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3 September 2013

PLANNING COMMITTEE

Thursday 12 September 2013
4 pm
Council House, Plymouth (Next to the Civic Centre)

Members:

Councillor Stevens, Chair
Councillor Tuohy, Vice Chair
Councillors Darcy, Sam Davey, K Foster, Mrs Foster, Jarvis, Nicholson, John Smith, Stark,
Jon Taylor and Wheeler.

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

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

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Tracey Lee
Chief Executive

PLANNING COMMITTEE

AGENDA

PART I – PUBLIC MEETING

1. APOLOGIES

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

2. DECLARATIONS OF INTEREST

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

3. MINUTES (Pages 1 - 6)

The Committee will be asked to confirm the minutes of the meeting held on 15 August 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 attached planning application guidance.

6.1. 106 WOODFORD AVENUE, PLYMOUTH 13/01399/PRDE (Pages 7 - 10)

Applicant:	Mr Anthony Hollick
Ward:	Plympton St Mary
Recommendation:	Issue Certificate - Lawful Use Cert (Ex)

6.2. 28A MOORLAND ROAD, PLYMOUTH I3/01481/FUL (Pages 11 - 14)

Applicant: Mr Martin Cox
Ward: Plympton St Mary
Recommendation: Grant Conditionally

6.3. 25 COLTNESS ROAD, PLYMOUTH I3/01401/FUL (Pages 15 - 20)

Applicant: Mr M Thomas
Ward: Plymstock Dunstone
Recommendation: Grant Conditionally

6.4. 273 TAVISTOCK ROAD, PLYMOUTH I3/01025/FUL (Pages 21 - 42)

Applicant: Eliot Design & Build Limited
Ward: Budshead
Recommendation: Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 26/09/2013.

6.5. FORMER TOSHIBA FACTORY SITE, ERNESETTLE LANE, PLYMOUTH I3/00900/FUL (Pages 43 - 50)

Applicant: Fulcrum Power Generation Limited
Ward: Honicknowle
Recommendation: Grant Conditionally

6.6. 317 HEMERDON HEIGHTS, PLYMOUTH I3/01177/FUL (Pages 51 - 56)

Applicant: Mr Andy Tibbs
Ward: Plympton St Mary
Recommendation: Grant Conditionally

7. PLANNING APPLICATION DECISIONS ISSUED (Pages 57 - 92)

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 3 August 2013 to 2 September 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 93 - 94)

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 15 August 2013

PRESENT:

Councillor Stevens, in the Chair.

Councillor Davey, Vice Chair.

Councillors Darcy, K Foster, Mrs Foster, Jarvis, Nicholson, John Smith, Stark, Jon Taylor, Tuffin (substituting for Councillor Tuohy) and Wheeler.

Apologies for absence: Councillor Tuohy.

Also in attendance: Chris Watson – Lead Planning Officer, Dave Shepperd – Head of Legal Services and Ross Johnston – Democratic Support Officer.

The meeting started at 4pm and finished at 7pm.

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.

26. **APPOINTMENT OF VICE-CHAIR FOR THIS MEETING**

In the absence of Councillor Tina Tuohy the Chair proposed Councillor Sam Davey to act as vice-chairman for this meeting. The proposal was seconded by Councillor Jarvis and following a vote was agreed.

27. **DECLARATIONS OF INTEREST**

The following declaration of interest was made in accordance with the code of conduct –

Name	Minute No. and Subject	Reason	Interest
Councillor Stark	30.1 Plymouth Argyle Football Company Ltd, Home Park, Outland Road, Plymouth 13/00942/FUL	Is a member of Plymouth Argyle Football Company Ltd and holds a small shareholding to the value of £2.50	Private

28. **MINUTES**

Agreed the minutes of the meeting on 18 July 2013.

29. **CHAIR'S URGENT BUSINESS**

There were no items of chair's urgent business.

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

There were no questions from members of the public.

31. **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 number 30.1.

31.1 PLYMOUTH ARGYLE FOOTBALL COMPANY LTD, HOME PARK, OUTLAND ROAD, PLYMOUTH 13/00942/FUL

(Akkeron Group)

Decision:

Application **GRANTED** conditionally subject to –

1. a Section 106 obligation with delegated authority to the Assistant Director for Planning to refuse in the event that the Section 106 is not completed by 23rd August 2013. Approval of conditions 16, 20, 22, 23, 24, 25, 29, 42 and 44 delegated to the Assistant Director for Planning in consultation with the Chair, Vice Chair and nominated opposition spokesperson;
2. in relation to the Section 106 agreement there is an additional requirement for the developer to contribute £25,000 to mitigate the impacts of overspill parking arising from the development.

(The Committee heard representations from Councillor Dr Mahony, ward member).

(The Committee heard representations against the application).

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

(A Planning Committee site visit was held on 14 August 2013 in respect of this item).

(Councillor Nicholson's proposal to delegate conditions 16, 20, 22, 23, 24, 25, 29, 42 and 44, having been seconded by Councillor Darcy, was put to the vote and declared carried).

(Councillor Wheeler's proposal to add an additional S106 requirement, having been seconded by Councillor Nicholson, was put to the vote and declared carried).

(Councillor Stark declared a private interest in the above item).

32. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report from the Assistant Director, Planning Services, on decisions issued for the period 8 July 2013 to 2 August 2013, including –

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

Members noted the planning applications issued.

33. **APPEAL DECISIONS**

Members noted the appeal decisions.

34. **EXEMPT BUSINESS**

There were no items of exempt business.

SCHEDULE OF VOTING

PLEASE NOTE

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

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PLANNING COMMITTEE – 15 August 2013**SCHEDULE OF VOTING**

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
30.1 – Plymouth Argyle Football Company Ltd, Home Park, Outland Road, Plymouth 13/00942 (Additional S106 requirement)	Councillors Stevens, Sam Davey, K Foster, Mrs Foster, Jarvis, Mrs Nicholson, John Smith, Stark, Jon Taylor, Tuffin and Wheeler				
30.1 - 67 Plymouth Argyle Football Company Ltd, Home Park, Outland Road, Plymouth 13/00942 Officer's recommendation and proposal to delegate conditions (Grant Conditionally)	Councillors Stevens, Sam Davey, K Foster, Mrs Foster, Jarvis, Mrs Nicholson, John Smith, Stark, Jon Taylor, Tuffin and Wheeler				

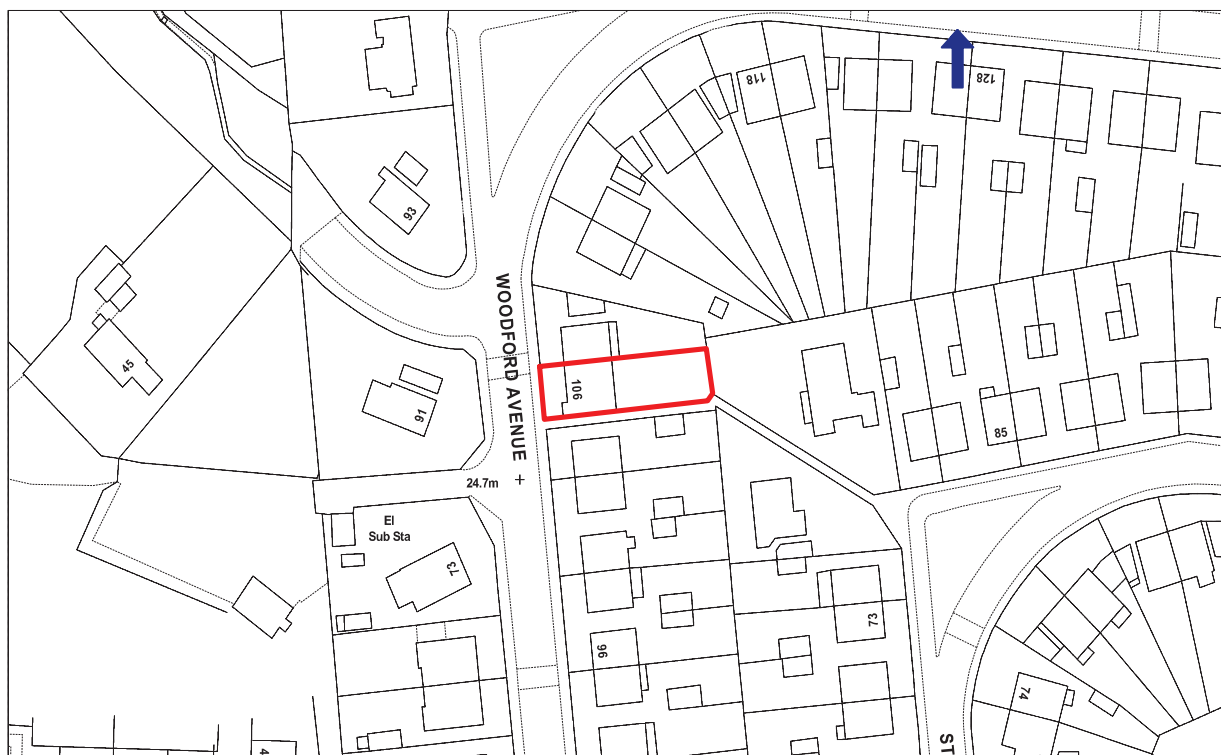
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PLANNING APPLICATION REPORT

ITEM: 01



Application Number: 13/01399/PRDE
Applicant: Mr Anthony Hollick
Description of Application: Single storey rear/side extension
Type of Application: LDC Proposed Develop
Site Address: 106 WOODFORD AVENUE PLYMOUTH
Ward: Plympton St Mary
Valid Date of Application: 29/07/2013
8/13 Week Date: 23/09/2013
Decision Category: Member/PCC Employee
Case Officer : Liz Wells
Recommendation: Issue Certificate - Lawful Use Cert (Ex)
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The application is being brought to committee because the applicant is an employee of the Council.

Site Description

106 Woodford Avenue is a semi-detached residential property in Plympton.

Proposal Description

Single storey rear/side extension.

Pre-Application Enquiry

Informal advice from Duty Planning Officer.

Relevant Planning History

11/00319/FUL - Rear conservatory (existing conservatory to be removed) – GRANTED CONDITIONALLY

90/03152/FUL – Use of dining room and conservatory of dwelling house as childrens play group – REFUSED

92/00924/FUL - Retention of dormer extension. – WITHDRAWN

Consultation Responses

No consultation responses requested or received in respect of this application.

Representations

No letters of representation received in respect of this application.

