due to the difference in site levels, but there will be level access via the west door.

Conclusions

On balance, officers consider that the public benefits of bringing the barn back into use and restoring the historic fabric outweigh the proposed alterations to the building and the new MOT garage. It is recommended to grant conditional approval.

Recommendation

In respect of the application dated **15/02/2013** and the submitted drawings 1130.LP Location Plan, 1130.10 Topographical Survey, 1130.11 Site plan, 1130.12 Floor plan of barn existing, 1130.13 South and West elevations existing, 1130.14 North and East elevations existing, 1130.15 Barn sections existing, 1130.16 Barn sections existing, 1130.20 Rev A Site plan proposed, 1130.21 Rev A Barn floor plan proposed, 1130.22 Barn South and West elevations proposed, 1130.23 Barn north and east elevations proposed, 1130.24 Rev A Barn sections proposed, 1130.25 Rev A barn sections proposed, 1130.26 Barn floor proposed, 1130.25 Rev A Barn floor indicative layout, 1130.30 Rev A MOT garage floor plan proposed, 1130.31 MOT garage elevations proposed, 1130.32 MOT garage section proposed, Design and Access Statement, Structural Survey Report, A potted history of the land at Hooe, Extended Phase I Habitat Survey, Flood Risk Assessment, Transport Statement, Phase One Contamination Status Report, Energy Report,,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: 1130.LP Location Plan, 1130.10 Topographical Survey,

1130.11 Site plan, 1130.12 Floor plan of barn existing, 1130.13 South and West elevations existing, 1130.14 North and East elevations existing, 1130.15 Barn sections existing, 1130.16 Barn sections existing, 1130.20 Rev A Site plan proposed, 1130.21 Rev A Barn floor plan proposed, 1130.22 Barn South and West elevations proposed, 1130.23 Barn north and east elevations proposed, 1130.24 Rev A Barn sections proposed, 1130.25 Rev A Barn sections proposed, 1130.26 Barn floor proposed, 1130.25 Rev A Barn floor indicative layout, 1130.30 Rev A MOT garage floor plan proposed, 1130.31 MOT garage elevations proposed, 1130.32 MOT garage section proposed, Design and Access Statement, Structural Survey Report, A potted history of the land at Hooe, Extended Phase I Habitat Survey, Flood Risk Assessment, Transport Statement, Phase One Contamination Status Report, Energy Report,

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.

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(2) 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.

CAR PARKING PROVISION

(3) The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the approved details, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

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

ANCILLARY OR INCIDENTAL USE

(4) The proposed car sales shall only be used for purposes incidental or ancillary to the primary use of the premises as MOT centre/ garage.

Reason:

Whilst the proposal for such ancillary use is acceptable to the Local Planning Authority, the independent use of different parts of the premises would be likely to produce conditions unacceptable to the Local Planning Authority; this condition is in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

RESTRICTION OF CAR SALES

(5) No more than 3 No. (three) vehicles shall be displayed for sales purposes on the site without the prior consent in writing of the local planning authority.

Reason

In order to safeguard the amenity of the locality and the satisfactory operation of the site, in accordance with policies CS28 and CS34 of Plymouth's Local Development Framework Core Strategy (2006 - 2021) 2007.

NOISE

(6) The internal doors to the barn referred to in the proposed plan must be self closing. The door to the proposed craftshop must also be self closing and must remain closed whilst work is being carried out within the building so as to prevent noise from disturbing neighbouring residential properties.

Reason: To protect the residential and general amenity of the area from noise in accordance with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CONTAMINATED LAND

(7) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation 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.

CODE OF PRACTICE DURING CONSTRUCTION

(8) 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.

DELIVERY HOURS

(9) There should be no deliveries to either site outside of the following times: 08:00 - 18:00 Monday - Friday, or 08:00 - 13:00 Saturday. There should be no deliveries or collections on Sundays and Bank or Public Holidays.

Reason:

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

OPENING HOURS

(10) The uses hereby permitted shall not be open to customers outside the following times: 08:00 - 18:00 hours Mondays to Fridays inclusive and 08:00 - 17:00 on Saturdays.

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.

PETROLEUM LICENSING

(11) Permanent decommissioning of underground fuel storage tanks and associated pipes/ infrastructure present on site, in accordance with the Association for Petroleum and Explosives Administration (APEA) publication on Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations (2001).

Reason

To bring the site to a condition suitable for the intended proposed use and to protect the amenity value of future site users, nearby residents and the environment in accordance with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006 - 2021) 2007.

ARCHAEOLOGY

(12) No part of the development allowed by this permission shall be commenced until the applicant (or their agent or his successors in title) has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation (VSI) which has been submitted by the applicant and approved by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme and in accordance with other such details as may subsequently be agreed in writing by the Planning Authority.'

Reason:

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

SURFACING MATERIALS

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

Reason:

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

EXTERNAL MATERIALS: MOT GARAGE

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

Reason:

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

COMPLETION OF SPECIFIC WORKS

(15) Before the MOT garage hereby permitted is first brought into use, all repairs and associated works to the roof of the Barn shall be completed in accordance with the approved plans.

Reason:

To ensure that this essential part of the development is provided before the building is brought into use, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE PROVISION

(17) The building shall not be occupied until space has been laid out within the site in accordance with the approved plan for at least 4 bicycles to be securely parked. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

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.

INFORMATIVE: POSITIVE AND PROACTIVE 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 [including pre-application discussions] 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: principle of the development, impact on the setting of the listed building, the fabric of the listed building and archaeology, transport and highways, employment and impact on the amenity of neighbours, 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:

ACCESS/HIGHWAY IMPROVEMENTS

(16) The use hereby permitted shall not commence 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.

INFORMATIVE: PUBLIC HIGHWAY ENGINEERING DETAILS

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

INFORMATIVE: PUBLIC HIGHWAY APPROVAL

(3) This planning permission does not authorise the applicant to carry out works within the publicly maintained highway. The applicant should contact Plymouth Transport and Highways for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority and an appropriate permit must be obtained before works commence.

CS28 - Local Transport Consideration
CS34 - Planning Application Consideration
CS11 - Change of Use in District/Local Centres
CS20 - Resource Use
CS22 - Pollution
CS03 - Historic Environment
CS05 - Development of Existing Sites
CS01 - Sustainable Linked Communities

SO7 - Delivering Adequate Shopping Provision Targets
NPPF - National Planning Policy Framework March 2012
SCSP - Shopping Centres Supplementary Planning Document

PLANNING APPLICATION REPORT



ITEM: 03

Application Number: 13/00265/LBC

Applicant: Mr and Mrs Truscott

Description of Application: Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT garage/car sales together with repair and restoration of Hooe Barn to form retail unit and café and creation of car parking and associated landscaping (revision to application 12/02048/LBC)

Type of Application: Listed Building

Site Address: HOOE BARN, HOOE ROAD PLYMOUTH

Ward: Plymstock Radford

Valid Date of Application: 15/02/2013

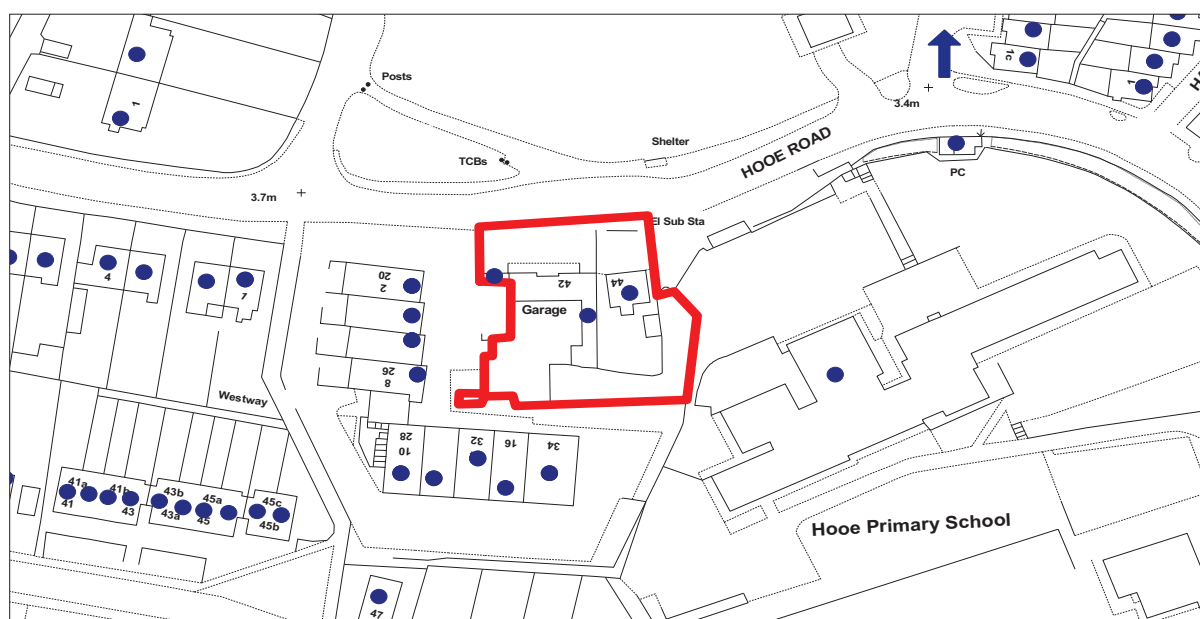
8/13 Week Date: **12/04/2013**

Decision Category: Member Referral

Case Officer : Olivia Wilson

Recommendation: Grant Conditionally

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OFFICER'S REPORT

This application has been referred to Planning Committee by Councillor Ken Foster.

Site Description

Hooe Barn is a Grade II listed Elizabethan threshing barn located within the Hooe Local Shopping Centre adjoining Hooe Road.

Proposal Description

Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT garage/car sales together with repair and restoration of Hooe Barn to form retail unit and café and creation of car parking and associated landscaping (revision to application 12/02048/LBC).

Pre-Application Enquiry

Pre-application advice was sought and the Council's advice was that the principle of demolishing the existing garage and erecting a new purpose-built garage/ MOT centre would be acceptable. The reuse of the barn was considered positive and that a retail/café use would be acceptable in principle. The proposal to keep the barn as one large open space was welcomed.

A meeting was held with the applicant following withdrawal of the earlier application to discuss revisions to the application. Revisions to parking layout, the addition of car sales, the café, design of windows, and hours of operation were all discussed.

A site meeting was held on the 8th Feb 2013 with a representative from the Society for the Protection of Ancient Buildings. Their advice was that some intervention to the building would be necessary to make the use commercially viable, but that intervention should be kept to a minimum.

Relevant Planning History

12/02048/LBC – Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT/Car repair garage, together with repair and restoration of Hooe Barn – withdrawn.

12/02047/FUL – Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT/car repair garage together with repair and restoration of Hooe Barn to form commercial space and creation of car parking and associated landscaping - withdrawn.

I3/00264/FUL - Demolition of single-storey garage, pasty shop and lean-to and construction of detached MOT garage/car sales together with repair and restoration of Hooe Barn to form retail unit and café and creation of car parking and associated landscaping (revision to application I2/02047/FUL) – under consideration.

Consultation Responses

The Highway Authority does not object to the application as sufficient parking spaces are provided for the uses proposed and the proposals do not generate a significantly greater number of trips than the current uses. It requests that the car sales area shown on the plans should be controlled by condition to avoid customer parking spaces being taken up by car sales. A further condition will be required for highway works to extend the traffic island and resurfacing of the footway.

The Public Protection Service does not object to the application but requests conditions to protect residential amenity during construction and when the uses are operating, and to ensure that adequate land remediation is carried out prior to commencement of development. It notes that the proposal includes a café use, but does not provide details of ventilation.

Representations

106 letters of representation have been received for this application.

The following concerns have been raised:

- Concerned about the safety of pedestrians using the pavement from cars entering and leaving the site. It is a busy pavement used by school children at Hooe Primary School.
- There is not enough space for 8 parking bays between the front of the Barn and the pavement.
- The barn is a listed building and should not be altered. The buildings to be demolished are also listed because they are attached to the barn.
- There is currently little regulation of parking around the present garage, so residents are concerned that parking restrictions will be ignored with the new proposal.
- There could be a danger to road users from vehicles entering and leaving the site.
- The driveway acting as a service road and parking area behind the shops/ flats will be reduced in size which will impact on residents who live and park their vehicles there.
- The demolition and construction works will cause disruption to road users and pedestrians. There will also be disturbance to the nearby businesses.
- An MOT station would generate more traffic and congestion than the present garage as a viable MOT garage would require many customers a day to sustain it.
- The proposal does not appear to have a community use as was agreed when originally purchased by the owner.
- The west end of the barn is landlocked therefore the door cannot be used for the purpose of the business.
- The application fails to take into account the loss of local services including red diesel provision for agricultural machines and the boating community. It is one of the few businesses to serve marine diesel which is also used for agricultural machines. Removal of this facility would greatly increase costs to farmers.