Analysis

1. This application is for a Lawful Development Certificate in respect of the proposed development. It therefore seeks to confirm that the proposals comply with Class A of Part I of the Schedule to The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013.
2. The proposal is described as a rear/side extension as it is positioned to the rear of the garage/utility which are set to the side of the main (two storey) house. Reference to the DCLG Technical Guidance note (Permitted Development for Householders, DCLG, January 2013) confirms that where there is a side extension that extends beyond the rear, it is within the allowance providing it does not extend more than 3 metres beyond any rear wall of the original dwellinghouse.
3. The applicant has confirmed that the property is a single dwelling, although its occupancy was not verified during the site visit.
4. The property is understood to have been built around 1957. Due to the age, the planning consent for the construction of this road of houses has no known condition restricting permitted development rights.

5. The property has an existing flat roofed garage attached to the side with a higher flat roofed kitchen extension towards the rear. Both appear to be extensions to the original dwellinghouse. The existing kitchen extension is flush with the rear wall of the two storey house. The proposed conservatory extension will be attached to the this existing kitchen extension and will protrude beyond the rear wall of the house by 3 metres.
6. Extensions to dwellings are permitted under Class A of Part 1, Schedule 2 of the GPDO subject to provisions. Looking at each provision in turn:
 - a) The property has a good sized rear garden and the total area of curtilage covered by the extensions and outbuildings is calculated to be less than 50% of the total curtilage of the original dwelling. Therefore the 50% rule is not exceeded.
 - b) The height does not exceed that of the main roof.
 - c) The eaves are lower than the existing dwelling.
 - d) The proposed extension does not front a highway.
 - e) The proposed extension extends 3 metres from the original rear wall, is single storey and less than 4 metres in height.
(ea) not applicable to this application.
 - f) Not applicable – only one storey
 - g) Within 2 metres of boundary and does not exceed 3 metres to eaves.
 - h) Is to the side of the main house / behind the garage and does not exceed half the width of the original dwellinghouse.
 - i) Not applicable.
7. The property is not on Article 1(5) land.
8. The conditions set out in A3 would apply, although A2 (b) and (c) are not applicable to single storey extensions. The materials used in the exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance of those used in the construction of the exterior of the existing dwellinghouse. Whilst the proposal is described as a conservatory, it has a solid side wall, and therefore it is considered that this should accord with condition A3 (a).
9. An informative is recommended regarding condition A3 (a).
10. A4 not applicable to this proposal.
11. Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Local Finance Considerations

- Section 106 Obligations – not applicable for this application.

- Community Infrastructure Levy – no change for this scheme under the current charging schedule.
- New Homes Bonus – not applicable to this application.

Equalities and Diversities

None.

Conclusions

Reference to the DCLG Technical Guidance note (Permitted Development for Householders, DCLG, January 2013) confirms that where there is a side extension that extends beyond the rear, it is within the allowance providing it does not extend more than 3 metres beyond any rear wall of the original dwellinghouse. (Figure on page 18)

The application for a Certificate of Lawfulness for Proposed Development is recommended to be issued. An informative is recommended regarding condition A3 (a).

Recommendation

In respect of the application dated **29/07/2013** and the submitted drawings site location plan, block plan, Ground floor proposed and existing and proposed elevations dated 23/7/13, it is recommended to: **Issue Certificate - Lawful Use Cert (Ex)**

Conditions

The proposed development is compliant with relevant classes of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 Class A, Part 1, Schedule 2 providing the standard conditions contained in Section A.3(a) are adhered to. The proposal is therefore permitted development (subject to the said standard conditions) and this Certificate of Lawfulness may be issued.

INFORMATIVE: MATERIALS

(1) For clarity and the avoidance of doubt, to comply with in Class A the materials used in any exterior work (other than materials used in the construction of a conservatory) shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

PLANNING APPLICATION REPORT

ITEM: 02



Application Number: 13/01481/FUL

Applicant: Mr Martin Cox

Description of Application: Erection of first floor extension to side of property

Type of Application: Full Application

Site Address: 28A MOORLAND ROAD PLYMOUTH

Ward: Plympton St Mary

Valid Date of Application: 09/08/2013

8/13 Week Date: 04/10/2013

Decision Category: Member/PCC Employee

Case Officer : Rebecca Exell

Recommendation: Grant Conditionally

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This application has been referred to Planning Committee as the applicant is an employee of the COUNCIL

Site Description

28A Moorland Road is a detached property located in the Plympton area of the city.

Proposal Description

Extension at first floor level

Pre-Application Enquiry

None

Relevant Planning History

I3/00788/FUL- Single storey side extension and front porch, granted

Consultation Responses

None

Representations

Consultation ends 10th September

Analysis

(1)The application turns upon policies CS02 (Design) and CS34 (Planning application considerations) of the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021 and the aims of the Council's Development Guidelines Supplementary Planning Document 1st review (2013), and the National Planning Policy Framework. The primary planning considerations in this case are the impact on neighbour amenity and the impact on the character and appearance of the area.

(2)The application is for an extension at first floor level on the North elevation. The property is a large detached corner property which fronts onto the classified Moorland Road. The property is surrounded by low boundary walls thus making any proposed extension highly visible from the street scene.

(4)The proposed side extension will measure approximately 4.3 metres by 5 metres. Since the submission of the application the ridge has been set down by approximately 300mm to achieve adequate subservience. It is not considered that the extension will have a significant detrimental impact upon the amenity of the neighbouring property to the north as the properties are separated by Ridge Park Road. The proposal will use matching materials and mimic that of the existing. The scale, form and design of the extension will not be detrimental to the visual quality or character of the area.

(5)In light of its siting, the proposal is not considered to be detrimental to the privacy, light or outlook of any of the neighbouring properties and therefore complies with Policy CS34 of the Core Strategy.

(6) This development is not liable for a Community Infrastructure Levy Contribution.

(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.

Section 106 Obligations

None

Equalities & Diversities issues

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

Conclusions

Recommended for approval

Recommendation

In respect of the application dated **09/08/2013** and the submitted drawings Drawing number:013-014-I-A, 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: Drawing number:013-014-I-A

Reason:

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

INFORMATIVE: UNCONDITIONAL APPROVAL (APART FROM TIME LIMIT AND APPROVED PLANS)

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

INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(2)The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

PLANNING APPLICATION REPORT

ITEM: 03



Application Number: 13/01401/FUL

Applicant: Mr M Thomas

Description of Application: Demolish dwelling and develop site by erection of 3 detached dwellings (approval of Reserved Matters, - variation of condition 5 of planning permission 10/00776/REM to allow substitution of drawing - minor material amendment to alter dwelling at plot 2 including low ridge, hipped roof, and removal of rooms above garage

Type of Application: Full Application

Site Address: 25 COLTNESS ROAD PLYMOUTH

Ward: Plymstock Dunstone

Valid Date of Application: 24/07/2013

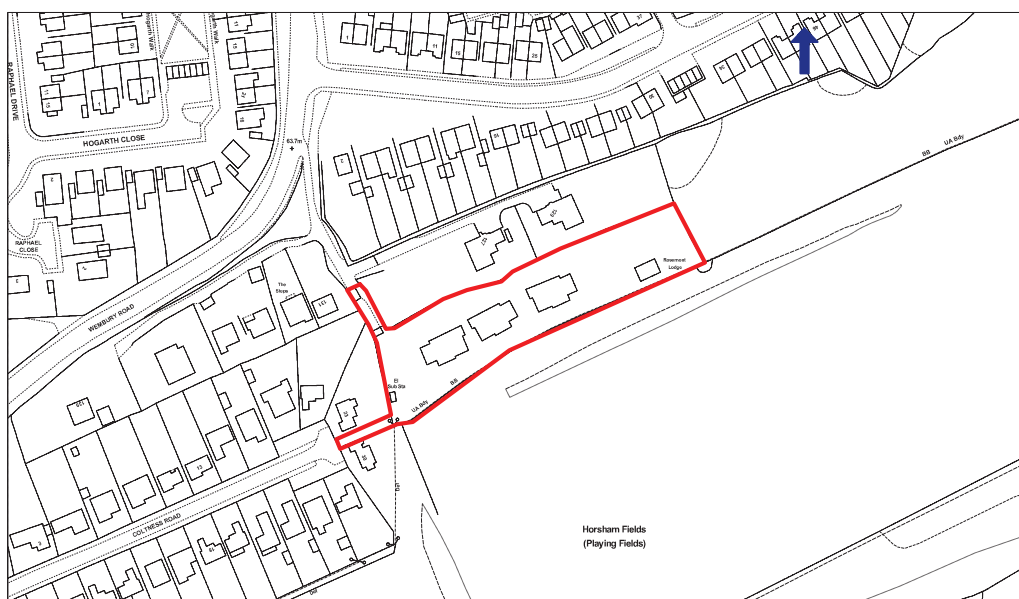
8/13 Week Date: 18/09/2013

Decision Category: Member/PCC Employee

Case Officer : Simon Osborne

Recommendation: Grant Conditionally

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This application is before the committee because the applicant is a Council Employee.

Site Description

25 Coltness Road is accessed off a private drive which runs between No.s 23 and 30 Coltness Road. The site previously accommodated a single dwelling but has permission for the erection of four two storey detached properties.

Plot 2 is the subject of this application and is located towards the centre of the site between Plots 1 and 2. to the rear of No. 23 Coltness Road. To the north of the site is No. 127 Wembury Road which is situated at a significantly lower ground level due to the sloping nature of the site. To the south of the site are Horsham playing fields.

Proposal Description

This application is for a minor material amendment to planning permission 10/00776/REM (see below) to alter the dwelling at plot 2 including lowering the ridge, introducing a hipped roof, and the removal of rooms above the garage.

Pre-Application Enquiry

No formal pre-application advice.

Relevant Planning History

12/01388/FUL - Re-profiling of garden to form level area (partly retrospective) by importation of clean material and increase in height of gabion baskets by 1 metre – Granted conditionally

12/01287/FUL - Re-profiling of gardens to form level areas (partly retrospective) by importation of clean fill material and increase height of existing gabion baskets by 1-metre – Withdrawn

12/00581/OPR - Query regarding ground levels on development site 10/00776/REM Closed and addressed via 12/01388/FUL

10/00776/REM -Demolish dwelling and develop site by erection of 3 detached dwellings (approval of reserved matters) – Granted conditionally

08/00897/OUT - Outline application to demolish dwelling and develop site by erection of 3 detached dwellings – Granted conditionally

07/02390/OUT - Outline application to demolish dwelling and develop site by erection of 4 detached dwellinghouses – Refused

And fourth house permitted on the site known as 29 Coltness Road:

13/00247/FUL - Removal of timber cabin (used as a dwelling) and erection of two-storey dwellinghouse with detached double garage (revision to approved scheme 12/01468/FUL) – Permitted.

12/01468/FUL - Removal of existing timber cabin and erection of two storey dwellinghouse with detached double garage – Granted conditionally

Consultation Responses

Public Protection Service – No objections

Transport – No objections

Representations

No letters of objection have been received.

Analysis

The relevant policy is CS34 of the Plymouth Local Development Framework Core Strategy the National Planning Policy Framework and Supplementary Planning Document ‘ Development Guidelines’, . The wider development has been approved. This application is solely for amendments to Plot 2 including lowering the ridge, introducing a hipped roof, and the removal of rooms above the garage. The main considerations are therefore the impact on visual amenity and neighbouring amenity as discussed below.

The proposed amendments would reduce the height of the proposed dwelling and therefore would reduce any impacts on nearby dwellings. In this respect the proposal is considered to comply with CS34 and the NPPF.

The amendments would result in a dwelling that would have a lower ridge height than the dwellings either side. However the dwellings are detached and this would not be overly significant. It is therefore considered that the proposal would be visibly acceptable in accordance with CS34 and the NPPF

Human Rights

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

Local Finance Considerations

This is an amendment to an existing planning permission and therefore there are no additional local finance considerations. It would not be liable to a Community Infrastructure Levy (CIL) payment since the original application was approved prior to the introduction of CIL

Equalities and Diversities

No issues.

Conclusions

The proposals are considered acceptable. It is therefore recommended that Condition 5 (Plans Condition) of 10/0776/REM is varied to allow substitution of the approved plans to show the minor amendments that are the subject of this application.

Recommendation

In respect of the application dated **24/07/2013** and the submitted drawings Site location plan, site survey drawing, 042, SFI7058-001 Rev C, SFI7058-003 Rev A, SFI7058-002 Rev A, SFI7057-001 Rev G, SFI7057-002 Rev E, SFI7057-003 Rev E, SFI6689-001 Rev E, SFI6689-003 Rev A and accompanying Design and Access Statement, it is recommended to: **Grant Conditionally**

Conditions

REPORTING OF UNEXPECTED CONTAMINATION

(I) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR II'.

Where remediation is necessary a remediation scheme must be prepared, which 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.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours, and other offsite receptors, in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SURFACE WATER

(2) Development shall not begin until details of the proposals for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before any of the dwellings hereby approved is first occupied.

Reason:

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

EXISTING TREES AND HEDGEROWS TO BE RETAINED

(3) In this condition, 'retained tree or hedgerow' means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (A) and (B) below shall have effect until the expiration of 5 years from the date of completion of the last dwelling forming part of the development.

(A) No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:1989 (Recommendations for Tree Work).

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

© The erection of fencing for the protection of any retained tree or hedgerow shall be undertaken in accordance with the approved plans and particulars (or in accordance with Section 8 of BS5837:2005 (Guide for Trees in relation to construction)) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

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

DETAILS OF REPLACEMENT TREES

(4) Prior to the commencement of the development hereby permitted, details of the size, species and location of 3 replacement trees shall be submitted to and approved in writing by the Local Planning Authority, and the agreed replacement trees shall be

planted within 3 months from the date of occupation of the last of the three dwellings or, if this period does not fall within a planting season, by 31st January next.

Reason:

In the interests of visual amenity and to conserve the contribution of trees to the character of the area, in accordance with policy CS18 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

(5) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, site survey drawing, 042, SFI7058-001 Rev C, SFI7058-003 Rev A, SFI7058-002 Rev A, SFI7057-001 Rev G, SFI7057-002 Rev E, SFI7057-003 Rev E, SFI6689-001 Rev E, SFI6689-003 Rev A .

Reason:

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

INFORMATIVE: REPLACEMENT TREES

(1) With regard to condition 4 above, 3 replacement trees are required in order to replace the trees that have been removed from the site.

INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)

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

Having regard to the main planning considerations, which in this case are considered to be: highways/parking, design, impact on trees, impact on surrounding residential amenity, standard of accommodation, surface water and contamination, 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:

PPS23 - Planning & Pollution Control
CS28 - Local Transport Consideration
CS34 - Planning Application Consideration
CS22 - Pollution
CS18 - Plymouth's Green Space
CS15 - Housing Provision
CS16 - Housing Sites
SPDI - Development Guidelines First Review

PLANNING APPLICATION REPORT

ITEM: 04



Application Number: 13/01025/FUL

Applicant: Eliot Design & Build Limited

Description of Application: Demolition of existing dwelling and erection of 22 no affordable/local needs dwellings with new access road and parking and external works

Type of Application: Full Application

Site Address: 273 TAVISTOCK ROAD PLYMOUTH

Ward: Budshead

Valid Date of Application: 02/07/2013

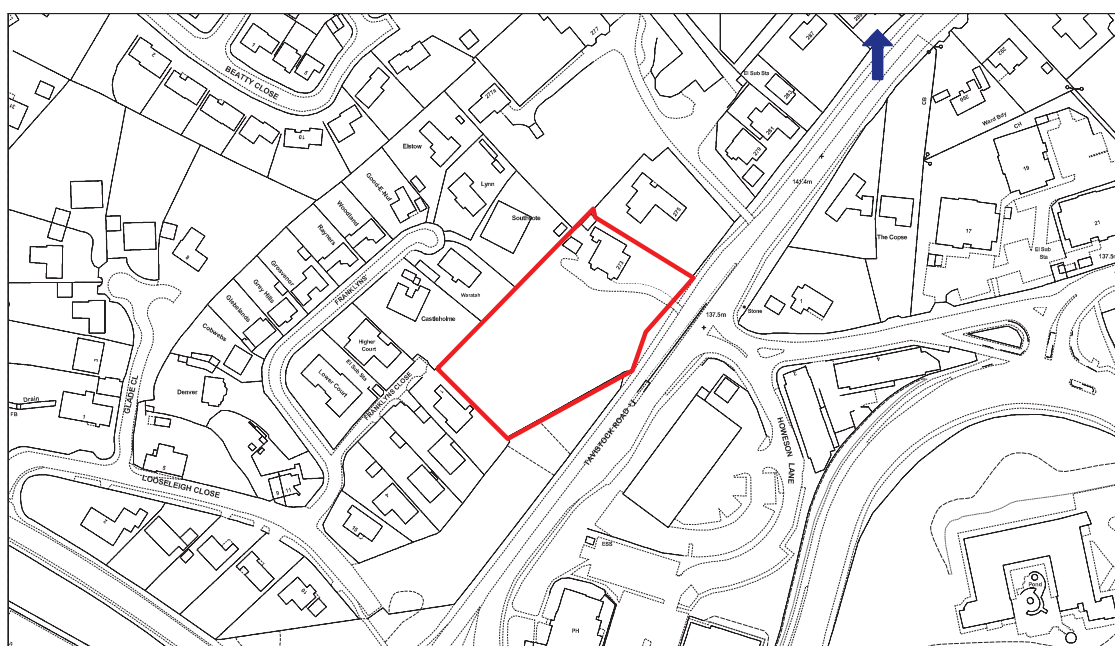
8/13 Week Date: 01/10/2013

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

Case Officer : Robert McMillan

Recommendation: Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 26/09/2013

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



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Site Description

The site is on the northwest side of Tavistock Road 120 metres north of the Derriford roundabout. It has an area of 0.43 hectare with a frontage to Tavistock Road of 44 metres. There is housing to the north, west and south with the Mercedes Benz dealership to the east on the other side of Tavistock Road.

The site comprises a large Edwardian villa which is double-fronted and prominent when viewed from the south. This is boarded up and showing signs of deterioration. There is a large overgrown garden to the south which is enclosed by trees, vegetation, hedgebanks and a wall on the four boundaries. The properties in Franklyns to the north west are at a higher level by 2 – 3m. The property on the southern boundary, 1 Franklyns Close is close to the boundary but shielded by a high Laurel hedge 4 – 5 metres high.

The access is opposite the junction of Plymbridge Lane with Tavistock Road. There is a bus stop to the north and a light controlled pedestrian crossing to the south. There is a central reservation in Tavistock Road which tapers out about 20 metres to the north.

Proposal Description

The proposal is to demolish the house and outbuildings and build 22 affordable dwellings in six terraces and one block of flats around the access road using the existing access point which would be improved. There would be four 2 bedroomed houses, 15 three bedroomed houses and three two bedroom flats. The three bedroom houses would have the third bedroom in the roof space. The houses would be 9m long by 5m wide by 5m to eaves level and 8.8m to ridge level. The flats building would be 12m wide by 7.6m deep by 6.8 – 7.1m to eaves level and 10.2m to ridge height. The materials are painted rendered walls and weatherboard cladding under an artificial slate roof with UPVC window frames doors and rainwater goods.

There would be 31 parking spaces off the access road to the front or side of the buildings.

The boundary trees and hedges will be retained and, where necessary reinforced with new planting. There will be a landscaped area in the eastern part of the site and new trees planted in front of the houses amongst the parking areas.

Pre-Application Enquiry

There was a brief scoping meeting but the applicant did not use the development enquiry service and there were no pre-application negotiations.

Relevant Planning History

13/00769 – FULL – Renewal of 13/01860 described below – STILL TO BE DETERMINED.

13/01860 – FULL - Conversion of existing house into two dwellings (including removal of existing two-storey side/rear extension and replacement with two-storey side extension and single-storey rear extension, and erection of 11 new

dwelling with associated parking and landscaping (renewal of 07/01397/FUL) – GRANTED subject to a S106 agreement.

07/01397 - Conversion of existing house into two dwellings (including removal of existing two-storey side/rear extension and replacement with two-storey side extension and single-storey rear extension, and erection of 11 new dwellings with associated parking and landscaping – GRANTED , subject to a Section 106 agreement – Not implemented.

06/01714/FUL - Redevelopment of site (following demolition of house) with 24 flats, in two three storey blocks, with associated access road and car parking areas. WITHDRAWN.

Consultation Responses

Environment Agency

No objection subject to a surface water drainage condition.

Local Highway Authority

No objection subject to conditions on street details, constructor's access, car parking provision, cycle provision and informatives. A section 106 contribution of £29,000 would be sought for local public transport infrastructure improvements if it could be achieved, subject to viability,

Public Protection Service

No objection subject to conditions on land quality, code of practice and noise.

South West Water

No objection but surface water drainage cannot connect to the mains drainage and as a sewer crosses the site it will have to be diverted.