- There will be employment loss from the proposal as the existing employees of the garage and shop would lose their jobs.
- The proposed area is subject to flooding. The road in front of the site floods easily.
- Turning space for heavy vehicles is limited.
- The development will destroy the rustic look of Hooe Village.
- The loss of a facility that has been at the heart of the local community for years would be a gap not easily filled.
- It seems redundant to knock down the existing garage with a new one that provides fewer services and more congestion. The current garage provides MOT tests as well as repairs and vehicle maintenance and car sales, a paper shop and pasty shop. Reducing the number of services is a great inconvenience to the local residents and will suck the life out of the village.
- The design of the new building does not fit with the rural character of the village. It is an industrial-looking block.
- Further retail development will affect the viability of the existing businesses.
- Public money has been allotted to the restoration of the barn but no repairs have been carried out. Why is demolition of existing buildings required to restore the barn?
- An MOT station would be noisy and not helpful to the community feel of the village.
- The proposed plans will have a detrimental effect on the appearance and value of Hooe Barn. The barn has an established character and significance within the community that would be destroyed by this application. This vital piece of history would be lost.
- 8 parking spaces would not be enough to service a small shop and garage.
- This retail unit is not ideally situated and could end up sitting empty. What will happen to the barn then?
- There is no need for more retail space in the village.
- Plymouth City Council sold the barn on the understanding that it would be for community use.
- The proposed large window will not be sensitive to the building or its history. It will take away the authenticity of the barn, turning it into just another shop.
- Due to recent changes in the layout of Hooe Road access to the site has been hampered due to the positioning of a bus bay next to a traffic island.
- The application gives no information about the proposed use of the barn.
- There is no provision for waste storage and collection and deliveries.
- How does the application benefit local people?
- The shops that were on the ground floor of the flats behind the barn were converted into residential. Don't want the same change of use to happen here.
- There does not appear to be a plan which shows clearly how the location of the proposed development relates to the recently altered junction and new mini-roundabout at nearby Barton Road. There is one plan showing the old and the new road layouts superimposed but no clear indication as to how it relates to the application site.
- Because of the location of the adjacent re-located bus stop and its proximity to the parking access for users of the proposed Barn redevelopment vehicles exiting and turning right (eastwards) from the parking area could well find their view of

traffic approaching from the west completely obstructed by a waiting bus-giving the potential for a serious accident to an unwary or careless driver.

- No proper heritage statement has been included with the application to justify the works proposed.
- The proposed window in the north elevation of the building is an unjustified intervention in the historic fabric of the building.
- The scale of the proposed MOT garage is detrimental to the setting of the barn.
- Velux windows are not appropriate for a listed building.

In addition, the letters make some supportive comments:

- Supportive of overall principle but would like to see the roofline of the new garage reflect the barn with a change of slope such as shown on application 11/01235/out. Suggests that traffic will be a concern but that this relates more to the Hooe Lake Quarry development. The City Council should undertake measures to improve public parking in the area.
- The proposed viewing window in the north elevation of the barn should be free of posters and advertising in perpetuity.
- It is important that vehicles are able to enter and leave the site in forward gear.
- The Council should consider double-yellow lining Hooe Road along the whole frontage of the site to prevent illegal parking and place bollards on the footpath and the traffic island.
- The new bus bay has not done anything to improve the situation at this junction and obscure the views of drivers.
- The owners could engage the view of the community on the type of retail/community uses.

Analysis

1. The barn is thought to have been constructed during the Elizabethan period as a threshing barn near the banks of Hooe Lake, forming part of Hooe Manor. It is one of only four such barns in the country. A chapel was built about 1380 but was destroyed in the Civil War. It is thought that the granite arched doorway jutting out from the South West corner of the barn dates from this chapel, and later formed the gateway between the upper and lower farmyard. Shippens (smaller barns for livestock) were constructed on the north west, south west and north east walls of the barn, although only the south west and north east shippens remain.
2. The garage and newsagents shop were built in the 1930s and much of the farmland was sold for housing following the Second World War. The farm remained in agricultural use until the 1960s when the farm and associated buildings were sold to Wimpey's. The farmhouse and outbuildings were demolished but following a local campaign the barn was saved and became a listed building. Hooe Lake was infilled in the 1960s to create the green recreation area on the opposite side of Hooe Road.
3. In the 1970s efforts were made to find a community use for the barn but no viable use was found. In 1987 Wimpeys sold the barn to Plymouth City Council for £150 but the shop and garage to the north and east of the barn remained in private ownership. The barn was sold to the present owner in 2010.

4. The barn is orientated with doorways on an east-west orientation, to catch the prevailing westerly winds to create a draft for threshing and winnowing. The West door is slightly higher than the east door, suggesting that loaded wagons entered from the west side and exited to the east. Inside the west door is a beam which extends across the opening just above door height. This was used to hang cloths to control the draught. There is also a grease cupboard in the wall which was used to grease the leather straps of the threshing machine.
5. The threshing floor would originally have been of oak planks but this has gone. The floor is mainly cobbled, but with some flagstones. Pigeon holes are incorporated in the North wall for the pigeons to roost. The slit windows in the North elevation were designed to provide light whilst keeping out the worst of the weather. Some of the windows were blocked up over the years.
6. The thick walls are of limestone rubble which taper to the top. The walls would have been at one time lime plastered and white washed. The half-hipped and gabled slated roof was replaced in the 1960s so many of the original oak timbers have been lost.
7. The north elevation of the barn is set back about 11m from the edge of the footway on Hooe Road. There are currently 3 separate vehicle cross-overs, two serving the garage and the third providing access to the pasty shop forecourt. The north elevation is currently obscured by the garage and newspaper shop, that span the whole elevation (the existing garage and shop are 3m high, 5m deep and 21m across). The garage offers car repairs, car sales and sells fuel with fuel pumps on the forecourt selling red diesel.
8. On the west side of the barn is a wide pedestrian path (in private ownership) providing access to the west door of the barn, the south-west shippen, and the row of shops that form Hooe Local Centre. The path follows around the south side of the barn to provide access to flats at the rear.
9. The pasty shop is a detached single-storey building located to the east and forward of the barn, with the frontage in line with the front of the garage. Behind the pasty shop is a yard with a lean-to store against a stone retaining wall that is thought to be part of the historic farmyard. The height difference between the yard and the upper courtyard behind the retaining wall is about 1.5m.
10. The north-east shippen is used by the garage as a store and is not visible from the outside because it is obscured by the garage. The south-west shippen and the barn are vacant.

The proposal

11. The proposal is to demolish the later additions to the barn (the garage, pasty shop and lean-to) and expose the north and east elevations of the barn in order to return it to its original appearance, increase its public visibility and support a commercially viable change of use.

12. The works to the barn include: repairing the roof, walls, reinstating and opening up former windows, replacing the roof lights and providing a new floating floor in the barn. It is proposed to create a new 4m high window opening in the north elevation facing the road in order to create a more public frontage to the barn. The proposed use for the barn is for retail with a cafe. The south-west shippen will be a craft shop. The north-east shippen will have a disabled toilet for use by staff and customers of the barn and can be used as a kitchen for the cafe. A privy on the outside east wall will be removed.
13. The proposal has been revised from the previous scheme (12/02048/LBC). The main changes are:
- The MOT garage has been set further back on the site to create more car parking space to the front.
 - Three car sales spaces have been provided.
 - The area for deliveries has been moved from in front of the barn to the front of the garage.
 - The internal arrangement within the north east shippen has been revised to enable a kitchen to be installed to serve the café.
 - The window opening in the north elevation of the barn has been reduced in size from 3m wide to 1.8m wide and from 4.65m high to 4.2m high. The rooflights have also been reduced in scale to match the existing rooflights.
 - The use as retail and café has been clarified, with a plan showing an indicative café layout.
 - Glazing has been removed from the west elevation of the MOT garage to reduce visibility to the garage.
 - The 'privy' has been removed from the east wall.
 - A pedestrian path across the forecourt has been added to provide a clear pedestrian route to the barn's east entrance.
 - Access to the east side of the barn has been clarified, with steps added from the forecourt to the east door.
 - Refuse storage and cycle parking have been repositioned.
14. It is proposed to replace the existing garage with a new 3 bay MOT garage that will be set back from the front of the barn to be subservient to it. The area to the front of the barn will become a parking area with a paved pedestrian path providing a clear route from the footpath to the east door of the barn.
15. The garage will be set back from the north wall of the barn by about 8m, and will be at least 2.5m from the external wall of the north east shippen. It will be clad in stone to 3m high with flat cladding panels above. In order to achieve a level area for the garage, part of the upper courtyard will need to be excavated by about 1.5m, extending back from the current retaining wall by about 10m and 15m across. The existing stone retaining wall will be demolished.
16. The garage will have a shallow pitched roof, 6m high at the ridge, which will be of standing seam zinc with a double-glazed ridge light.
17. There will be 3 MOT bays within the garage with a reception, waiting area and toilet set back by 5m to the side and a secure tyre store at the rear. The

frontage of the garage will be 12m with a further 3m width for the reception area. The garage will be 18m deep. The west elevation (facing the barn) will have high level windows. From the south elevation, the garage will only appear to be 4.5m high as it will be cut into the slope.

18. The garage forecourt area will be 19m from the street frontage to allow parking in front and deliveries. There will be 4 customer parking spaces for the MOT garage, with 3 car sales spaces along the east boundary. There will be space for deliveries to be made in front of the MOT garage and also space for refuse lorries. The forecourt area in front of the barn will be 11m width from the street frontage, with seven customer parking spaces. There will be two disabled parking spaces, one for the barn and one for the MOT garage. A pedestrian path (1m wide) will lead from the footpath to the east entrance of the barn to provide a clear pedestrian route over the forecourt.
19. The forecourt surfacing will be of bitumen macadam while the paving will be permeable block paving. Two new vehicle crossovers will be provided and the existing crossovers restored. One crossover will serve the MOT garage and the other the barn. An existing traffic island will be extended to prevent vehicles turning right out of the barn parking area.
20. The barn is 9m high to the roof ridge with tapered walls that are 5.5m high to the eaves. Internally, the barn is 5.5m wide. Externally, the barn together with the entrances and shippens is 18m wide and 24m long. It slopes down inside from south to north.
21. The north elevation has a half-hipped roof and 3 existing high level arrow-slit windows. It is proposed to glaze these windows.
22. The current garage and shop that spans the width of this elevation will be demolished and the fuel pumps and underground tanks will be removed. The pasty shop will also be demolished. The existing paving on the forecourt will be removed.
23. A new window opening is proposed in the north elevation that will be 4.2m high and 1.8m wide. The east elevation will have 6 rooflights along the main roof and one small rooflight above the doorway. Two former blocked up windows will be re-opened below the eaves. The east doorway will be accessed via 4 steps. These will be 1.4m wide and 0.75m high. The east doorway itself will be 2.5m high. The privy that is built on the east wall adjacent to the east door will be demolished.
24. The north-east shippen will have a doorway entrance, a glazed full height window (in a former door opening) and a window. The plans for this shippen have been revised to amend the internal layout of the space. The walls will be painted with a lime-based paint and a floating floor installed. The revised plans show that the stalls and dividers will be removed in order to create sufficient clear wall space for fittings. The revised plans also show a revised position for the toilet and the lobby. There will be a step up into the lobby and then a level access through to the barn. The windows will be timber window frames with toughened glass. The doorway will be of timber and made to match the original with a glazing panel.

25. The west elevation has a level access from the pedestrian path to the side. The doors are 3.5m high and 2.5m wide, with 6 rooflights along the west roof. The south west shippen is at the upper courtyard level with a step up to it. There will be a doorway and window. The floor will be a floating floor. The walls will be repaired and painted with a lime-based paint to a height of 2.1m. The window will be a timber-framed top-hung casement of 1m high and 1.5m wide with toughened glass. The door will be made of timber to match existing with a small glazed panel. The stalls and dividers will be painted with an oil-based paint. The south elevation will be unchanged.
26. Internally, the walls will be painted up to a height of 2.1m with a lime-based paint leaving the upper stone walls exposed. The floor will be covered with a floating timber floor with part covered by a panel of toughened glass to expose the original floor below. In order to provide safe access throughout the barn there will be a need to install ramps between the upper and lower barns. The existing windows and the two re-opened window openings on the east elevation will be glazed with double-glazed timber-framed windows.
27. The main doors into the barn on the east and west elevations of the barn will be restored and replaced, although an exact match will be made for the right-hand door of the west elevation. There will be a fully glazed glass screen inside each doorway with a single glazed entrance door. During opening hours, the wooden external doors will be kept open.
28. The roof of the barn will be repaired with the slates relaid/ replaced and new conservation rooflights installed (4 to be electronically operated, 4 fixed). Roof insulation will be laid between the rafters with 12.5mm thick plasterboard. The new opening in the north elevation will have a fixed glazed window. A new internal door will be constructed between the barn and the north east shippen to match the existing.
29. Two small refuse stores will be provided – one adjacent to the garage reception by the east wall and the other adjacent to the east door of the barn. This latter area will be excavated to a depth of about 1.5m.
30. The granite arch that is attached to the south west corner of the barn will be repaired using a lime-based mortar.