Representations

There are 10 letters of representation including one signed by 11 local residents raising the following points:

1. Increase in density is excessive and out of character with the area;
2. Increase in congestion on the busy A386;
3. Increased risk of accidents on the A386;
4. People travelling south to the city centre will be tempted to do a U turn on the A386;
5. Loss of mature trees;
6. If one of the trees is a field maple it should be retained;
7. Can trees subject to a tree preservation order be removed?
8. It is possible that some of the boundary trees are in adjoining properties;
9. Harmful effects on bats that use the site;
10. Loss of privacy;
11. Loss of light;
12. The site is not suitable for family housing owing to the lack of facilities in the area;

13. The Japanese knotweed on the site needs to be removed; if it spreads to adjoining properties those owners can pursue the owners of the site for any damage to property;
14. Part of the boundary bank has collapsed; if the applicant stabilises it with a wall, fencing and new tree planting this will solve the problem;
15. Putting in two applications at the same time is a “devious trick” so residents concentrate their objections to this application which is for more dwellings (as compared with the renewal for 14 dwellings, reference 13/00769); and
16. Loss of view.

Analysis

Introduction

1 The main issues with this application are: the principle of development; the impact on the character and appearance of the area and visual amenity including design issues; effect on living conditions of the existing and proposed properties; transport matters; trees and nature conservation; and the section 106 planning obligations and viability.

2 The main Core Strategy policies and strategic objectives are: SO1 Delivering Plymouth's Strategic Role, SO2 Delivering the City Vision, SO3 Delivering Sustainable Linked Communities, CS01 Development of Sustainable Linked Communities, SO4 Delivering the Quality City, CS02 Design, Area Vision 9 – Derriford/Seaton, SO10 Delivering Adequate Housing Supply, CS15 Overall Housing Provision, CS16 Spatial Distribution of Housing Sites, SO11 Delivering a Sustainable Environment, CS18 Plymouth's Green Space, CS19 Wildlife, CS20 Sustainable Resource Use, CS21 Flood Risk, CS22 Pollution, SO 14 Delivering Sustainable Transport, CS28 Local Transport Considerations, CS32 Designing Out Crime, CS33 Community Benefits/Planning Obligations, CS34 Planning Application Considerations. The Derriford and Seaton Area Action Plan is relevant as this site is just outside the Plan's area on its edge. There are several parts of the National Planning Policy Framework relevant to the proposal. The guidance in the three Supplementary Planning Documents (SPDs) on Development Guidelines, Planning Obligations and Affordable Housing first review and Design also applies.

Principle of development

3 The house is not listed or in a conservation area. The proposal to demolish it is unfortunate but would not cause sufficient harm to warrant a reason for refusal.

4 When the previous application was determined in 2010 the garden part of the site was excluded from the development of previously developed land (PDL) in the definition of PDL in Annex B of Planning Policy Statement (PPS) 3 Housing. This change was a material consideration. Since then the Government has cancelled the PPSs and replaced them with the National Planning Policy Framework (NPPF). On the issue of gardens it states that: “. . . local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens . . .”

5 There is no specific policy in the Core Strategy on the development of gardens. In the absence of a specific development plan policy preventing the development of the

gardens of dwellings it would be unreasonable to refuse permission simply because it is garden land without sound defensible reasons. It is important to state that national and local policies do not rule out development on garden land automatically. Any such developments will be determined in accordance with the policies in the Adopted Core Strategy, and other published guidance, and will continue to be dealt with on their individual merits, for example, taking into account the details of the scheme and its effect on the character and appearance of the area.

6 In the period 2006-2012 only 2% of all dwellings (121 dwellings) completed in Plymouth have been on garden land, thus it has not been the major issue that it has been in other areas.

7 The site is 0.43 ha which is much larger than those in the immediate surroundings that average about 0.072ha, so it is six times larger and represents a feasible development site.

8 The existing density of the surroundings is low and it is accepted that the density of development would be greater than its surroundings. The LPA decided in 2007 and 2010 that development of this site at a higher density was acceptable. The Sustainable Neighbourhood Appraisal findings for Derriford indicate that there is a limited choice of house types as they are mainly owner-occupied at low density with little affordable housing. The proposal supports the possible objectives of: the new housing helping to support local services; and providing a greater variety of housing in the form of 100% affordable homes in terraced houses and flats at an acceptable higher density.

9 The proposal supports Plymouth's growth agenda in seeking to achieve 10,000 new homes by 2016 and the site is located in the Derriford/northern corridor priority location to comply with policy CS16. It is considered that the principle of the development complies with Core Strategy policies CS01, CS15 and CS16 and paragraphs 47 – 53 of the National Planning Policy Framework (NPPF).

Character and appearance

10 The density is higher than the existing low density but this is not reason alone to justify refusal. The existing density of the surroundings is low at 14 dwellings per hectare (dph) and it is accepted that the density of development would be greater than its surroundings at 51 dph. The LPA decided in 2007 and 2010 that development at a higher density was acceptable. This compares with the new housing nearby on at the former runway land at Plymouth City Airport off Plymbridge Lane which is at a density of 50 dph. The gross density for Derriford is about 12 dph. For other areas of the city it ranges from 45 dph in Mutley and Greenbank, 40 dph in Peverell and 19 dph in Widewell. The NPPF aim of sustainable development states in paragraph 58 that developments should optimise the potential of sites to accommodate development. Core Strategy SO10.2 states that developments should promote the highest density of development compatible with the creation of an attractive living environment.

11 It is a relatively self-contained site with the main impact being on the adjoining properties and this matter is covered in the sections below. Residents believe that the proposal is over-development of the site but it has a limited impact on public

viewpoints because the site is so well screened by mature vegetation so the main effect would be the roofs and parts of the first floors appearing above the hedge and trees fronting Tavistock Road. This is to be expected in this part of the city where substantial growth and development is proposed and the character will continue to change. Within the site the access road curves round with blocks E and F forming an end stop. The buildings front the road would provide a good sense of enclosure with adequate surveillance.

12 The buildings are of a traditional design and officers consider that the three bedroom houses and flats building have a good level of articulation and rhythm with the projecting gables, subordinate dormer windows and canopies. The two bedroom terrace is somewhat bland and the architects are looking into improving the design to add more interest to this elevation. Members will be updated on this matter at the meeting.

13 The materials of coloured render, weather boarding and artificial slate roofs are considered by officers to be acceptable and in keeping with the surroundings. The hard surfacing would be bitmac with variety provided with brick paviors for the parking spaces. The hard surfacing would be softened with street trees and areas of soft landscaping in the eastern parts of the site.

14 The design and appearance of the development would reflect the identity of the local surroundings and materials and would not harm the visual amenity of the area and complies with Core Strategy policies CS01, CS02 and CS34 and paragraphs 56 – 66 of the NPPF.

Living conditions of the existing adjoining properties

15 The layout is different from the approved scheme as the houses would be located closer to the boundaries. Plots 7 – 12 are seven metres in from the north western boundary. These affect the properties in Franklyns of 'Castleholme', 'Waratah' and 'Southcote'. The relationship is unusual in that these properties' main aspect is north east to south west. The elevation facing the site is south east. These are the gable ends but do include a few windows and the owners have added conservatories. The site is two – three metres lower than the adjoining dwellings and there is a mature hedge including trees on the boundary that will be retained and reinforced; this will be safeguarded by condition. 'Castleholme' faces the gable end of plot 13 with a gap of 25m and the new house would be about 3m lower than 'Castleholme'. This relationship is considered by officers to be acceptable and complies with the Development Guidelines SDP. 'Waratah' is 20m from plots 10 – 12. As the relationship is more akin to the proposed habitable rooms facing gable ends this is considered to be acceptable especially given the change in levels and intervening screening. 'Southcote' is 17m – 20m from plot 7 with the window about 19m from this plot. For the same reasons as applies to 'Waratah' above this relationship is also considered to be acceptable.

16 1 Franklyns Close adjoins the south western boundary and is positioned close to it. Plots 13 – 19 are set in 10m from the boundary and 13.8m from 1 Franklyns Close. There is a high laurel hedge four to six metres high on the boundary. This will be retained and reinforced by condition. Although not a planning matter and, for members information, on a private civil matter the applicant has agreed with this

adjoining owner to transfer a strip of 1.5m of land including the hedge to him with a fence on the new boundary. There would be a restrictive covenant that the hedge shall be retained to a minimum height of 4m.

17 No 275 Tavistock Road adjoins the north eastern boundary and is dominated by the mature vegetation including evergreen trees. The existing large two storey house is close to the boundary. Plots 4 – 6 in block B are two storey and set further away from the boundary and improve upon the current position. Block A containing the three flats is three storeys and is set further away from the boundary by 4 – 10m as compared with the existing distance of 2.5 – 4.8m. The building is higher with eaves and ridge levels of 6.8m and 10.2m as compared with 6.5m and 8.5m. So the building will be about 1.7m higher than the existing house. But as it is further away from No 275 than the existing building and the effective boundary screening officers do not consider there would be undue over-dominance as compared with the current position.

18 There would be no habitable rooms above the ground floor facing No 275 so officers consider there would be no loss of privacy.

19 For these reasons officers consider that the proposals would not cause an undue harm to the living conditions of the existing properties and therefore comply with Core Strategy policies CS01, CS15 and CS34.

Living conditions of the proposed properties

20 This is a scheme of a high density relative to its surroundings so some of the spatial relationships are tight. Block G containing plots 20 – 22 is opposite plots 7 – 10 across the access road. As there is on-street parking the separation between the fronts of these houses is 16m which is considered to be acceptable. Owing to the site layout there are no instances of overlooking between the backs of the properties. Plots 13 – 15 face the gable end of plot 12. Officers sought to increase the space from the original distance of 8.6m. The gap is now 10.4m which is the maximum that the applicant can achieve. The Development Guidelines state a guideline of 12m. The main habitable room window affected is a bedroom as the ground floor window is to a small kitchen. In this instance the degree of separation is considered to be acceptable. As a result of the density nine of houses would have amenity areas of less than 40 sq m against the guideline of 50 sq m. But they all have secluded rear gardens that are not over-looked. This is a shortcoming but is not considered to cause serious harm to the living conditions of the proposed residents to warrant recommending to refuse permission. As such officers consider that the proposal, on balance, complies with Core Strategy policies CS01, CS15 and CS34 concerning the residential amenity of the proposed properties.

Transport and highways

21 The previous application submitted for residential development on this site would have resulted in the creation of an additional 13 units on the site. The 22 affordable housing units now being proposed represents an increase of 9. In traffic terms this represents an increase of just 4-5 trips in the morning and evening peak traffic hours. This is not considered to be material and thereby give rise to any capacity issues on the A386.

22 On the basis that each of the 22 units will have 2 or more bedrooms, a maximum of 44 spaces would be required to serve the development based upon application of the parking standards outlined within the Development Guidelines SPD. Although the 31 spaces proposed represents a car parking standard of just 1.4 spaces per unit, it is acknowledged that all of the units on the site will be affordable and that the viability of the scheme could be affected if units are lost as a result of providing more car parking on-site. Therefore on balance it is the view of the Highway Authority that the level of car parking proposed is acceptable particularly as site is well served in terms of public transport.