Planning considerations

31. The main considerations with this listed building consent application are the impact on the setting of the listed building, the fabric of the listed building and underlying archaeology.
32. Other planning considerations (principle of the development, transport and highways, employment and impact on amenity) are considered in the accompanying planning application (13/00264/FUL).

Impact on the setting of the listed building and the fabric of the building

33. Policy CS03 states that the Council will safeguard and where possible enhance historic environment interests and the character and setting of areas of acknowledged importance.
34. The NPPF Para. 131 states that Local Planning Authorities should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.
35. Concern has been raised that the application does not include a clear heritage statement setting out a justification for the works to the listed building. There is also no reference to the listed building description. Officers consider that while a clearer, more comprehensive heritage statement would be beneficial, however, the Design and Access Statement, together with the accompanying historical account of the barn and the detailed specification of works, provides a clear statement of the works proposed and how these will respect the historic fabric of the building.
36. While the existing newsagents and garage are technically listed because they are attached to the barn, they have little historic significance in themselves and officers consider that their demolition will bring benefits to the setting of the listed barn. The demolition of the garage will reveal the north elevation of the barn to public view and it is the officer's view that this will enhance the setting of the barn by opening it up. The east elevation of the barn will also be exposed by the demolition of the pasty shop and lean-to. The demolition will need to be carefully undertaken to allow a full structural survey of the barn to be properly undertaken together with a detailed recording of the building and its site (this can be required by condition). Once this has taken place, the archaeological works can take place to the east of the barn where the garage will be located.
37. The proposal for a retail unit, café and craft shop will enable a commercially viable use for the barn which will enable its restoration. Officers consider that the proposed retail and café use is consistent with the conservation of the barn.
38. As the barn is in such a poor state of repair, the restoration and repair works will need to be undertaken very carefully in order to avoid further damage to the fabric during the works and to ensure that the fabric is properly preserved. Many of the proposed works to the barn and shippens should be conditioned to require further details to be submitted before the works are undertaken so that the Local Planning Authority can be sure that the works will be undertaken in a way that will protect and enhance the fabric and character of the building. Details required by condition should be required for works to the floor, walls, roof, insulation, windows, doors, and rainwater goods.

39. Officers consider that the new garage to the side is set back far enough from the barn frontage that it will not detract from the setting of the barn. Officers recognise that the forecourt in front of the barn will be dominated by parking which will detract from the historic setting, but this is required for the commercial viability of the site and to reduce off-site impacts from car parking. Details of the external materials of the building can be requested by condition.
40. Historic records show that the barn was part of a farmyard and manor and there is a chance that historic artefacts exist within the site. The demolition of the garage, shop and lean-to provides an opportunity to carry out archaeological surveys. This can be required by condition. Archaeological works can also be undertaken within the barn while works to the floor are undertaken.
41. The main proposed change to the fabric of the building is the insertion of a large window in the north elevation of the building. Officers note that the window will be 4.2m high and 1.8m wide which is a significant intrusion into the fabric of the building. They recognise that an opening in this elevation is necessary to make the internal use of the barn visible to the public realm, to achieve an active frontage with the street and to enable commercial viability of the use. The NPPF states that substantial harm to a designated heritage asset should only be allowed where it is necessary to achieve substantial public benefits, including bringing the site back into use. Officers consider that the benefits of bringing the barn back into use and restoring its fabric outweigh the harm to the fabric of the building from creating the new opening. Details of the works associated with the window opening and glazing can be required by condition.
42. Officers consider that the proposal to retain the stalls and troughs within the south west shippen is positive, but it is unclear as to how these will be incorporated into the layout of the shop. Details can be requested by condition.
43. The plans for the north east shippen have been revised to remove the troughs and stalls in order to enable a kitchen to be installed in this area. While it is regrettable that part of the historic fabric will be lost, officers consider that the public benefits of the café use will outweigh the loss of the historic fabric in this instance.
44. The preservation of the archway is welcomed, but will need to be undertaken carefully in order to prevent any damage. Officers consider that a condition can require details of works to be submitted.
45. Overall, the works proposed should be seen within the context of the fact that the barn has been empty for such a long time and that repairs are urgently required before the condition of the barn deteriorates further. The benefits of bringing the barn back into use and achieving much needed repairs to the historic fabric outweigh the harm to the fabric caused by the insertion of the new window opening and the erection of the new garage to the side. Officers recognise that the proposal requires alterations to be made to the building but consider that these are justified in order to secure the barn's future. The substantial public benefits arising from the proposal in this case justify the alterations to the building's fabric.

46. In order to ensure that the repairs and conversion of the listed building are secured alongside the construction of the new garage, a phasing condition is proposed to tie the two aspects of the proposal together.
47. Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Section 106 Obligations

None

Equalities & Diversities issues

The proposal includes disabled parking spaces and makes adequate provision for disabled access to the barn, balanced against the constraints of the layout of the listed building. While the east door will be accessed by steps rather than a ramp due to the difference in levels on the site, the west door provides level access.

Conclusions

On balance, it is considered that the public benefits of securing the long term future of the barn outweigh any damage or harm caused to the fabric of the building and its setting through the construction of the new garage and alterations to the barn. It is recommended to grant conditional approval.

Recommendation

In respect of the application dated **15/02/2013** and the submitted drawings 1130.LP Location Plan, 1130.10 Topographical Survey, 1130.11 Site plan, 1130.12 Floor plan of barn existing, 1130.13 South and West elevations existing, 1130.14 North and East elevations existing, 1130.15 Barn sections existing, 1130.16 Barn sections existing, 1130.20 Rev A Site plan proposed, 1130.21 Rev A Barn floor plan proposed, 1130.22 Barn South and West elevations proposed, 1130.23 Barn north and east elevations proposed, 1130.24 Rev A Barn sections proposed, 1130.25 Rev ABarn sections proposed, 1130.26 Barn floor proposed, 1130.25 Rev A Barn floor indicative layout, 1130.30 Rev A MOT garage floor plan proposed, 1130.31 MOT garage elevations proposed, 1130.32 MOT garage section proposed, Design and Access Statement, Structural Survey Report, A potted history of the land at Hooe, Extended Phase I Habitat Survey, Flood Risk Assessment, Transport Statement, Phase One Contamination Status Report, Energy Report, it is recommended to:
Grant Conditionally

Conditions

APPROVED PLANS

(1) The works hereby permitted shall be carried out in accordance with the following approved plans: I130.LP Location Plan, I130.10 Topographical Survey, I130.11 Site plan, I130.12 Floor plan of barn existing, I130.13 South and West elevations existing, I130.14 North and East elevations existing, I130.15 Barn sections existing, I130.16 Barn sections existing, I130.20 Rev A Site plan proposed, I130.21 Rev A Barn floor plan proposed, I130.22 Barn South and West elevations proposed, I130.23 Barn north and east elevations proposed, I130.24 Rev A Barn sections proposed, I130.25 Rev ABarn sections proposed, I130.26 Barn floor proposed, I130.25 Rev A Barn floor indicative layout, I130.30 Rev A MOT garage floor plan proposed, I130.31 MOT garage elevations proposed, I130.32 MOT garage section proposed, Design and Access Statement, Structural Survey Report, A potted history of the land at Hooe, Extended Phase I Habitat Survey, Flood Risk Assessment, Transport Statement, Phase One Contamination Status Report, Energy Report,

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

TIME LIMIT FOR COMMENCEMENT

(2) The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason:

To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

STRUCTURAL SURVEY

(3) Following the demolition of the newsagents, garage, pasty shop and lean-to to ground level only, no further works to the barn shall take place until a full structural survey of the barn has been undertaken and a detailed recording of the building and its site has been carried out and submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

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

RECORDING OF FEATURES

(4) No works shall take place until the applicant, or their agent or successor in title, has secured the implementation of a programme of recording of features that will be destroyed or damaged in the course of the works to which this consent relates, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that a record of such features is made and kept available for inspection, in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ROOFLIGHTS

(5) No works shall take place until details of the proposed rooflights have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be of a flush fitting conservation type. The works shall be carried out strictly in accordance with the approved details.

Reason:

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

PROGRAMME OF ARCHAEOLOGICAL WORK

(6) No part of the development allowed by this permission shall be commenced until the applicant (or their agent or his successors in title) has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation (VSI) which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme and in accordance with other such details as may subsequently be agreed in writing by the Planning Authority.

Reason:

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

DOOR AND WINDOW DETAILS

(7) No works shall take place until details of the proposed new doors and window openings have been submitted to and approved in writing by the Local Planning Authority. The said details shall include the design, method of construction, material, finish and glazing of the proposed door and window openings and the door furniture to be used. The works shall be carried out strictly in accordance with the approved details.

Reason:

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

DETAILS OF MORTARS, PLASTERS AND RENDERS

(8) No works shall take place until a schedule of mixes for all mortars, plasters and renders to be used has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved schedule.

Reason:

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

DETAILS OF PAINT FINISH OR LIMEWASH

(9) No works shall take place until details of the proposed type and colour of all paint finishes or limewashes have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

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

DETAILS OF FLOOR TREATMENTS

(10) No works shall take place until details of the methods for cleaning and treatments for the historic barn floor (including details of the floating floor and glass panel) have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

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

DETAILS OF HEATING

(11) No works shall take place until details of the under floor heating (or other method of heating) for the historic barn have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

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

DETAILS OF WALL REPAIRS

(12) No works shall take place until details of the method of repair of the walls of the barn, both internal and external, have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

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

DETAILS OF GLAZED SCREENS

(13) No works shall take place until details of the glazed screens inside the east and west doors of the barn have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

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

DETAILS OF ROOF REPAIRS

(14) No works shall take place until details of the repairs for the roof and samples of the proposed new slates and ridge/hip tiles and methods of fixing for the barn have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

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

DETAILS OF NEW WINDOW OPENING ON NORTH ELEVATION

(15) No works shall take place until details of the construction of the new window in the north elevation (including details of bricks, lintel, glazing, frames) of the barn have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

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

DETAILS OF RAINWATER GOODS

(16) No works shall take place until details of the rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

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

DETAILS OF INTERNAL RAMPS AND STEPS

(17) No works shall take place until details of the layout and design of the internal ramps and steps within the barn have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

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

DETAILS OF EXTERNAL STEPS TO THE EAST DOOR

(18) No works shall take place until details of the external steps to the East door of the barn have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

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

DETAILS OF THE STALLS AND TROUGHS

(19) No works shall take place until details of the layout of the South West Shippen including the stalls and troughs have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

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

COMPLETION OF SPECIFIC WORKS

(20) Before the MOT garage hereby permitted is first brought into use, all repairs and associated works to the roof of the Barn shall be completed in accordance with the approved plans.

Reason:

To ensure that this essential part of the development is provided before the building is brought into use, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the effect on the Listed Building, 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 works are acceptable and comply with (1) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and (b) relevant Government Policy Statements and Government Circulars, as follows:

INFORMATIVE: MECHANICAL VENTILATION

(1) Installation of mechanical ventilation equipment in the kitchen area or toilet may require listed building consent. Please contact the Local Planning Authority for advice.

INFORMATIVE: POSITIVE AND PROACTIVE WORKING

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

CS03 - Historic Environment
NPPF - National Planning Policy Framework March 2012

PLANNING APPLICATION REPORT



ITEM: 04

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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Documents:



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Committee referral

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

Update Report following Deferral

At Planning Committee on 7 March 2013, Councillors resolved to defer this application to allow officers to consider the reasonableness of requiring by condition that there is an on-site warden present:

On-site Warden and Management

In the opinion of Officers, a condition for an on-site warden is considered unreasonable for this size of property. In reaching this conclusion, officers have liaised with the Private Sector Housing Team who have advised that out of the approximately 800 licences properties, they are only aware of one property with an on-site warden for a very large house in multiple occupation (HMO). A second property recently permitted relating to cluster flats carried a condition relating to management. Details of these properties are given below.

Private Sector Housing Officers have advised that in addition to the submitted management plan, it would be good practice for the owner (as licence holder) to give his contact details to neighbours, introduce himself to neighbours and ask them for information if there are problems with the appointed letting agent. Officers are aware of some existing medium-large HMOs have an appointed 'Lead tenant' who acts as a point of contact for the property in exchange for reduced rent. This may be an additional management approach that could form part of the management plan submitted for approval by the Local Planning Authority.