23 It is recommended that a condition should be attached relating to the need for some secure and covered cycle parking to be provided on-site at a standard of 1 space per unit (in respect of the houses this could be achieved through the provision of a garden shed).

24 It is noted that part of the site access road is being offered for adoption by the Local Authority and therefore a Section 38 Agreement will be required.

25 With regard to the layout the possible lack of identifiable areas within which services (gas, water, electricity etc) can be located must be addressed as it's preferable to locate them within footways/service margins rather than the adopted highway. This matter along with any other points of detail on the layout, can be dealt with at the S.38 stage. It should also be noted that if soakaways are being used to drain the adopted highway then they must be situated in publically accessible areas.

26 The applicant's architect has been provided with a plan showing the extent of the land that is required along the Tavistock Road frontage of the development for the Derriford Roundabout Improvement Scheme. In order to safeguard the necessary land for this scheme it is recommended that the area of land in question on the eastern part of the site be subject to a Highway Dedication under Section 30 of the Highways Act 1980.

27 In addition to the area of land required for the improvement scheme, an additional 2m 'working strip' will also be required in order to allow the works to take place. Once complete this strip of land will be returned to the adjoining land owner. The property deeds for units 20-23 will need to make reference to this requirement.

28 The development would undoubtedly lead to an increase in demand for the use of public transport. Ideally a contribution of £29,000 should be made to fund public transport improvements to the bus stop close to the site. If this were a development for open market housing this would be sought. But as it is for 100% affordable housing such a contribution could make the scheme unviable and prevent it from being delivered. Notwithstanding this matter and subject to conditions the application is acceptable in transport and highway terms to comply with Core Strategy policies CS28 and CS34 and NPPF paragraphs 29 – 41.

Affordable Housing and Lifetime Homes

29 A positive and favourable aspect of this application is that all the units will be affordable homes in an area that has few such dwellings. This is reflected in the 2011

census data for the Derriford West and Crownhill neighbourhood, which states that only 13% of the housing stock is classified as affordable housing compared with all other housing types. The inclusion of both social rent and shared ownership is welcomed as this will help provide a range of affordable housing choices. In addition all of the dwellings would be built to meet the Lifetimes Homes standards to extend the range of people, particularly the elderly and those with disabilities, who would be able to live in them. As such the application more than meets the policy requirements of the provision of at least 30% affordable homes and 20% Lifetime Homes to be compliant with Core Strategy policies CS01 and CS15 and NPPF paragraph 50.

Trees

30 The trees on the site are protected by Tree Preservation Order 445. There are trees on the boundaries and within the site. Those on the boundary comprising Yew Oak, Ash and Sycamore will be retained. There are other trees within the site and a group on the western part of the site that will be felled to accommodate the development. Additional planting will occur as compensation particularly along the north western boundary which will be reinforced and within the site to be secured through the landscaping conditions. The retained trees will be protected during the construction phase by appropriate fencing. There are tall mature trees comprising a Pine, Western Red Cedar and Ash on the north eastern boundary in the adjoining property protected by TPO No 36: these too would have to be protected. Subject to these safeguards the application would comply with Core Strategy policy CS18.

Nature conservation

31 The retention of the mature trees and hedgebanks together with new planting would provide a habitat to encourage wildlife.

32 There is evidence that the building has been used as a minor night/day roost by one or a small number of lesser horseshoe bats. As this is a protected species the building housing the roost cannot be destroyed until the applicant/has obtained a European Protected Species (EPS) licence from Natural England in accordance with the Wildlife and Countryside Act 1981 and/or the Conservation of Habitats and Species Regulations 2010. To mitigate the loss of the roost a new bat shed will be provided in the north west corner of the site. The applicant/developer would need to instruct a licenced bat worker to advise on the demolition works and protection of the bats.

33 There is a minor outlying badger sett in the south eastern part of the site. Retention in a domestic garden is not desirable and is unlikely to be sustainable. It is an offence to damage, destroy or block access to a badger sett. It is likely that the sett would be closed but this would need to be supervised by a qualified ecologist and subject to the appropriate licence from Natural England.

34 Other mitigation and enhancement measures include the installation of bat boxes on the gable ends of the buildings and 6 bird boxes would be attached to the mature trees on the boundaries.

35 There are at least two small areas of Japanese Knotweed which is an invasive weed that must be destroyed and removed by a specialist contractor.

36 These measures would safeguard the protected species and provide adequate biodiversity to comply with Core Strategy policy CS19 and NPPF paragraphs 117 – 118.

Other matters

37 The development would meet the on-site renewable energy production by the use of photovoltaic panels to achieve a 16.3% reduction in carbon dioxide emissions to comply with Core Strategy policy CS20. Surface water drainage would be provided by Sustainable Urban Drainage System. The Environment Agency is satisfied that the site could accommodate a satisfactory surface water drainage system to avoid increasing the risk of flooding off-site to comply with Core Strategy policy CS21 and NPPF paragraph 103.

38 The relevant concerns raised by the local residents are covered in the above sections of this report.

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

Local Finance Considerations

40 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.

Section 106 Obligations and Viability

41 The development is for 100% affordable homes and the applicant has agreed to heads of terms securing this. This clearly affects the viability of the scheme in terms of the availability of funds to mitigate the impacts of the development on the local and strategic infrastructure. Officers have sought the advice from service providers on what specific mitigation measures they would be seeking and their justification to comply with the three Regulation 122 tests of the Community Infrastructure Levy (CIL) Regulations 2010. These are that:

1. The obligation is necessary to make the development acceptable in planning terms;
2. The obligation is directly related to the development; and
3. The obligation is fairly and reasonably related in scale and kind to the development.

42 Replies were received from Education and the Local Highway Authority. As it is a 100% affordable housing development the Education service is not requesting a contribution for schools. The LHA would require £29,000 for improvements to the bus stop close to the site. Contributions for local green infrastructure would be

£13,380, £29,850 for strategic infrastructure and £707 for the European Marine Site. This gives a total of £72,937. The management fee would be £4,600.

43 The applicant submitted a late viability appraisal just before the report was prepared and officers were still negotiating the heads of terms. Officers will update members at the committee meeting. As it is a development of 100% affordable homes this will affect the scheme's viability. It is most unlikely that the development could sustain a contribution of nearly £73,000, if anything at all. Paragraph 16.12 of the Core Strategy allows for the local planning authority to take into account viability matters in S106 negotiations. This is re-stated in the Planning Obligations and Affordable Housing SPD Second Review. It is also reinforced in paragraphs 173 – 177 of the NPPF relating to sites identified in plans, which officers believe are also applicable to application sites, where viability should not be threatened and the requirements for affordable homes, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to enable the development to be deliverable.

Community Infrastructure Levy

44 The CIL is estimated to be £51,750. It is noted that the applicant has indicated that they intend to apply for social housing relief on the CIL form for all of the floor space. If the request for relief is successful the final liability will be £0.

New Homes Bonus

45 The estimated New Homes Bonus is £191,059.

46 It is considered that the development plan and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in the determination of this application.

Equalities & Diversities issues

47 The development is for 100% affordable homes and Lifetime Homes so will provide dwellings for a range of people including those who are less affluent, young families, elderly and those with disabilities and mobility difficulties.

Conclusions

48 The principle of the development is acceptable as it will help to achieve the Council's growth strategy for more housing in the Derriford/northern corridor priority location on a site that has permission for additional homes to comply with policies CS15 and CS16 and the NPPF. The development provides the benefits of smaller family dwellings which will be 100% affordable homes built to Lifetime Homes standards in an area deficient in this type and tenure of housing.

49 Officers understand residents' concerns that the application is for a layout at a higher density than the surrounding area which comprises detached houses and bungalows. Some of the spatial arrangements with and between the proposed dwellings are tight and do not meet fully the Council's development guidelines. However it is considered that the proposal would not harm the character and appearance of the area given the changes taking place at Derriford where considerable development is proposed in the Derriford and Seaton Area Action Plan. New development is already occurring at a greater density at the student housing

bounded by Plymbridge Lane and Derriford Road and the new housing at Plymouth City Airport on the former runway land. In this context it is considered that the application complies with policies CS01, CS02, CS34 and the NPPF. Given the relatively enclosed nature of the site, the spatial arrangements with the existing dwellings and level differences it is considered that the proposal would not cause undue harm to the living conditions of the existing or proposed properties to comply with policies CS01, CS15 and CS34.

50 The applicant will dedicate part of the site to the Council for highway purposes, in the public interest, to assist with the proposed junction improvements at the Derriford roundabout. The access, transport and parking arrangements are acceptable subject to conditions to accord with policies CS28 and CS34. The protected trees and hedges on the boundaries will be retained and, where necessary, reinforced. Those lost would be replaced. This and the new landscaping would provide a habitat for wildlife to provide adequate biodiversity and the protected species will be safeguarded to comply with policies CS18 and CS19 and the NPPF.

51 As the development is for 100% affordable homes this affects its viability in terms of section 106 obligations to mitigate the impacts of the development on local and strategic infrastructure such that it is likely that only limited mitigation could be provided. Viability and deliverability is becoming a material consideration of considerable weight in the determination of applications. If this application were over-burdened with obligations it could make it non-viable.

52 This is a balanced case and officers consider that the benefits of the proposal, in particular the provision of affordable homes, outweigh the disadvantages and it is recommended that conditional permission be granted. If the S106 agreement is not completed by 26 September or the applicant has not agreed to an extension of time for the local planning authority to determine the application, it will be refused by failing to ensure that the affordable homes would be secured legally.

Recommendation

In respect of the application dated **02/07/2013** and the submitted drawings I279/S-02, I279/S-01, I279/PL-10 Rev C, I279/PL/11, I279/PL-12, I279/PL-13, I279/PL-14 Rev B, I279/PL-15, I279/PL-16, I279/TP 01, planning statement, design and access statement, extended phase I habitat survey, ecological mitigation and enhancement strategy, energy statement, Phase I Desk Study & Phase II Site Investigation Report, tree report, tree survey, code for sustainable homes summary checklist, it is recommended to: **Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 26/09/2013**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: I279/S-02, I279/S-01, I279/PL-10 Rev C, I279/PL/11, I279/PL-12, I279/PL-13, I279/PL-14 Rev B, I279/PL-15, I279/PL-16, I279/TP 01].

Reason:

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

CODE OF PRACTICE 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.

GOOD ROOM NOISE CRITERIA

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

Reason:

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

SCHEME TO ACHIEVE GOOD ROOM NOISE CRITERIA

(6) Before the commencement of the development hereby permitted the applicant/developer shall submit a scheme to be approved in writing by the local planning authority which specifies the provisions to be made for the insulation of sound from nearby sources to comply with condition 5.

Reason:

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

SURFACE WATER DRAINAGE

(7) Before the development hereby approved is commenced, details of a scheme for the management of the site's surface water shall be submitted to an approved in writing by the Local Planning Authority. The details shall include as a minimum:
Details of the final drainage scheme, including pathways and flow routes for excess surface water during extreme weather;
A construction quality control procedure; and
A plan for the future maintenance of the system and of any overland flow routes.

Prior to the occupation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that the scheme is completed in accordance with the agreed details. The scheme shall thereafter be maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development to comply with policy CS21 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

STREET DETAILS

(8) No development shall take place until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and

footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

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

ACCESS (CONTRACTORS')

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

Reason:

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

DETAILS OF NEW JUNCTION

(10) No development shall take place until details of the junction between the proposed service road and the highway have been approved in writing by the Local Planning Authority; and the building shall not be occupied until that junction has been constructed in accordance with the approved details.

Reason:

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

COMMUNAL CAR PARKING PROVISION

(11) No dwelling shall be occupied until space has been laid out within the site in accordance with [the approved plan][details previously submitted to and approved in writing by the Local Planning Authority] for a maximum of 31 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.

Reason:

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

CYCLE PROVISION

(12) No dwelling shall be occupied until space has been laid out within the site in accordance with details which will have been previously submitted to and approved

in writing by the Local Planning Authority for 22 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.

EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

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

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

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

(c) The erection of barriers and ground protection for any retained tree or hedgerow shall be undertaken in accordance with the approved plans and particulars plan no 1279 (TP) 01 and the Arboricultural Method Statement before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

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

RETENTION OF HEDGE ON SOUTH WEST BOUNDARY

(14) The existing hedge on the south west boundary with 1 Franklyn's Close shall be retained to a height of between four to five metres above ground level permanently.

Reason:

To protect the privacy and living conditions of the adjoining property to comply with policies CS15 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

DETAILS OF BOUNDARY TREATMENT

(15) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The details shall include the types of species, numbers of plants and trees, planting distances, methods of planting and maintenance for the reinforcement planting on the north west boundary. The boundary treatment shall be completed before the building is first occupied. Development shall be carried out in accordance with the approved details.

Reason:

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

LANDSCAPE WORKS IMPLEMENTATION

(16) All hard and soft landscape works shall be carried out in accordance with the approved details as shown on drawing number 1279/PL - 16 Rev X. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

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

LANDSCAPE MANAGEMENT PLAN

(17) A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason:

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

MAINTENANCE SCHEDULE

(18) No dwelling shall be occupied until a schedule of landscape maintenance for a minimum of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason:

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

EXTERNAL MATERIALS

(19) No development shall take place on the superstructure of the development hereby permitted until details and samples 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.

SURFACING MATERIALS

(20) No development shall take place on the superstructure of the development hereby permitted until details/samples of all materials to be used to surface external areas 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.

RESTRICTIONS ON PERMITTED DEVELOPMENT

(21) Notwithstanding the provisions of Article 3 and Classes A, B, C and E of Part I to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended in 2008 and 2013 (or any order revoking and re-enacting that Order with or without modification), no enlargements, improvements or other alterations, including to the roof, shall be constructed to the dwelling houses hereby permitted or any building, enclosure, swimming or other pool (except for a small structure of not more than 1.8m by 1.2m by 1.8m to store a bicycle) constructed within the curtilages of the dwellinghouses hereby permitted.

Reason:

In order to protect the living conditions of the existing and proposed dwellings, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LIFETIME HOMES

(22) A minimum of five dwellings shall be built to Lifetime Homes standards as set out in Appendix A of the Design and Access Statement.

Reason To ensure that a minimum of 20% of the dwellings will be built to Lifetime Homes standards to comply with policy CS20 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

RENEWABLE ENERGY

(23) The approved on-site renewable energy production for each dwelling house and the flats in Block A shall be provided in accordance with the details in the Energy Statement dated 17 July 2013 prior to the first occupation of that dwelling or Block A and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

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

NATURE CONSERVATION

(23) The development shall be carried out in accordance with the Extended Phase I Habitat Survey, Ecological Mitigation and Enhancement strategy for the site received on 12 August 2013.

Reason

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with policies CS01, CS19, CS34 of the adopted City of Plymouth Core Strategy Development Plan Document 2007 and Government advice contained in the NPPF.

INFORMATIVE: PROPERTY RIGHTS

(1) Applicants are advised that this grant of planning permission does not over-ride private property rights with particular regard to the boundary treatment or their obligations under the Party Wall etc. Act 1996.

BOUNDARY TREATMENT DISCUSSION WITH ADJOINING OWNERS

(2) The applicant/developer is advised to discuss the boundary treatment with the adjoining owners to seek to achieve their agreement before submitting the details in accordance with condition X.

INFORMATIVE: CODE OF PRACTICE

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

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

COMPLIANCE WITH PROTECTED SPECIES LEGISLATION

(4) The applicant is advised that this grant of planning permission does not override the applicant/developer's obligations under the Wildlife and Countryside Act 1981 as amended, Protection of Badgers Act 1992 and the Conservation of Habitats and Species Regulations 2010 in relation to the protected species and the requirements to obtain licences from Natural England in dealing with the protected species on this site.

DIVERSION OF THE SEWER

(5) The applicant/developer is advised to contact South West Water regarding the diversion of the sewer that crosses the site before work begins on the development.

ROADWORKS

(6) Any of the roadworks included in the application for adoption as highways maintainable at public expense will require further approval of the highway engineering details prior to inclusion in an Agreement under Section 38 of the Highways Act 1980. The applicant should contact Plymouth Transport and Highways for the necessary approval

HIGHWAYS ACT 1980 SECTION 30 DEDICATION ORDER

(7) The land required for the construction of the Derriford Roundabout Improvement Scheme along the frontage of the site should be secured through a Section 30 Dedication Agreement of the Highways Act 1980.

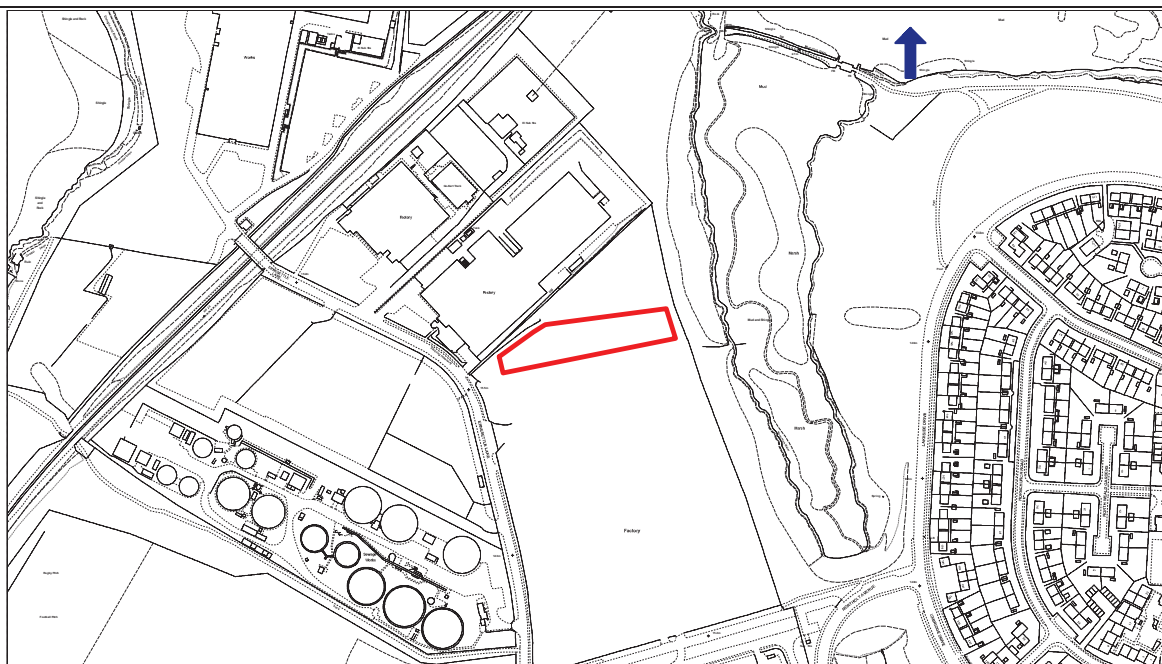
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PLANNING APPLICATION REPORT**ITEM: 05****Application Number:** I3/00900/FUL**Applicant:** Fulcrum Power Generation Limited

Description of Application: Change of use including installation of up to 52 diesel powered generators and 13 transformers for generation of Short Term Operating Reserve (STOR) electricity of up to 20MW to the Local Distribution Network and associated works

Type of Application: Full Application**Site Address:** FORMER TOSHIBA FACTORY SITE, ERNESETTLE LANE
PLYMOUTH**Ward:** Honicknowle**Valid Date of Application:** 31/05/2013**8/13 Week Date:** **26/07/2013****Decision Category:** Member Referral**Case Officer :** Simon Osborne**Recommendation:** Grant Conditionally

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This application has been referred to Planning Committee by Councillor Mark Lowry.

Site Description

The site is located to the east of Ernesettle Lane and forms the northern end of the old Toshiba Factory site within Ernesettle Industrial Estate. The site falls within the setting of the Tamar Valley AONB, is within close proximity of the Tavy and Tamar estuary SSSI, the Tamar Estuaries Complex Special Protection Area (SPA), and Plymouth Sound & Estuaries Special Area of Conservation (SAC).

Proposal Description

The proposed development will comprise up to 52 diesel powered generators and 12 transformers. The generators will operate for a maximum of 200 hours per year, with a desired energy output of up to 20MW. The generators will be located within individual modular acoustic enclosures measuring:

- Length: 4.93 metres;
- Width: 1.65 metres;
- Height: 2.31 metres.

The 52 generators proposed will require approximately 1,102,400 litres of diesel per annum, consisting of up to 52 generators using 106 litres per hour for a maximum of 200 hours per year. The diesel will be stored on-site in two double bunded storage tanks, which will be located in the centre of the Site and will have a storage capacity of approximately 20,800 litres each.

According to the submitted information the National Grid experiences a large fluctuation of demand throughout the day and throughout different times of the year. During periods of high demand, the National Grid aims to either reduce the demand, or increase supply, to maintain a 20% supply margin. These fluctuations are predicted to become greater with the advent of unpredictable renewable generation such as solar and wind. The consequence of this is that the National Grid will require more reserve services, of which STOR is the main contributor.

Pre-Application Enquiry

None.

Relevant Planning History

There is a large amount of planning history relating to the now demolished Toshiba Factory, none of which is considered relevant.