National examples of appeals where a condition has been imposed (or retained by an Inspector) to require the residence of a warden have identified a case in Barnet in 1993 which related to a group of houses, some formerly in C2 use, as a post-graduate student hostel – the number of occupants is not stated; and a case in Oxford in 1987 which required the supervision of a resident care taker for not more than 16 students. Other examples of 24 hour management presence related to six blocks of flats for 632 students in Cardiff and 505 student bedrooms in two blocks in London. No case law specifically on the issue for a warden for HMOs is identified in the Development Control Practice Manual.

Existing properties known to the Council to have on-site wardens are:

I. Bowden House, 70-76 North Hill

This site formed part of a planning application in 1995 for 70/76 North Hill and 1/2 Bedford Park Villas, reference 95/00362/FUL for change of use of offices to student

residential accommodation. That consent carried a condition restricting the occupation, which stated:

The occupation of the development shall be limited to a maximum of 52 students in full time education only, plus the resident warden unit.

REASON

In the interests of both the occupants of the development hereby approved and those of the [sic] adjoining properties and highway safety.

The properties are currently licenced as a 42 person HMO.

2. 77 to 87 Houndiscombe Road (Black Gull House)

The most recent planning application on this site, reference 12/00723/FUL, for 'Refurbishment and extension of existing building to create 10 student cluster flats containing 59 bedspaces with associated bin and cycle storage' was granted subject to a condition stating:

(3) Prior to the occupation of the building as 10 cluster flats, details of the manner in which the approved student accommodation is to be managed (including possible on-site management) shall be submitted to and approved in writing by the Local Planning Authority. The accommodation shall be run in accordance with the approved details from the commencement of the use.

Reason:

In the interest of residential amenity, in accordance with policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Highway Considerations/Parking

On 7 March 2013, the Committee agreed that the conditions attached to this planning application are amended as follows:

- a) Condition 2 (OCCUPATION RESTRICTION – STUDENT ACCOMMODATION) is removed;
- b) the amendment of condition 8 to read:
'A minimum of two off-street parking spaces within the site in accordance with the approved plan shall be retained and made available for the residents of the property and shall not be used for any purpose other than the parking of vehicles'.

The submitted plan only shows one off-street parking space, although the case officer advised Members during the presentation of the case that the site appears to have sufficient room for a second off-street parking space. As the application is retrospective, a time limit or 'trigger' for requiring the second space is advised to assist in making the condition enforceable. In addition, it is recommended that the condition requires details to be submitted for approval of how the second space is to be provided. The condition is recommended to read (additions in bold):

'Within 2 months of the date of this decision notice, space shall be laid out within the site for **a minimum of two off-street parking spaces within the site in accordance with** details previously submitted to and approved in writing by the Local Planning Authority. The car parking spaces on **the approved plan shall be**

retained and made available for the residents of the property and shall not be used for any purpose other than the parking of vehicles’.

The recommended conditions have been amended to match the above wording.

Further Representations

Since 7 March meeting, two additional letters of representation have been received. One letter comments on how the application for the HMO licence was made and granted prior to the Article 4 Direction coming into effect in September 2012 and was not subject to consultation of the neighbours.

Analysis and Conclusions in respect of Amendments following Deferral

The additional letters of representation do not raise any new material planning considerations. The licencing of HMOs is primarily concerned with the living conditions and health and safety for the occupiers. The Private Renting Housing Team cannot refuse to issue a licence if planning consent has not been sought and given. If the HMO is in existence and a licence or planning permission is applied for , the applications have to be appropriately assessed and determined.

The proposal continues to be recommended for approval. Recommended condition 8 (Parking Provision) should be amended to reflect the amendment explained above and to take into account removal of Condition 2 (Occupation restriction) agreed by Members on 7 March 2013.

The following is the Officer Report incorporating the addendum report and verbal update prepared for the 7 March 2013 Planning Committee

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 bedrooomed house in multiple occupation (HMO, Use Class C4) to 8 bedrooomed 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 bedrooomed 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

Three letters of representation received from local residents, 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 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 this 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 initial 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.

A further site visit on 26 February confirmed that the garage had been cleared and temporary fence in the rear yard had been removed. It is considered that there is adequate space between the rear of the property and the side of the existing garage to provide secure cycle storage for 4 bicycles. The recommended condition requires that such cycle storage is laid out within the site within 2 months of the date of decision.

In order to ensure that the cycle storage is satisfactory in the Local Planning Authority's opinion and without detriment to the neighbouring property's amenities, and in accordance with the Transport and Highways recommendation, it is suggested to amend the recommended condition to require details of the cycle storage to be submitted to and approved in writing before installation.

In order to ensure that the off-street parking space - or two spaces should the student occupation restriction condition not be applied - are made available for the intended purpose and in addition to the cycle storage provision, an additional condition is recommended to secure this.

The Highways Officer has not raised objection to the proposal given the shortfall in the parking demand for the property as it was before the change to the proposed 8 bedroomed HMO. 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 verbally agreed to accept the condition restricting the use to students, however, prior to the 7 March Committee meeting, the prospective owner contacted the

Case Officer and requested that this condition was not applied and that he would be happy to accept a condition requiring two off-street parking spaces be provided.

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.

Planning Compliance Investigation

A planning compliance investigation has been opened in respect of the current unauthorised use, to ensure the use is monitored and appropriate enforcement action be pursued should the application be refused.

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

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:

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.

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 a minimum of 4 bicycles to be securely parked in the rear yard in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The secure area for storing bicycles shown on the approved plan 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: CONDITIONAL 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.

CAR PARKING PROVISION

(8) Within 2 months of the date of this decision notice, space shall be laid out within the site for a minimum of two off-street parking spaces within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The car parking spaces on the approved plan shall be retained and made available for the residents of the property and shall not be used for any purpose other than the parking of vehicles.

Reason:

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

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.

CS34 - Planning Application Consideration

CS01 - Sustainable Linked Communities

CS15 - Housing Provision

SPD1 - Development Guidelines

NPPF - National Planning Policy Framework March 2012

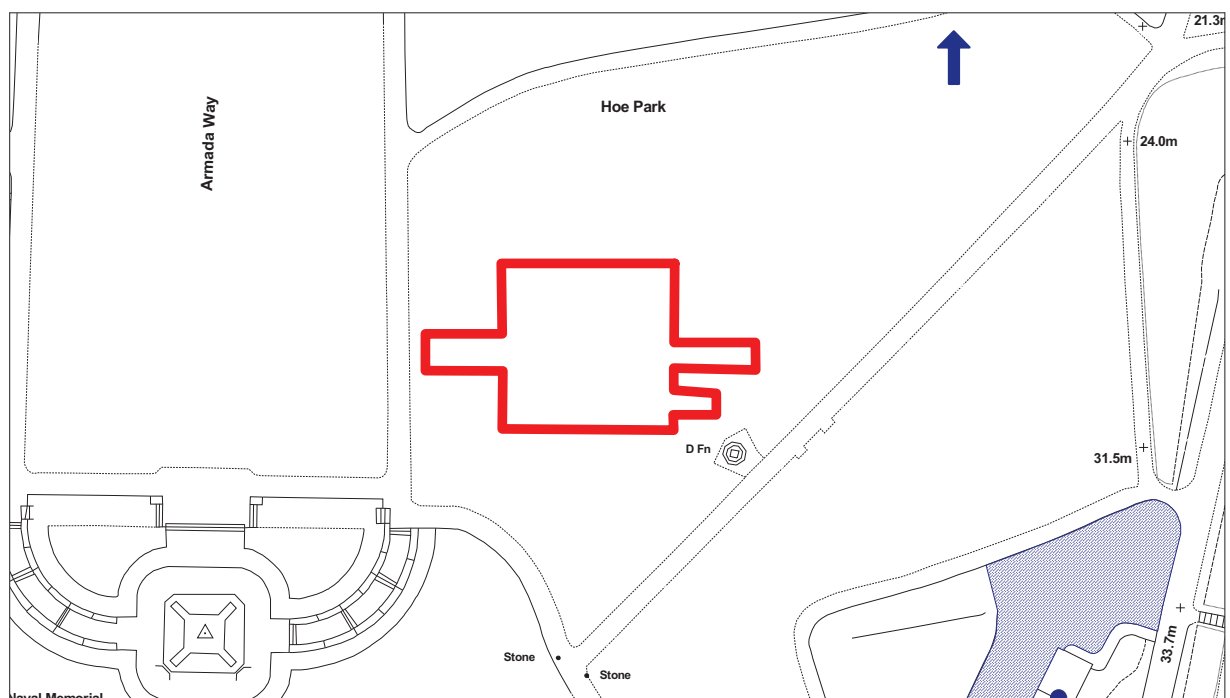
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PLANNING APPLICATION REPORT



ITEM: 05

Application Number:	I3/00279/FUL
Applicant:	Wheels Entertainment Ltd
Description of Application:	Retention of 53 metre high observation wheel, associated buildings and catering unit until 28th February 2014
Type of Application:	Full Application
Site Address:	HOE PARK ARMADA WAY PLYMOUTH
Ward:	St Peter & The Waterfront
Valid Date of Application:	19/02/2013
8/13 Week Date:	16/04/2013
Decision Category:	Assistant Director for Planning Referral
Case Officer :	Jon Fox
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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This application has been referred to planning committee by the Assistant Director for Planning due to public interest reasons

Site Description

The site is a grassed area just to the east of Armada Way and south of the Hoe Putting Green. The site is within the historic Hoe Park and the Hoe Conservation Area and is close to various listed war memorials.

Proposal Description

Retention of 53 metre high observation wheel, associated buildings and catering unit until 28th February 2014. The proposed operating hours are 10am to 10pm every day.

Relevant Planning History

11/02026 - 53 metre high observation wheel on Plymouth Hoe - extension to existing permission until 31 December 2012 – approved conditionally until 31st December 2012.

06/00311/FUL - Erection of 40 metre high observation wheel (on land south of putting green) for operation 29 April to 30 September 2006 – Approved conditionally

06/00100/FUL - Erection of giant observation wheel (on land south of putting green) for temporary period – Refused as the proposed period on site would be harmful to the character of the Hoe.

11/00284/FUL - Erection of temporary 53 metre high observation wheel until 30 September 2011 - Approved

11/01361 - Extension of the current application for a temporary 53 metre high observation wheel from 30 September 2011, to 30th December 2011 – Approved.

Consultation Responses

Public Protection Service

No objections.

English Heritage (EH)

Views awaited.

Garden History Society

The Garden History Society no longer employs regional conservation officers but is working in partnership with the Devon Gardens Trust on planning and conservation matters.

The Society advises that if the Local Planning Authority is minded to approve the application the Society asks that, in order not to compromise the potential for repairs to this heritage asset in the future, that the Authority requires the removal of the structure and associated buildings and the reinstatement of the site immediately after 28 February 2014.

Defence Infrastructure Organisation (DIO)

Views awaited.

Representations

One letter of support has been received, which recommends that:

1. On Remembrance Day the Wheel should not operate from 15 minutes prior to the commencement of the parade assembly until 15 minutes after the parade has dismissed.
2. On Remembrance Sunday the Wheel should not operate from 30 minutes before the commencement of the parade assembly and continue throughout the main Act of Remembrance and until 15 minutes after the completion of the Act of Remembrance at the Civilian Memorial.
3. Similar stipulations are applied to any other Civic, military or naval Act of Remembrance conducted at the memorials in Hoe Park during the period of this permission.

I. Analysis

1.1 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.

1.2 The proposal is for the Wheel to occupy the site as previously approved under planning application 11/02026 and, before that, 11/01361 and 11/00284. The main issues are the same, albeit that a further extension of time further erodes the concept of the Wheel being a temporary structure.

1.3 The Hoe is a unique, historical park with impressive open vistas in all directions and consequently occupies a prominent and powerful physical presence in the city, and is much prized for its intrinsic visual amenity and use as an area for informal recreation. The Wheel is sited on a grassed area just to the north, and below, the Hoe Promenade and is just to the east of the main vista of Armada Way, which terminates at the main war memorial on the Promenade.

1.4 Despite its historical significance and genuine peacefulness, the Hoe regularly hosts fairs and other bustling attractions. These are all part and parcel of the value of the Hoe as an asset to the city. Such attractions are relatively infrequent and are not considered to undermine the Hoe's intrinsic character.

1.5 The proposal is for a much larger structure than normally found on the Hoe during fairs and other events. However, its impact is somewhat reduced by the siting being offset from the main north/south vista of Armada Way and is below the level of the Promenade, where other events are commonly staged. As it has already been situated on this site for approximately two years it has become a landmark in its own right on the Hoe.

1.6 The Wheel would be on site until the end of February 2014 and thus can be seen to be taking on an even more permanent characteristic. At the time of writing this report no comments have been received by English Heritage on its consideration of the impact on the Conservation Area and listed buildings, but officers' view is that the Wheel is acceptable on this site in terms of impact on the historic character of the Hoe. The report on the previous application noted that further extensions to this attraction would be considered very seriously in terms of the impact on the usual and permanent nature of the Hoe. In this context it is likely that the Local Planning Authority (LPA) will have to consider whether any future applications relating to the retention of the Wheel be considered as de facto permanent applications.

1.7 With regard to the call for restricting the Wheel's operation on Remembrance Day (Sunday 10th November) and Remembrance Sunday (Monday 11th November), the previous approval stated that the Wheel should not operate between 1030 hours and 1200 hours on Sunday 11th November (both occasions falling on the same day). In the circumstances it is recommended that the Wheel is not operated between these hours on 10th and 11th November 2013. Planning conditions need to be precise and therefore it is considered appropriate to restrict the Wheel's operation on these established occasions only. The applicants have agreed to a condition requiring details of when normal operating hours would be varied and are also quite content with extending the period of non-operation of the Wheel if this is necessary to accommodate the parades on these occasions.

2. Section 106 Obligations

2.1 The proposals do not require mitigation under planning obligations.

3. Equalities & Diversities issues

3.1 The proposals raise no equality and diversity issues. The accompanying design and access statement (DAS) says that accessibility on to the Wheel is provided from a loading platform access to which is on a slight incline allowing access by both to ambulant and wheelchair disabled. The DAS also states that there is provision in a number of viewing capsules for standard wheelchair access and that trained staff are on hand to assist both wheelchair and ambulant disabled.

4. Conclusions

4.1 In these circumstances, and given the boldness of this attraction and the positive impact it has on tourism for the city, officers consider it acceptable to site the Wheel in this position for an extended temporary period. Therefore it is recommended that planning permission be granted, subject to conditions relating to the method statement, preservation of the terrain around the site and hours of use, which has been amended to take account of the need to vary operating hours at

certain times. If the DIO recommend the same condition as previously then this would again be effective as an informative note on the decision notice. Any comments made by English Heritage will be reported to Members in the form of an addendum report.

Recommendation

In respect of the application dated **19/02/2013** and the submitted drawings 2652/01D, 2652/02D, 2652/03B, 2652/11A, method statement, noise report and accompanying design and access statement, it is recommended to: **Grant Conditionally**

Conditions

TEMPORARY PERMISSION

(1) The observation wheel shall cease operation on or before 28 February 2014 and the wheel and all associated structures hereby permitted shall be removed and the land restored to its former condition on or before 7th March 2014 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority before any restoration works commence on site.

Reason:

In the opinion of the Local Planning Authority the temporary structures to which this permission relates will by the said date have fulfilled its required purpose, in accordance with policies CS03 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2652/01D, 2652/02D, 2652/03B and 2652/11A.

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.

HOURS OF OPERATION

(3) The observation wheel hereby permitted shall not be operated later than 2200 hours on any day and shall not be operated before 1000 hours on any day, unless otherwise agreed in writing by the Local Planning Authority. However, the Local Planning Authority shall within one month of the date of this decision notice inform the applicant on what dates and times the Wheel shall cease operation during named events and festivals.

Reason:

To ensure that the amenities of the area are not unduly harmed, in accordance with policies CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

NOISE FROM MUSIC

(4) Noise from music must not be Clearly Audible 1m from the façade of the nearest residential dwelling above background noise.

Reason:

To protect the residential amenity of the area, in accordance with policies CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

METHOD STATEMENT

(5) The dismantling of the observation wheel shall at all times be in accordance with the submitted method statement and the means of protecting the ground and tree roots shall accord with the use of a trackway, temporary roadway system, the details of which shall previously have been agreed in writing with the Local Planning Authority.

Reason:

In order to protect the site from the physical impacts of the development, in accordance with policies CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

INFORMATIVE - DIRECTION OF GENERATOR EXHAUST/BAFFLE

(1) The applicant is advised that any generator exhaust/baffle should be directed away from local residential dwellings in order to reduce the potential noise impact this may cause.

INFORMATIVE - NAMED EVENTS AND FESTIVALS

(2) The named events and festivals will include Sunday November 10th and Monday November 11th and accordingly in respect of condition 3 the applicant is advised that the wheel should not operate between the hours of 10.30am and noon on these days (or other such extended period as may be agreed) in order that the acts of remembrance both at the war memorial and the memorial to Plymouth's civilian war dead are able to be conducted without the distraction of the wheel's rotation.

INFORMATIVE - DEFENCE INFRASTRUCTURE ORGANISATION

(3) The developer is advised to notify UK DVOF & Powerlines at the Defence Geographic Centre with the following information prior to development commencing:

- a. Precise location of development.
- b. Date of commencement of construction.
- c. Date of completion of construction.
- d. The height above ground level of the tallest structure.
- e. The maximum extension height of any construction equipment.
- f. If the structure will be lit with air navigation beacons.

You may e-mail this information to UK DVOF & Powerlines at icqdac-prodaisafdb@mod.uk. or post it to:

D-UKDVOF & Power Lines
Air Information Centre
Defence Geographic Centre
DGIA
Elmwood Avenue
Feltham
Middlesex
TW13 7AH

INFORMATIVE - PROACTIVE

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

Statement of Reasons for Approval and Relevant Policies

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

CS28 - Local Transport Consideration
CS34 - Planning Application Consideration
CS18 - Plymouth's Green Space
CS03 - Historic Environment
NPPF - National Planning Policy Framework March 2012

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PLANNING APPLICATION REPORT



ITEM: 06

Application Number:	13/00198/FUL
Applicant:	Mr John Smith
Description of Application:	Change of use from house in multiple occupation for 7 students to 5-non students
Type of Application:	Full Application
Site Address:	83 STUART ROAD PLYMOUTH
Ward:	Stoke
Valid Date of Application:	07/02/2013
8/13 Week Date:	04/04/2013
Decision Category:	Member/PCC Employee
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 because the applicant is a Councillor.

Site Description

83, Stuart Road is a two-storey mid-terraced property located in the Stoke neighbourhood. The terrace is on a busy classified road running to Devonport and Stoke. The street is not part of a Controlled Parking Zone and there is parking in front of the houses but, given the fact that many properties have been sub-divided, these spaces fill up quickly outside of working hours. There is a narrow service lane behind the terrace that provides access to a rear garage.

Proposal Description

Change of use from house in multiple occupation (HMO) for 7 students to 5-non students.

Pre-Application Enquiry

Post-refusal meeting. Officers advised that to lessen the impact of a move to non-student use it would be necessary to reduce the number of occupants from 7 to 5 and to address the issue of car parking.

Relevant Planning History

07/01097/FUL- Continue use as house in multiple occupation, with alterations – Grant conditionally. Condition (1). The occupation of the accommodation hereby permitted shall be limited to students in full-time education only.

11/00229/FUL - Removal of condition no.1 of planning permission 07/01097/FUL, relating to student only use, so that occupation no longer restricted to students – Refuse.

12/01451/FUL - Change of use from student HMO to single family dwelling – Withdrawn.

Consultation Responses

Transport –no objections subject to two conditions. The first should state that the building shall not be occupied until space has been laid out within the site for up to 5 bicycles to be securely parked. The second that the building shall not be occupied until the car parking area has been drained and surfaced, and that area shall not be used for any purpose other than the parking of vehicles.

Public Protection Service – recommend approval subject to conditions and an informative. One condition and the informative relates to a management plan for the operation of the property to prevent nuisance and anti-social behaviour. The other condition requires the adoption of a code of conduct for hours of construction and demolition.

Representations

None received.

I. Analysis

- I.1. The application turns upon policies CS28 (Local transport considerations) 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 (SPD) (2010), and the National Planning Policy Framework. The primary planning consideration in this case is parking demand management and highway safety.
- I.2. In 2007 consent was granted for the use of the property as a 7 bedroom house in multiple occupation with a condition that it should only be used by students in full-time education. Following a history of anti-social behaviour problems at the property involving the tenants the applicant sought to move out of the student market. An application was made to remove the student only condition. This was refused on the grounds that there was inadequate provision made for off-street parking and approval would have resulted in damage to amenity, would have prejudiced public safety and would have interfered with the free flow of traffic on the highway.
- I.3. Post-refusal discussions were held at which it was agreed that for an application for non-student use to succeed it would be necessary to reduce the number of occupants from 7 to 5 and to provide two off-street parking spaces.

Parking demand management and highway safety.

- I.4. The current application provides two parking spaces at the rear of the property accessed from the rear service lane. The Development Guidelines SPD requires 1 space per 2 rooms for a private HMO which would equate to 2.5 spaces in this case. These are maximum standards and given the 100% over-provision of cycle storage (5 spaces proposed instead of 2.5 at a rate of 1 per 2 rooms) the Transport and Highways Department consider it acceptable to 'round down' the parking offer to 2 spaces.
- I.5. In the case officers' opinion the site is felt to be a sustainable location as it is within walking distance of local services and the city centre and is well served by public transport so non-car based travel should be self-promoting.
- I.6. Should planning permission be granted it would not be possible for the consent to state that the property should only be occupied by non-students. It would be for the landlord to determine the makeup of his tenants.
- I.7. 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.

2. Section 106 Obligations

2.1. Not applicable.

3. Equalities & Diversities issues

3.1. None.

4. Conclusions

4.1. The application is recommended for approval.

Recommendation

In respect of the application dated **07/02/2013** and the submitted drawings Location plan, existing parking layout, proposed parking layout, existing lower ground floor layout, proposed lower ground floor layout, existing ground floor layout, proposed ground floor layout, existing first floor layout, proposed first floor layout, 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: Location plan, existing parking layout, proposed parking layout, existing lower ground floor layout, proposed lower ground floor layout, existing ground floor layout, proposed ground floor layout, existing first floor layout, proposed first floor layout.

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.

CYCLE PROVISION

(3) The building shall not be occupied until space has been laid out within the site in accordance with the approved plan for up to 5 bicycles to be securely parked. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

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.

CAR PARKING PROVISION

(4) The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the approved details, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

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

HOURS OF CONSTRUCTION AND DEMOLITION

(5) 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.

MANAGEMENT PLAN

(6) Within one month of the date of this decision notice, a management plan for the operation of the accommodation hereby approved, 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. The management plan shall thereafter be adhered to strictly at all times.

Reason: In the interests of neighbourhood amenity 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 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Plymouth's adopted Development Guidelines Supplementary Planning Document 2010.

INFORMATIVE: MANAGEMENT PLAN

(1) 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: PROACTIVE WORKING

(2) In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way [including pre-application discussions] and has granted 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: parking demand management and highway safety, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

SPDI - Development Guidelines

NPPF - National Planning Policy Framework March 2012

PLANNING COMMITTEE

Decisions issued for the following period: 25 February 2013 to 21 March 2013

Note - This list includes:

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

Item No 1

Application Number: 12/01324/LBC **Applicant:** Mr James Nettleton
Application Type: Listed Building
Description of Development: New spa and gym building with relocated parking area and associated landscaping improvements
Site Address BORINGDON HALL, BORINGDON HILL PLYMOUTH
Case Officer: Robert Heard
Decision Date: 04/03/2013
Decision: Grant Conditionally

Item No 2

Application Number: 12/01362/FUL **Applicant:** Harlyn Sands Retirement Death
Application Type: Full Application
Description of Development: Outline application to demolish club building and erect a block of 10 flats (application for a new planning permission to replace an extant permission (ref 08/02049) in order to the extend the time limit for implementation
Site Address 14 CHANNEL PARK AVENUE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 18/03/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 3

Application Number: 12/01987/FUL **Applicant:** Fry's Nursery Ltd
Application Type: Full Application
Description of Development: Use of land for the storage of up to 150 caravans and motor-homes (150 units in total), including the 30 caravans and motor-homes approved under planning permission 10/00089/FUL, and associated change of use of horticultural growing area and widening of internal access road
Site Address FRY'S NURSERY, HAYE ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 28/02/2013
Decision: Grant Conditionally

Item No 4

Application Number: 12/02049/PRUS **Applicant:** Redrow Homes Ltd
Application Type: LDC Proposed Use
Description of Development: Lawful development certificate application to use 'retail' space for any Class 'A' use (shops, financial and professional services, food and drink, drinking establishments and hot food take aways)
Site Address DEVONPORT STORAGE ENCLAVE, CHAPEL STREET
DEVONPORT PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 20/03/2013
Decision: Issue Certificate - Lawful Use

Item No 5

Application Number: 12/02071/FUL **Applicant:** Mr Nigel Passmore
Application Type: Full Application
Description of Development: Construction of 12 no industrial units, incorporating rooftop solar photovoltaic panels (in 5 separate blocks) with associated access road, parking and hard and soft landscaping, with variation of condition 2 of planning permission 12/00541/FUL to allow substitution of approved drawings: the revised proposals relating to amendments to the proposed layout and size of units C and E; the three approved 60.45m² units and one 204.5m² unit would become six 60.45m² units (arranged in three pairs) and include alterations to finished floor and roof levels.
Site Address LAND AT BELL CLOSE (ADJACENT TO AND EAST OF
PARKSTONE LANE) PLYMOUTH
Case Officer: Jon Fox
Decision Date: 12/03/2013
Decision: Grant Conditionally