Land adjacent to previous Toshiba Car Park

12/01341/FUL- Change of use of part of main car park at Plymouth Karting to an outdoor kart circuit – PERMITTED

Consultation Responses

Public Protection Service – No objections.

Environment Agency- No objections

Transport – No objections.

MOD – No objections

Natural England – No objections

Representations

11 letters of representation have been received regarding this application, 2 contain observations whilst 9 raise objections. The issues raised are:

- Pollution including air quality, the carcinogenic nature of diesel, pollution from deliveries and light pollution.
- Noise issues
- Should be an employment use.
- Impact on the Special Area of Conservation and Special Protected Area
- Is it necessary?
- Design and Access Statement inaccurate.

Analysis

1. This planning application turns upon the National Planning Policy Framework and policies CS18, CS19, CS22, CS05, CS28 and CS34 of the Plymouth Local Development Framework. The primary issues to consider are the impact on residential amenity, highways issues, impact on the SAC, SPA and AONB, employment issues, as detailed below.

The principle of the use and employment issues.

2. The site occupies a small section at the northern end of the old Toshiba site in Ennesettle Industrial Estate. The site is located at the boundary of the site outside of the footprint of the previous factory and it is not considered by officers to compromise the development of the wider site for employment purposes. Such a use is considered appropriate in an industrial setting and would not adversely impact existing or future units.

Residential amenity – noise and pollution.

3. The site is located approximately 200 metres to the west of the nearest residential dwellings. The proposed development will operate for a maximum of 200 hours per year which represents approximately 6% of the year and would not be operated outside of the hours 07:00 to 22:30. The units would also only operate for a maximum of 2 hours continuously at any one time with an estimated average running time of 55 minutes.

Noise

4. The proposed generators will be enclosed within acoustic containers and the proposal includes an acoustic barrier on the eastern and southern boundaries. Additional information has been provided at the request of the Council's Public Protection Service in order that the noise impact can be fully assessed.. The proposed generators would generate levels of 40db at the nearest dwellings. Given the assumed dB drop of 10dB across a window Public Protection Service has confirmed this meets the standards they would normally recommend. As such Public Protection officers raise no objections to the proposal in terms of noise.

Air quality

5. Although there is a potential for the generators to emit pollutants including Nitrogen Dioxide and Particulates, they are emergency backup generators and are not operated constantly. As such the Public Protection Service agrees with the applicant's conclusion that the annual average objectives will not be exceeded, and, due to the irregularity with which they will operate the Public Protection Service also consider it is unlikely that the short-term objectives will be exceeded. Further to the low likelihood of exceedence the nearest residential dwelling is 200m away from the proposed site. Pollution levels will decrease significantly with distance from a source and as such the likelihood of exceedence of the objectives at the nearest residential dwelling is reduced further. On the basis of this information we are satisfied that there is unlikely to be a significant impact on air quality as a result of the proposed development.
6. The information submitted (i.e. letter signed by Philip Starr of Progress Group) confirms that the thermal input will be 49.79MW and therefore, because this is less than 50MW, an Environmental Permit is not required. As such Environment Agency also have no objections.
7. Considering the above it is not considered that the proposal would have a detrimental impact on nearby residential amenity including across the Tamar in Saltash. At the request of officers the applicant has also agreed to plant vegetation on the east and southern boundaries to help reduce any impacts of the proposal.

Impact on the SAC SPA and AONB

8. On the basis of the information provided with this application, Natural England consider that the project is not likely to adversely affect the integrity of Plymouth Sound and Estuaries Special Area of Conservation and Tamar Estuaries Complex Special Protected Area and no further assessment is required.
9. The site is in close proximity to the Tamar-Tavy Estuary SSSI. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features
10. This site falls within the setting of the Tamar Valley Area of Outstanding Natural Beauty (AONB). Natural England has no comments to make on this proposal as it does not believe that this development is likely to impact on the reasons for which the site is designated.
11. The development has the potential to impact on the Plymouth Sound and Tamar Estuaries European Marine Site which lies just 35m to the west of the site. There is potential for impacts through pollution runoff and noise. However, provided that the mitigation works are implemented as identified, it is considered by officers there will be no detrimental impact on the European Marine Site.

12. As mentioned above at the request of officers the applicant has also agreed to plant vegetation on the east and southern boundaries to help reduce any impacts of the proposal on the wider area.

Highways

13. The proposal will have little impact on the highway network as once constructed there are very few vehicle movements to and from the facility. The generators are diesel powered which will be delivered to the site by fuel tanker. The size of the facility would generate approximately 1 HGV tanker trip per week. The access to the site will utilise existing arrangements so no amendments to the highway are necessary. Transport officers therefore have no objections to the proposal. Transport Officers recommend that a code of practice condition should be attached to any grant of consent to ensure delivery of the units is controlled in a suitable manner during the construction period.

Other issues

14. The initial submitted Design and Access Statement contained some inaccuracies regarding the site, these have now been corrected.

Human Rights

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

Local Finance Considerations

Community Infrastructure Levy –None

SI06 Obligations – None

New Homes Bonus - None

Equalities and Diversities

No further issues.

Conclusions

This application is considered to comply with the relevant policies and is therefore recommended for approval.

Recommendation

In respect of the application dated **31/05/2013** and the submitted drawings 4611/01, 4611-03, 4611-04, 4611-05 1203sk069/C, Agents Letter Dated 02/08/13, Oil Spillage Procedure Dated 7/01/13. Agents Letter Dated 04/07/13, PLANT NOISE ASSESSMENT REPORT 19347/PNAI, Generator Details, Planning Statement (Amended), and accompanying Design and Access Statement (Amended), 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: 4611/01, 4611-03, 4611-04, 4611-05 1203sk069/C

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.

VEGETATION DETAILS

(3) No development shall commence until details of the proposed vegetation shown on drawing 1203sk069/C have been submitted to and approved in writing by the Local Planning Authority. Details shall include plant locations, types and heights. The development shall not become operational until the vegetation has been planted in accordance with the approved details.

Reason:

To ensure the development will have an acceptable impact on the amenity of the area and on the natural environment in accordance with the NPPF and Policies CS34, CS18, CS19 and CS22

CODE OF PRACTICE

(4) Before any development is commenced, a Code of Practice shall be submitted to and approved by the Local Planning Authority which shall indicate measures to mitigate against adverse effects of noise, dust and traffic generation during the construction of the proposed development. The Code of Practice shall indicate: -

- a. the proposed hours of operation of construction activities;
- b. the frequency, duration and means of operation involving demolitions, excavations, drilling, piling, concrete production and dredging operations;
- c. sound attenuation measures to be incorporated to reduce noise at source;
- d. details of measures to be taken to reduce the generation of dust;
- e. the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material.

The Code of Practice shall be strictly adhered to during all stages of the construction of the proposed development.

Reason:

To protect the amenity of the surrounding area in accordance with the NPPF and policies CS28 and CS34 of the Plymouth Local Development Framework Core - Strategy 2007.

HOURS OF OPERATION

(5) The hours of operation of the installation should be restricted to those hours as set out in the table within 5.4.2 of PLANT NOISE ASSESSMENT REPORT 19347/PNA1 as submitted by the applicant. The generators shall run for a maximum of 200 hours/year and shall have a maximum of 2hrs operational period at any one time.

Reason:

To ensure that the nearby dwellings to the hereby permitted installation do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy 2007

INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)

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

INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(2) The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

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PLANNING APPLICATION REPORT

ITEM: 06



Application Number: 13/01177/FUL

Applicant: Mr Andy Tibbs

Description of Application: Retrospective application for two storey side and rear extension and front porch- amendment to approved application 12/00505/FUL with front gable roof turned through 90 degrees

Type of Application: Full Application

Site Address: 317 HEMERDON HEIGHTS PLYMOUTH

Ward: Plympton St Mary

Valid Date of Application: 04/07/2013

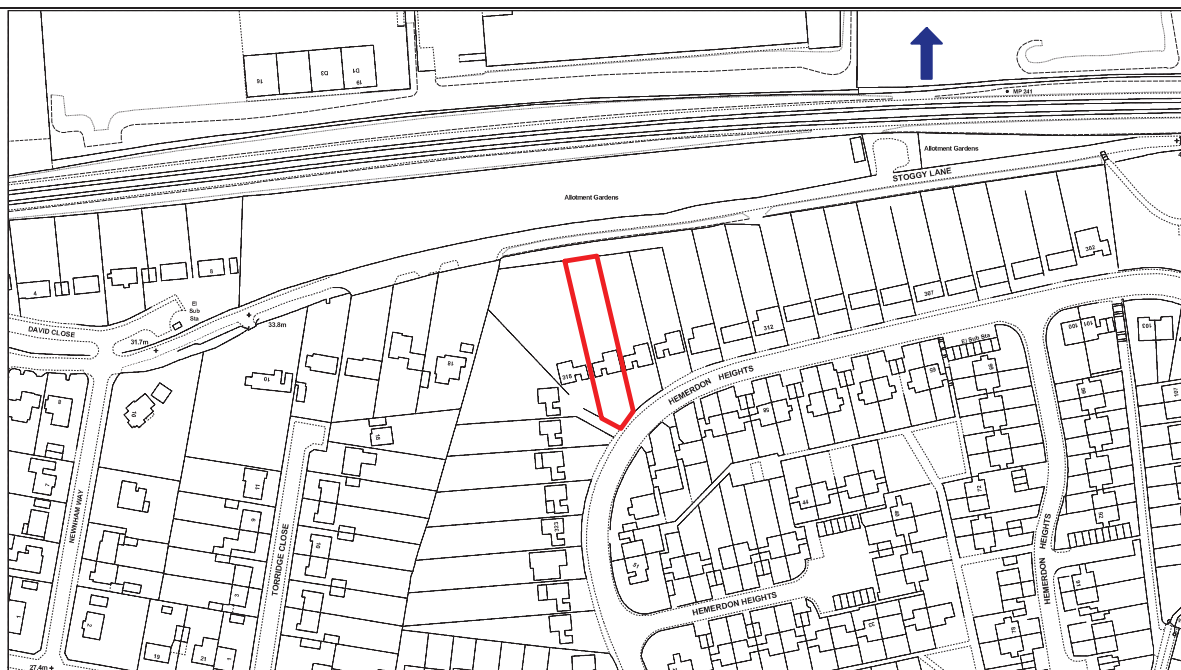
8/13 Week Date: **29/08/2013**

Decision Category: Member Referral

Case Officer : Mike Stone

Recommendation: Grant Conditionally

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

Site Description

317, Hemerdon Heights is a two storey detached property in the Chaddlewood neighbourhood. The house is set well back from the road. The levels fall away from south (front) to north. In 2012 consent was granted for a two storey side and rear extension that is now nearing completion.