Item No 6

Application Number: 12/02082/FUL **Applicant:** Senate Properties (SW) Ltd
Application Type: Full Application
Description of Development: Erection of 16 detached dwellings with new access from Springfield Close, associated access road and public open space (Demolition of 27 Springfield Close)
Site Address 27 SPRINGFIELD CLOSE, AND LAND TO REAR PLYMOUTH
Case Officer: Robert Heard
Decision Date: 26/02/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 7

Application Number: 12/02094/FUL **Applicant:** Mr Steve Hopkin
Application Type: Full Application
Description of Development: Erection of detached dwellinghouse
Site Address 118 BILLACOMBE ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 13/03/2013
Decision: Grant Conditionally

Item No 8

Application Number: 12/02126/FUL **Applicant:** Ocean Studios
Application Type: Full Application
Description of Development: Change of use, conversion and alterations to form community art studios, gallery space, workshops and associated facilities
Site Address COOPERAGE ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Ray Williams
Decision Date: 19/03/2013
Decision: Application Withdrawn

Item No 9

Application Number: 12/02153/LBC **Applicant:** Mr Essy Kamaie
Application Type: Listed Building
Description of Development: Alterations and demolition works in association with a change of use to a wedding and events venue. The works include new openings, new openings into the internal courtyard and on the front of the building. Removal of partitions, construction of new kitchens and WCs and new internal partitions, and new wooden floor in main function room on first floor
Site Address CUSTOMS HOUSE, PARADE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 06/03/2013
Decision: Grant Conditionally

Item No 10

Application Number: 12/02172/FUL **Applicant:** Aspire Student Living Ltd
Application Type: Full Application
Description of Development: Variation of Condition 2 (approved plan numbers) and removal of Condition 11 (sustainability) of Planning Permission ref 11/01504/FUL, change of use from A2 (bank) to A3 (café/bar) on ground floor and C2/C3 (Student residential, 27 units) on the upper floors
Site Address FORMER HALIFAX BUILDING, 174 ARMADA WAY PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 06/03/2013
Decision: Grant Conditionally

Item No 11

Application Number: 12/02176/FUL **Applicant:** Mr Kelvin Groves
Application Type: Full Application
Description of Development: Change of use and conversion of former post office to dwellinghouse including erection of front porch
Site Address 3 WOODFORD AVENUE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 14/03/2013
Decision: Grant Conditionally

Item No **12**

Application Number: 12/02194/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Re-profile land to form flat plateau for use as a junior sports pitch
Site Address MAYFLOWER SPORTS CENTRE, MAYFLOWER DRIVE
 PLYMOUTH
Case Officer: Robert Heard
Decision Date: 20/03/2013
Decision: Grant Conditionally

Item No **13**

Application Number: 12/02195/FUL **Applicant:** Ridgeway School
Application Type: Full Application
Description of Development: Erection of gates across Geasons Lane and erection of fencing adjacent to car-park (2.4 metres in height)
Site Address RIDGEWAY SCHOOL, MOORLAND ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 14/03/2013
Decision: Grant Conditionally

Item No **14**

Application Number: 12/02207/FUL **Applicant:** Mr S Cornew
Application Type: Full Application
Description of Development: Erect front garage on site of existing vehicle hardstanding
Site Address 62 WESTON PARK ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 04/03/2013
Decision: Refuse

Item No 15

Application Number: 12/02212/FUL **Applicant:** Gables Farm Dogs and Cats Ho
Application Type: Full Application
Description of Development: Extension to existing administrative building to provide new meeting accommodation, fire exit and disabled toilets (with associated internal alterations to existing building)
Site Address GABLES FARM CATS AND DOGS HOME, 204 MERAFIELD ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 14/03/2013
Decision: Grant Conditionally

Item No 16

Application Number: 12/02244/FUL **Applicant:** Salt Dog Limited
Application Type: Full Application
Description of Development: Change of use of Unit 3 to Class A3 (restaurant/café) including internal openings to Unit 2, 4no. parasols, decking and associated heating and lighting
Site Address THE BOATHOUSE CAFÉ, 2-4 COMMERCIAL WHARF PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 06/03/2013
Decision: Grant Conditionally

Item No 17

Application Number: 12/02247/ADV **Applicant:**
Application Type: Advertisement
Description of Development: 3 no. upright advertisement boards, two painted advertisements on balustrade and high level single lettering on wall above entrance to Unit 3
Site Address THE BOATHOUSE CAFÉ, 2-4 COMMERCIAL WHARF PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 06/03/2013
Decision: Grant Conditionally

Item No 18

Application Number: 12/02256/FUL **Applicant:** Plymouth College of Art
Application Type: Full Application
Description of Development: New workshop building adjoining first phase workshop building
Site Address PLYMOUTH COLLEGE OF ART, TAVISTOCK PLACE
PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 13/03/2013
Decision: Closed Development Enquiry

Item No 19

Application Number: 12/02260/ESR10 **Applicant:** D2 Planning Limited
Application Type: Environmental Ass
Description of Development: Request for screening (and scoping if needed) opinion for Environmental Impact Assessment for development including new grandstand, ice arena, cinema, hotel, and associated retail
Site Address HOME PARK FOOTBALL GROUND, OUTLAND ROAD
PLYMOUTH
Case Officer: Robert Heard
Decision Date: 20/03/2013
Decision: ESRI - Completed

Item No 20

Application Number: 12/02262/FUL **Applicant:** Mr P Hocking
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 316 HEMERDON HEIGHTS PLYMOUTH
Case Officer: Mike Stone
Decision Date: 01/03/2013
Decision: Grant Conditionally

Item No 21

Application Number: 12/02268/FUL **Applicant:** Mr P Tuckett
Application Type: Full Application
Description of Development: Conversion of barns to form one additional dwelling
Site Address HAYES END FARM, COOMBE LANE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 18/03/2013
Decision: Grant Conditionally

Item No 22

Application Number: 12/02275/FUL **Applicant:** Mrs Catherine Dawson
Application Type: Full Application
Description of Development: New porch, works to front stairs and new utility room to the rear
Site Address 1 GLENEAGLE VILLAS, GLENEAGLE AVENUE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 01/03/2013
Decision: Grant Conditionally

Item No 23

Application Number: 12/02288/FUL **Applicant:** Mr R Wraighte
Application Type: Full Application
Description of Development: Two storey front extension, rear balcony, loft conversion with roof ridge height raised
Site Address 48 MERAFIELD ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 11/03/2013
Decision: Grant Conditionally

Item No 24

Application Number: 12/02297/ADV **Applicant:** Lloyd's Banking Group
Application Type: Advertisement
Description of Development: Internally illuminated fascia projecting signs and ATM surrounds to front elevation and internally illuminated applied letters to rear
Site Address 3 RALEIGH STREET PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 01/03/2013
Decision: Grant Conditionally

Item No 25

Application Number: 12/02300/FUL **Applicant:** Ms A Alexander
Application Type: Full Application
Description of Development: Alterations to approved planning application 11/00980/FUL to include re-location of conservatory and installation of solar PV panels
Site Address WITHY BARN, WINSBURY COURT PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 28/02/2013
Decision: Grant Conditionally

Item No 26

Application Number: 12/02311/FUL **Applicant:** Pillar Land Securities Ltd
Application Type: Full Application
Description of Development: Change of use from bank (Class A2) to café/restaurant (Class A3) on ground floor and student residential, 30 units (Class C2/C3) on the upper floors
Site Address HALIFAX PLC, 174 ARMADA WAY PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 13/03/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 27

Application Number: 12/02314/FUL **Applicant:** Cornwall College
Application Type: Full Application
Description of Development: Change of use of light industrial units (B1, B2 and B8) to a non-residential training facility (D1 use)
Site Address 24-25 SISNA PARK ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 05/03/2013
Decision: Grant Conditionally

Item No 28

Application Number: 13/00001/FUL **Applicant:** Mrs J Worley
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 215 WESTFIELD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 25/02/2013
Decision: Grant Conditionally

Item No 29

Application Number: 13/00005/FUL **Applicant:** Mr Graham Moore
Application Type: Full Application
Description of Development: First floor rear extension
Site Address 7 MIRADOR PLACE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 26/02/2013
Decision: Grant Conditionally

Item No 30

Application Number: 13/00008/FUL **Applicant:** Mr David Brown
Application Type: Full Application
Description of Development: Replace existing front porch with larger porch
Site Address 4 NORMANDY WAY PLYMOUTH
Case Officer: Mike Stone
Decision Date: 01/03/2013
Decision: Grant Conditionally

Item No 31

Application Number: 13/00009/FUL **Applicant:** LIDL UK Ltd
Application Type: Full Application
Description of Development: Single storey ancillary extension to the north east elevation of the Lidl neighbourhood foodstore
Site Address LIDL, WOLSELEY ROAD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 13/03/2013
Decision: Grant Conditionally

Item No 32

Application Number: 13/00012/FUL **Applicant:** Mr T Finch
Application Type: Full Application
Description of Development: Rear extension at first floor level above existing extension
Site Address 73 RANDWICK PARK ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 04/03/2013
Decision: Grant Conditionally

Item No 33

Application Number: 13/00015/FUL **Applicant:** Mr S Farrar
Application Type: Full Application
Description of Development: Single-storey side extension
Site Address 50 WAIN PARK PLYMOUTH
Case Officer: Mike Stone
Decision Date: 25/02/2013
Decision: Grant Conditionally

Item No 34

Application Number: 13/00016/FUL **Applicant:** Mr Karl Marchant
Application Type: Full Application
Description of Development: Erection of single storey front porch
Site Address 20 ARNSIDE CLOSE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 07/03/2013
Decision: Grant Conditionally

Item No 35

Application Number: 13/00018/TPO **Applicant:** Professional Tree Surgeons
Application Type: Tree Preservation
Description of Development: Willow - re-pollard at 9m above ground level
Site Address KINGSDALE, MAGNOLIA COURT, HORN CROSS ROAD
PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 28/02/2013
Decision: Grant Conditionally

Item No 36

Application Number: 13/00020/FUL **Applicant:** Mr Keith Wood
Application Type: Full Application
Description of Development: Single storey front extension
Site Address 15 BEDE GARDENS PLYMOUTH
Case Officer: Mike Stone
Decision Date: 26/02/2013
Decision: Grant Conditionally

Item No 37

Application Number: 13/00027/FUL **Applicant:** Mr David Smith
Application Type: Full Application
Description of Development: Construction of lean to private motor garage
Site Address 493 TAVISTOCK ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 25/02/2013
Decision: Grant Conditionally

Item No 38

Application Number: 13/00030/FUL **Applicant:** Mr D Capon
Application Type: Full Application
Description of Development: Lower ground floor single storey rear extension with conservatory over, resubmission following withdrawal of 12/01975/FUL
Site Address 52 FURZEHATT ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 05/03/2013
Decision: Grant Conditionally

Item No 39

Application Number: 13/00032/FUL **Applicant:** Ms Rose Dennis
Application Type: Full Application
Description of Development: Erection of 4-bedroom detached dwelling within grounds of 6 Ramsey Gardens with associated landscaping and new access off Aberdeen Avenue
Site Address 6 RAMSEY GARDENS PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 15/03/2013
Decision: Grant Conditionally

Item No 40

Application Number: 13/00034/FUL **Applicant:** Ade Estates
Application Type: Full Application
Description of Development: Change of use from single private residence into 8 self contained flats
Site Address 129 WINGFIELD ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 05/03/2013
Decision: Grant Conditionally

Item No 41

Application Number: 13/00035/FUL **Applicant:** British Broadcasting Corporation
Application Type: Full Application
Description of Development: Refurbishment and extension of existing building
Site Address BBC SOUTHWEST, BROADCASTING HOUSE, SEYMOUR ROAD MANNAMEAD PLYMOUTH
Case Officer: Robert Heard
Decision Date: 08/03/2013
Decision: Grant Conditionally

Item No 42

Application Number: 13/00037/FUL **Applicant:** Plymouth Accommodation Servi
Application Type: Full Application
Description of Development: Change of use of ground floor rooms from residential to office accommodation (B1)
Site Address 89 NORTH HILL PLYMOUTH
Case Officer: Mike Stone
Decision Date: 26/02/2013
Decision: Grant Conditionally

Item No 43

Application Number: 13/00042/LBC **Applicant:** Dr C Lowe
Application Type: Listed Building
Description of Development: Attachment of satellite dish to a listed building (retrospective)
Site Address FORD PARK LODGE, FORD PARK ROAD PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 01/03/2013
Decision: Refuse

Item No 44

Application Number: 13/00043/FUL **Applicant:** Mr L Wellstead
Application Type: Full Application
Description of Development: Demolish existing garage and lean to and replace with single storey extension and garage
Site Address 16 ACRE PLACE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 26/02/2013
Decision: Grant Conditionally

Item No 45

Application Number: 13/00049/TPO **Applicant:** Mr Herbert Pithers
Application Type: Tree Preservation
Description of Development: Sycamore - Reduce overhanging branches back to boundary
Site Address 34 WALNUT GARDENS PLYMOUTH
Case Officer: Jane Turner
Decision Date: 05/03/2013
Decision: Grant Conditionally

Item No 46

Application Number: 13/00054/FUL **Applicant:** Mr Tony Bevan
Application Type: Full Application
Description of Development: New entrance porch and extension over existing motor garage and proposed extension over existing ground floor extension
Site Address 67 DUNRAVEN DRIVE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 01/03/2013
Decision: Refuse

Item No 47

Application Number: 13/00055/FUL **Applicant:** Claverton Estates Ltd
Application Type: Full Application
Description of Development: Change of use, conversion and alteration of first and second floors to form 6 bedroom student house in multiple occupation including demolition of ground floor extension to form parking area
Site Address 47 MUTLEY PLAIN PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 05/03/2013
Decision: Grant Conditionally

Item No 48

Application Number: 13/00056/TPO **Applicant:** Mr Stuart Bagley
Application Type: Tree Preservation
Description of Development: 3-4 Sycamores - Remove
5 Sycamores - Reduce by 2-3m
Site Address LAND REAR OF 46 WARWICK ORCHARD CLOSE
PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 07/03/2013
Decision: Grant Conditionally

Item No 49

Application Number: 13/00057/FUL **Applicant:** Mr & Mrs Godber
Application Type: Full Application
Description of Development: Change of use from A4 to C3, 4 bedroom dwellinghouse and removal of existing door on front elevation and replace with 3 sash windows
Site Address BUTCHERS ARMS,160 CREMYLL STREET PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 05/03/2013
Decision: Grant Conditionally

Item No 50

Application Number: 13/00059/ADV **Applicant:** New Look Group
Application Type: Advertisement
Description of Development: 1 no. internally illuminated fascia sign and 1 no. internally illuminated projecting sign
Site Address 49-49A THE BROADWAY PLYMOUTH
Case Officer: Mike Stone
Decision Date: 26/02/2013
Decision: Grant Conditionally

Item No 51

Application Number: 13/00060/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Replace timber casement windows with UPVC windows
Site Address 1-27 BELMONT COURT, BELMONT PLACE PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 01/03/2013
Decision: Grant Conditionally

Item No 52

Application Number: 13/00062/FUL **Applicant:** Mr S Cox
Application Type: Full Application
Description of Development: Hip to gable loft conversion with rear dormer
Site Address 1 GLENWOOD ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 26/02/2013
Decision: Grant Conditionally

Item No 53

Application Number: 13/00063/FUL **Applicant:** Mr S Dickerson
Application Type: Full Application
Description of Development: Erection of two disabled persons bungalows in front garden (renewal of 09/01054/FUL)
Site Address LAHOMA BUNGALOW, BICKHAM ROAD ST BUDEAUX PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 12/03/2013
Decision: Grant Conditionally

Item No 54

Application Number: 13/00074/TPO **Applicant:** Mr A Taylor
Application Type: Tree Preservation
Description of Development: Pollard ash tree at 2.5m
Sycamore remove sprouts at base of tree
Reduce Lawson Cypress and Thuja by 2 metres
Site Address 14 BEATTY CLOSE DERRIFORD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 07/03/2013
Decision: Grant Conditionally

Item No 55

Application Number: 13/00075/FUL **Applicant:** Mrs Joanna Hankey
Application Type: Full Application
Description of Development: Change of use of first floor office to one residential flat
Site Address FIRST FLOOR, 3 TAVISTOCK PLACE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 01/03/2013
Decision: Grant Conditionally

Item No 56

Application Number: 13/00076/TCO **Applicant:** Richard Prowse Arborists
Application Type: Trees in Cons Area
Description of Development: Self sown sycamore - remove
Site Address 73 MANNAMEAD ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 25/02/2013
Decision: Grant Conditionally

Item No 57

Application Number: 13/00077/FUL **Applicant:** Mr Hugh Bourne
Application Type: Full Application
Description of Development: Change of fenestration to the lower ground level on the rear elevation
Site Address 25B ARUNDEL CRESCENT PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 01/03/2013
Decision: Grant Conditionally

Item No 58

Application Number: 13/00078/ADV **Applicant:** Lloyd's Banking Group
Application Type: Advertisement
Description of Development: 1x Internally illuminated fascia sign, 1x internally illuminated projecting sign and 2x internally illuminated ATM surrounds
Site Address LLOYDS TSB BANK PLC, 53 MUTLEY PLAIN PLYMOUTH
Case Officer: Mike Stone
Decision Date: 04/03/2013
Decision: Grant Conditionally

Item No 59

Application Number: 13/00082/FUL **Applicant:** Mr Richard Williams
Application Type: Full Application
Description of Development: Demolition of existing detached dwelling and detached double garage, construction of replacement detached dwelling with attached garage and carport
Site Address 4 WOODLANDS LANE PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 08/03/2013
Decision: Grant Conditionally

Item No 60

Application Number: 13/00084/FUL **Applicant:** Mr C Pethick
Application Type: Full Application
Description of Development: Retrospective application for a rear balcony
Site Address 1 STADDISCOMBE PARK PLYMOUTH
Case Officer: Liz Wells
Decision Date: 12/03/2013
Decision: Refuse

Item No 61

Application Number: 13/00087/FUL **Applicant:** Mr A Gribble
Application Type: Full Application
Description of Development: Removal of existing first floor balcony on rear elevation and replace with a larger balcony; removal of garage door on front elevation to be replaced with patio doors and raised decking. Addition of small balcony to rear elevation at second floor level; with change of fenestration on rear first and second floors
Site Address 3A CLOVELLY VIEW TURNCHAPEL PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 01/03/2013
Decision: Grant Conditionally

Item No 62

Application Number: 13/00090/TCO **Applicant:** Devon Block Management
Application Type: Trees in Cons Area
Description of Development: Cupressus macrocarpas - Remove
Cupressus macrocarpas - Remove smaller of twin stems
Cupressus macrocarpas - Remove broken branches on lower crown
Site Address THE VICTORIA, PARADISE ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 27/02/2013
Decision: Grant Conditionally

Item No 63

Application Number: 13/00092/LBC **Applicant:** Stonehouse Residents Associati
Application Type: Listed Building
Description of Development: Listed Building Consent for erection of defibrillator equipment on wooden tongue and groove wall, outside the porter's lodge on North Wall
Site Address OUTSIDE THE PORTERS LODGE, ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 20/03/2013
Decision: Grant Conditionally

Item No 64

Application Number: 13/00095/FUL **Applicant:** Mr Craig Minhinett
Application Type: Full Application
Description of Development: First floor side extension to be erected on the top of existing side extension
Site Address 11 ROSEWOOD CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 13/03/2013
Decision: Grant Conditionally

Item No 65

Application Number: 13/00096/FUL **Applicant:** Mrs Tracey Harding
Application Type: Full Application
Description of Development: Change of use from single dwelling house (Use Class C3) to 4 bedroom house in multiple occupation (Use Class C4)
Site Address 7 RIDGE PARK AVENUE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 05/03/2013
Decision: Application Withdrawn

Item No 66

Application Number: 13/00099/ADV **Applicant:** Mr Roy Lanning
Application Type: Advertisement
Description of Development: Internally illuminated ATM fascia sign
Site Address 7 HAM GREEN PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/03/2013
Decision: Grant Conditionally

Item No 67

Application Number: 13/00111/FUL **Applicant:** Plymouth Communiy Homes c/o
Application Type: Full Application
Description of Development: Change of use of two dwellinghouses into one dwellinghouse
Site Address 6 & 7 MYRTLEVILLE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 13/03/2013
Decision: Grant Conditionally

Item No 68

Application Number: 13/00115/ADV **Applicant:** Rossimon Hughes Ltd
Application Type: Advertisement
Description of Development: Free standing pole mounted advertisement at entrance (non-illuminated)
Site Address NEW HGV DEPOT, PART VACANT SITE 10 BELL CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 07/03/2013
Decision: Grant Conditionally

Item No 69

Application Number: 13/00116/FUL **Applicant:**
Application Type: Full Application
Description of Development: New boardwalk with 4 two-storey retail units and 3 one-storey retail kiosks
Site Address VAUXHALL QUAY, SUTTON HARBOUR PLYMOUTH
Case Officer: Matt Coombe
Decision Date: 19/03/2013
Decision: Application Withdrawn

Item No 70

Application Number: 13/00118/LBC **Applicant:**
Application Type: Listed Building
Description of Development: New boardwalk with 4 two-storey retail units and 3 one-storey retail kiosks
Site Address VAUXHALL QUAY, SUTTON HARBOUR PLYMOUTH
Case Officer: Matt Coombe
Decision Date: 19/03/2013
Decision: Application Withdrawn

Item No 71

Application Number: 13/00120/TPO **Applicant:** Mrs Sarah Fisher
Application Type: Tree Preservation
Description of Development: 5 Lime - various tree management works
Site Address 53 FURZEHATT ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 18/03/2013
Decision: Grant Conditionally

Item No 72

Application Number: 13/00121/FUL **Applicant:** Mr Alan Moore
Application Type: Full Application
Description of Development: Retrospective application for first floor front extension and pitched roof to double garage
Site Address 19 TITHE ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 11/03/2013
Decision: Refuse

Item No 73

Application Number: 13/00122/FUL **Applicant:** Mr Geoff Murray
Application Type: Full Application
Description of Development: Roof alterations and rear dormer. Resubmission following refusal of 12/01082/FUL
Site Address 22 ST JOHNS DRIVE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 13/03/2013
Decision: Grant Conditionally

Item No 74

Application Number: 13/00126/31 **Applicant:**
Application Type: GPDO PT31
Description of Development: Demolition of redundant former surgery
Site Address WYCLIFFE SURGERY, ELLIOTT ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 25/02/2013
Decision: Prior approval not req PT24

Item No 75

Application Number: 13/00127/FUL **Applicant:** Mr Alan Bierton
Application Type: Full Application
Description of Development: Two storey rear extension and increase basement
Site Address 7 MEADOW RISE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 01/03/2013
Decision: Grant Conditionally

Item No 76

Application Number: 13/00130/LBC **Applicant:** Wagamama
Application Type: Listed Building
Description of Development: 1x externally illuminated individual letter fascia sign, 1x non-illuminated projecting signs
Site Address UNIT 2, ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 01/03/2013
Decision: Grant Conditionally

Item No 77

Application Number: 13/00132/FUL **Applicant:** Waterfield Homes Ltd
Application Type: Full Application
Description of Development: Change of use of 6 bedroom house in multiple occupation to 8 bedroom student house
Site Address 20 TREMATON TERRACE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 04/03/2013
Decision: Grant Conditionally

Item No 78

Application Number: 13/00133/FUL **Applicant:** Ms Bernadeta Cwiklinska
Application Type: Full Application
Description of Development: Change of use from (A1) shop to (A3) café. Resubmission of 12/01898/FUL
Site Address 31 MUTLEY PLAIN PLYMOUTH
Case Officer: Mike Stone
Decision Date: 07/03/2013
Decision: Grant Conditionally

Item No 79

Application Number: 13/00136/ADV **Applicant:** Tesco Stores Ltd
Application Type: Advertisement
Description of Development: External signage to new Click and Collect canopy
Site Address TESCO STORES LTD, TRANSIT WAY PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 07/03/2013
Decision: Grant Conditionally

Item No 80

Application Number: 13/00137/FUL **Applicant:** Sutton Harbour Holdings Plc
Application Type: Full Application
Description of Development: Erection of single-storey food pavilion serving hot food with outside seating area and enclosure of bin storage area adjacent to public toilets (resubmission of 12/01679/FUL)
Site Address QUAY POINT, THE BARBICAN PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 14/03/2013
Decision: Grant Conditionally

Item No 81

Application Number: 13/00144/FUL **Applicant:** Call A Cab
Application Type: Full Application
Description of Development: Change of use of ground floor premises from shop to taxi office
Site Address 332 WOLSELEY ROAD PLYMOUTH
Case Officer: Niamh Boyle
Decision Date: 08/03/2013
Decision: Refuse

Item No 82

Application Number: 13/00146/FUL **Applicant:** Notemachine
Application Type: Full Application
Description of Development: Installation of ATM in shopfront
Site Address 7 HAM GREEN PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/03/2013
Decision: Grant Conditionally

Item No 83

Application Number: 13/00149/TPO **Applicant:** Mr Brian Steele
Application Type: Tree Preservation
Description of Development: 1 ash tree - fell
Site Address 33 REDDICLIFF ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 21/03/2013
Decision: Grant Conditionally

Item No 84

Application Number: 13/00151/FUL **Applicant:** Mr A Cottam
Application Type: Full Application
Description of Development: Single storey rear extension and associated sunken patio, and front porch (revision to application 12/00683/FUL)
Site Address 70 HIGHCLERE GARDENS PLYMOUTH
Case Officer: Liz Wells
Decision Date: 14/03/2013
Decision: Grant Conditionally

Item No 85

Application Number: 13/00165/FUL **Applicant:** Plympton Cricket Club
Application Type: Full Application
Description of Development: Single storey front extension to cricket club equipment shed (N.E. corner of Harewood Park adjacent to the swimming pool)
Site Address HAREWOOD PARK, RIDGEWAY PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 08/03/2013
Decision: Grant Conditionally

Item No 86

Application Number: 13/00166/FUL **Applicant:** Mr Dave Mitchell
Application Type: Full Application
Description of Development: Construction of detached motor garage
Site Address 39 BROOKWOOD ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 07/03/2013
Decision: Grant Conditionally

Item No 87

Application Number: 13/00167/FUL **Applicant:** Mr Mark Harvey
Application Type: Full Application
Description of Development: 2 storey extension on north side of property
Site Address 98 MOLESWORTH ROAD STOKE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 20/03/2013
Decision: Grant Conditionally

Item No 88

Application Number: 13/00168/ESR10 **Applicant:** Hyder Consulting (UK) Ltd
Application Type: Environmental Ass
Description of Development: Screening opinion
Site Address RADFORD WASTE WATER TREATMENT WORKS,
MAYERS WAY PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 08/03/2013
Decision: Enviroment Assessment R10

Item No 89

Application Number: 13/00175/FUL **Applicant:** Mr A Fletcher
Application Type: Full Application
Description of Development: Loft conversion with rear dormer
Site Address 5 BEATRICE AVENUE KEYHAM PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/03/2013
Decision: Grant Conditionally

Item No 90

Application Number: 13/00177/FUL **Applicant:** Mr Paul Nix
Application Type: Full Application
Description of Development: Single storey rear extension with linked decked area (removal of existing conservatory)
Site Address 108 POWISLAND DRIVE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 15/03/2013
Decision: Grant Conditionally

Item No 91

Application Number: 13/00179/FUL **Applicant:** Mr Craig Howe
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 10 DUNSTER CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 14/03/2013
Decision: Grant Conditionally

Item No 92

Application Number: 13/00180/TCO **Applicant:** Emmanuel Church
Application Type: Trees in Cons Area
Description of Development: Dead Elder - remove
Evergreen tree - remove
Site Address EMMANUEL CHURCH, MANNAMEAD ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 13/03/2013
Decision: Grant Conditionally

Item No 93

Application Number: 13/00187/PRDE **Applicant:** Caroline Francis
Application Type: LDC Proposed Develop
Description of Development: Hip dormer to gable dormer
Site Address PIXIELAND NURSERY, 162 MANNAMEAD ROAD
PLYMOUTH
Case Officer: Jody Leigh
Decision Date: 27/02/2013
Decision: Application Withdrawn

Item No 94

Application Number: 13/00194/FUL **Applicant:** Mr Barry Lee
Application Type: Full Application
Description of Development: A first floor extension above the garage and additional
roofspace created for storage
Site Address 24 PRIORY DRIVE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 15/03/2013
Decision: Grant Conditionally

Item No 95

Application Number: 13/00196/FUL **Applicant:** Mr and Ms Whelan
Application Type: Full Application
Description of Development: Formation of room in roofspace to create an additional bedroom
Site Address FIRST FLOOR FLAT, 46 ST LEONARDS ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 15/03/2013
Decision: Grant Conditionally

Item No 96

Application Number: 13/00197/FUL **Applicant:** Mrs D Oates
Application Type: Full Application
Description of Development: Part retrospective application for fence and gate (resubmission following refusal of 12/01879/FUL)
Site Address 37 LAIRA PARK ROAD PLYMOUTH
Case Officer: Niamh Boyle
Decision Date: 20/03/2013
Decision: Grant Conditionally

Item No 97

Application Number: 13/00202/FUL **Applicant:**
Application Type: Full Application
Description of Development: Change of use from public house to dwellinghouse
Site Address FRANCIS ARMS,10 FRANCIS STREET PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 18/03/2013
Decision: Grant Conditionally

Item No 98

Application Number: 13/00204/LBC **Applicant:** Seven Mile LLP
Application Type: Listed Building
Description of Development: Alterations to basement level
Site Address 59 CITADEL ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 14/03/2013
Decision: Grant Conditionally

Item No 99

Application Number: 13/00208/ADV **Applicant:** Lloyds Banking Group
Application Type: Advertisement
Description of Development: Installation of internally illuminated signage
Site Address 22 TO 24 NEW GEORGE STREET PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 15/03/2013
Decision: Grant Conditionally

Item No 100

Application Number: 13/00212/FUL **Applicant:** Mr G Easson
Application Type: Full Application
Description of Development: Change of use of ground floor office to one bedroom studio apartment
Site Address STUDENT PROPERTY SERVICES, 10 QUEEN ANNE TERRACE, NORTH HILL PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 15/03/2013
Decision: Grant Conditionally

Item No 101

Application Number: 13/00220/FUL **Applicant:** Mr & Mrs Rapley
Application Type: Full Application
Description of Development: Single storey rear extension to provide new utility room and WC
Site Address 28 MORRISH PARK PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 15/03/2013
Decision: Grant Conditionally

Item No 102

Application Number: 13/00224/FUL **Applicant:** Mr & Mrs Jeffrey Newall
Application Type: Full Application
Description of Development: Conversion of existing dwelling into first floor maisonette with 2 flats over 2nd and 3rd floors, proposed extension at rear of tenement with new garage with bin and cycle storage
Site Address 7 WOODLAND TERRACE, GREENBANK ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 14/03/2013
Decision: Grant Conditionally

Item No 103

Application Number: 13/00225/FUL **Applicant:** Mr Jim Woodley
Application Type: Full Application
Description of Development: Mansard style roof extension, single storey rear infill extension, relocation of bin store to front of building and re-orientation of car parking in association with the provision of an additional 6 study bedrooms and alternate communal space arrangement
Site Address 114 TO 116 NORTH ROAD EAST PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 20/03/2013
Decision: Refuse

Item No 104

Application Number: 13/00232/FUL **Applicant:** Mr M Wellington
Application Type: Full Application
Description of Development: Change of use of single dwelling to form 5 bedroom house in multiple occupation
Site Address 235 NORTH ROAD WEST PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 20/03/2013
Decision: Grant Conditionally

Item No 105

Application Number: 13/00238/FUL **Applicant:** Mr Steve Rundle
Application Type: Full Application
Description of Development: Damp proofing; installation of new boiler with associated flue; new stud wall; installation of extractor fans; installation of sump and pump
Site Address 51B SOUTHSIDE STREET PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 19/03/2013
Decision: Application Withdrawn

Item No 106

Application Number: 13/00241/LBC **Applicant:** Mr Steve Rundle
Application Type: Listed Building
Description of Development: Damp proofing; installation of new boiler with associated flue; new stud wall; installation of extractor fans; installation of sump and pump
Site Address 51B SOUTHSIDE STREET PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 19/03/2013
Decision: Application Withdrawn

Item No 107

Application Number: 13/00246/FUL **Applicant:** Mr & Mrs D Tinney
Application Type: Full Application
Description of Development: Single storey extension to side of property
Site Address 20 SEYMOUR PARK PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 20/03/2013
Decision: Grant Conditionally

Item No 108

Application Number: 13/00249/FUL **Applicant:** Mrs Celia Davis
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 26 PLYMBRIDGE ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 20/03/2013
Decision: Grant Conditionally

Item No 109

Application Number: 13/00250/PRDE **Applicant:** Mr Keith Rawlings
Application Type: LDC Proposed Develop
Description of Development: Hip to gable roof alteration with dormer window
Site Address 33 WESTON MILL ROAD PLYMOUTH
Case Officer: Jody Leigh
Decision Date: 20/03/2013
Decision: Issue Certificate - Lawful Use

Item No 110

Application Number: 13/00251/FUL **Applicant:** Mr M Ricketts
Application Type: Full Application
Description of Development: Erection of single storey conservatory to rear
Site Address 11 LANGMEAD CLOSE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 20/03/2013
Decision: Grant Conditionally

Item No 111

Application Number: 13/00256/FUL **Applicant:** Mr Christian Olsen
Application Type: Full Application
Description of Development: Single storey extension to side and rear of property
Site Address 72 RASHLEIGH AVENUE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 20/03/2013
Decision: Grant Conditionally

Item No 112

Application Number: 13/00269/FUL **Applicant:** Mr David Short
Application Type: Full Application
Description of Development: Retrospective application for ground and first floor rear extension
Site Address 69 DURHAM AVENUE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 20/03/2013
Decision: Grant Conditionally

Item No 113

Application Number: 13/00361/CAC **Applicant:**
Application Type: Conservation Area
Description of Development: EXTENSION AND CONVERSION OF ROOF SPACE
Site Address TREVEAN, 11 GEORGE LANE PLYMOUTH
Case Officer:
Decision Date: 06/03/2013
Decision: CAC Not Required

Item No 114

Application Number: 13/00380/FUL **Applicant:**
Application Type: Full Application
Description of Development: CONVERSION OF EXISTING BARN TO DOMESTIC ACCOMMODATION
Site Address 111 RIDGEWAY PLYMOUTH
Case Officer:
Decision Date: 14/03/2013
Decision: Application Withdrawn

Item No 115

Application Number: 13/00382/LBC **Applicant:**
Application Type: Listed Building
Description of Development: CONVERSION OF BARN TO LIVING ACCOMMODATION
Site Address 111 RIDGEWAY PLYMOUTH
Case Officer:
Decision Date: 14/03/2013
Decision: Application Withdrawn

Item No 116

Application Number: 13/00458/CAC **Applicant:** Mr Wisdom
Application Type: Conservation Area
Description of Development: CONSERVATORY IN CA
Site Address 16 CHESHIRE DRIVE PLYMOUTH
Case Officer:
Decision Date: 15/03/2013
Decision: CAC Not Required

Item No 117

Application Number: 13/00462/CAC **Applicant:** Mrs Maggie Barker

Application Type: Conservation Area

Description of Development: REPLACEMENT OF WINDOWS

Site Address FIRST FLOOR FLAT 156 MOLESWORTH ROAD STOKE
PLYMOUTH

Case Officer:

Decision Date: 18/03/2013

Decision: CAC Not Required

Planning committee summary of appeal decisions

PLANNING COMMITTEE DATE OF COMMITTEE APPEAL DECISIONS

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

Appeal Site: (Address)	74 SHERFORD ROAD PLYMOUTH.
Appeal Proposal:	Extension and alterations including raising roof with front dormer windows, first floor rear extension and infill front extension (amended scheme)
Appeal Category:	REF
Appeal Type:	WR
Award of Costs:	
DecisionCode:	Allowed
Appeal Synopsis:	With regards to the impact on 1 Sherford Walk, whilst accepting that the development would be visible from rear windows and gardens, the Inspector commented that the separation distance exceeds the 12m guideline set out in the Council's adopted Development Guidelines Supplementary Planning Document and therefore saw no reason why this should not be sufficient to ensure that any limited loss of light or outlook falls within acceptable limits, particularly as the first floor extension is contained within the roofspace, such that the appeal property would remain as a chalet style dwelling, rather than being converted to a building of two full storeys. Also the use of small secondary windows and high level rooflights to the side elevations would be sufficient to avoid any undue degree of overlooking.
	With regards to the impact on 76 Sherford Road, he noted that a recently approved rear extension is already under construction, which would limit the effect on the light and outlook to the main rear windows and rear garden and therefore satisfied that any effect on this property would be within acceptable limits.
Appeal Conditions	DEVELOPMENT TO COMMENCE WITHIN 3
Appeal Conditions	APPROVED PLANS

Note:

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

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Application Number **12/01644/TPO**

Appeal Site 131, Underlane, Plymouth

Appeal Proposal Fell one Sweet Chestnut

Case Officer Chris Knapman

Appeal Category Appeal against refusal of application for consent to carry out works to protected trees

Appeal Type Written Reps

Appeal Decision **Appeal dismissed**

Appeal Decision Date 19/02/2013

Conditions

Award of Costs Awarded To

Appeal Synopsis

The appeal was dismissed on the basis that the Inspector did not find the evidence presented in favour of the proposed overall treework sufficient to outweigh the contribution the tree makes to the appearance and setting of the area. No evidence was found to indicate a likely failure of either the bole of the tree or the root system.

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