Proposal Description

Retrospective application for two storey side and rear extension and front porch-amendment to approved application 12/00505/FUL with front gable roof turned through 90 degrees.

Pre-Application Enquiry

None.

Relevant Planning History

12/00505/FUL - Two-storey side and rear extension, and front porch – Grant conditionally.

Consultation Responses

None requested.

Representations

Eight letters of representation commenting on and objecting to the application have been received from one neighbour. In his objections he has pointed out the loss of light to their bathroom window, the fact that the garage floor and driveway have been raised resulting in loss of privacy at the front of the house and have suggested the development is out of character with the area.

Analysis

1. The application turns upon policies CS02 (Design) and CS34 (Planning application considerations) of the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021 and the aims of the Council's Development Guidelines Supplementary Planning Document First Review (2013), and the National Planning Policy Framework. The primary planning considerations in this case are the impact on neighbour amenity and the impact on the character and appearance of the area.
2. In May 2012 planning permission was granted for a two storey side and rear extension that would create a double gable finish at the front and back of the house, no neighbour objections were received to this proposed development. As the structure was nearing completion it became clear to neighbours that the house was not being built according to the approved plans, the front gable having been replaced by a conventional pitched roof. A complaint was made to the Planning Department and an enforcement case was opened. As no application to amend the approved plans had been received by the

department a retrospective application to determine the development undertaken was sought.

Impact on the character and appearance of the area.

3. The main difference from the scheme approved in 2012 is the replacement of the front gable with a conventional dual pitched roof. Letters of objection have raised concerns that the development is out of character and over large. However, the officers consider that the house is well set back from the road (over 17 metres) and is screened by mature landscaping along the Hemerdon Heights boundary and there is a variety of architectural styles in the area. Both neighbouring properties have built or have consent to build similar large extensions. The amended design is not felt to have a detrimental impact on the streetscene.

Impact on neighbour amenity

4. The new design means that, instead of there being a roof sloping away from the neighbour at no. 319, there is now a gable end close to a side window at the first floor level. The Development Guidelines SPD states that “extensions should not result in a significant loss of daylight or sunlight to habitable rooms of neighbouring properties, such as kitchens, living rooms or bedrooms”. The room in question is a bathroom and therefore its amenity does not carry the same weight as those defined as habitable rooms. It is accepted by the officers that the development as-built has had an impact in terms of loss of light to the bathroom at no. 319. However, given the guidance set out in the SPD, it is not felt that this would have been a sufficiently robust reason for refusal to withstand the scrutiny of an appeal.
5. With regards to the sloped access to the garage/driveway associated with the building works, the submitted plans suggest that the front of the garage is now approximately level with the floor level of the house which is approximately 0.6 metres higher than the floor level of the previous garage. The change in level of the driveway by this amount is generally considered to be an engineering operation requiring permission and forms part of this application. The raise in level means that the previously approved steps to the front door up to the front door has been excluded from this application. The increased ground level in front of the garage may result in some loss of privacy to the neighbouring property, however the nearest window of no. 318 is set away from this boundary, separated by their own garage and front door. The front garden of these properties are relatively open to view from the road at the front, which is at a higher level. The area of garden which level has raised is unlikely to be used for anything other than accessing or washing a parked vehicle. In this circumstance, officers do not consider the proposal to result in an unreasonable loss of privacy to the neighbouring property and for this reason it is the officers' recommendation that the application be approved.

Human Rights

6. Human Rights Act – The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the

rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Local Finance Considerations

Section 106 Obligations

Not applicable.

Community Infrastructure Levy

Under the present Community Infrastructure Levy charging schedule no CIL contribution is required for this development.

New Homes Bonus

Not applicable.

Equalities & Diversities issues

The proposed slope instead of steps is likely to assist in access to the house.

Conclusions

The application is recommended for approval.

Recommendation

In respect of the application dated **04/07/2013** and the submitted drawings Site location plan, AT./01, AT./02, AT./04, AT./06, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, AT./01, AT./02, AT./04, AT./06.

Reason:

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

INFORMATIVE: UNCONDITIONAL APPROVAL (APART FROM TIME LIMIT AND APPROVED PLANS)

(1) In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and

paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has granted planning permission.

**INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A
COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION**

(2) The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

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PLANNING COMMITTEE

Decisions issued for the following period: 3 August 2013 to 2 September 2013

Note - This list includes:

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

Item No 1

Application Number: 13/00806/FUL **Applicant:** Mr Anthony Partridge

Application Type: Full Application

Description of Development: Retrospective application entrance gates to front of dwelling

Site Address 12 ROBOROUGH AVENUE PLYMOUTH

Case Officer: Kate Price

Decision Date: 07/08/2013

Decision: Grant Conditionally

Item No 2

Application Number: 13/00892/FUL **Applicant:** Weston Mill Primary School

Application Type: Full Application

Description of Development: Erection of new teaching area in freestanding solar dome to rear of school and erection of flue on front elevation of existing school

Site Address WESTON MILL PRIMARY SCHOOL, FERNDAL ROAD
PLYMOUTH

Case Officer: David Wasserberg

Decision Date: 14/08/2013

Decision: Grant Conditionally

Item No 3

Application Number: 13/00917/FUL **Applicant:** Ham Drive Nursery School
Application Type: Full Application
Description of Development: Extensions and alterations to existing school
Site Address HAM DRIVE NURSERY SCHOOL, HAM DRIVE
PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 16/08/2013
Decision: Grant Conditionally

Item No 4

Application Number: 13/00924/FUL **Applicant:** Mr Chris Johns
Application Type: Full Application
Description of Development: Rear extension constructed above existing rear garage and
rear balcony added
Site Address GLEN EAGLES 66 POMPHLETT ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 09/08/2013
Decision: Grant Conditionally

Item No 5

Application Number: 13/00935/FUL **Applicant:** Miss Amy Warne
Application Type: Full Application
Description of Development: Application for second floor windows to rear elevation
Site Address 7 TAMAR STREET PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 08/08/2013
Decision: Grant Conditionally

Item No 6

Application Number: 13/00938/FUL **Applicant:** Mr Clinton Bottomley
Application Type: Full Application
Description of Development: Retrospective application for change of use from garage with accommodation over to a self contained dwelling
Site Address FERNDAL HOUSE, WOLSELEY ROAD PLYMOUTH
Case Officer: Niamh Boyle
Decision Date: 09/08/2013
Decision: Refuse

Item No 7

Application Number: 13/00940/FUL **Applicant:** CBRE Global Investors Ltd
Application Type: Full Application
Description of Development: Variation of condition 12 of 92/01241 which granted consent for the erection of a single storey building containing 2 non-food retail units, to allow for the sale of comparison goods, and no other goods unless specifically approved in writing by the local planning authority
Site Address UNIT A AND UNIT B, COYPOOL ROAD RETAIL PARK, COYPOOL ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 23/08/2013
Decision: Application Withdrawn

Item No 8

Application Number: 13/00952/FUL **Applicant:** OCS Group Limited
Application Type: Full Application
Description of Development: First floor extension to existing single storey modular office building to provide temporary office space
Site Address PYEROY LTD, 36 SALTASH ROAD KEYHAM PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 07/08/2013
Decision: Grant Conditionally

Item No 9

Application Number: 13/00956/FUL **Applicant:** Devon and Somerset Fire and R
Application Type: Full Application
Description of Development: Installation of replica section of a ship to facilitate maritime fire fighting training
Site Address SERVICE TRAINING CENTRE, GLEN ROAD PLYMPTON PLYMOUTH
Case Officer: Jon Fox
Decision Date: 30/08/2013
Decision: Application Withdrawn

Item No 10

Application Number: 13/00975/PRDE **Applicant:** Mr Steve Wise
Application Type: LDC Proposed Develop
Description of Development: Roof extension - dormer
Site Address 25 TORR LANE PLYMOUTH
Case Officer: Kate Price
Decision Date: 16/08/2013
Decision: Issue Certificate - Lawful Use

Item No 11

Application Number: 13/00998/LBC **Applicant:** Mr Colin Hoyle
Application Type: Listed Building
Description of Development: retrospective installation of bathroom and installation of roller door to facilitate secure off-street parking
Site Address 162 PLYMSTOCK ROAD PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 13/08/2013
Decision: Grant Conditionally

Item No 12

Application Number: 13/01000/LBC **Applicant:** Mr Colin Hoyle
Application Type: Listed Building
Description of Development: Replacement of existing UPVC/Aluminium windows with wooden windows
Site Address 162 PLYMSTOCK ROAD PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 13/08/2013
Decision: Grant Conditionally

Item No 13

Application Number: 13/01004/FUL **Applicant:** Mr Brian Stewart
Application Type: Full Application
Description of Development: Change of use to form health care concession (including eye care, dental care and hearing care) within supermarket
Site Address SAINSBURYS SUPERMARKET, PLYMOUTH ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 05/08/2013
Decision: Grant Conditionally

Item No 14

Application Number: 13/01045/OUT **Applicant:** Pillar Land Securities
Application Type: Outline Application
Description of Development: Outline planning application for demolition of public house and redevelopment of site to create a new 12 storey building containing 199 student bedrooms (configured in 27 cluster flats and 43 bedsit/studios) with ancillary facilities, together with restaurants/cafes (use class A3) and drinking establishments (use class A4) commercial uses on ground floor frontages on mayflower street
Site Address 17 MAYFLOWER STREET PLYMOUTH
Case Officer: Melanie Starr
Decision Date: 16/08/2013
Decision: Application Withdrawn

Item No 15

Application Number: 13/01058/EXDE **Applicant:** Almanon Energy Limited
Application Type: LDC Existing Develop
Description of Development: Solar panels on roof
Site Address EGGBUCKLAND COMMUNITY COLLEGE, WESTCOTT
CLOSE PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 12/08/2013
Decision: Issue Certificate - Lawful Use

Item No 16

Application Number: 13/01064/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Construction of 15m x 4m boules / petanque rink
Site Address HOE PARK, CITADEL ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 08/08/2013
Decision: Grant Conditionally

Item No 17

Application Number: 13/01065/TPO **Applicant:** Cumberland Park Gardens
Application Type: Tree Preservation
Description of Development: Maple - Remove 2 branches overhanging
2 Ash - Reduce overhang
Cherry - Pollard
Site Address MADDEN ROAD, MILLS ROAD, RAGLAN ROAD
PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 05/08/2013
Decision: Grant Conditionally

Item No 18

Application Number: 13/01069/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Installation of fenced play area including swings, climbing frame, round-a-bout and safety surface
Site Address FROGMORE FIELD, CULVER WAY, FROGMORE AVENUE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 07/08/2013
Decision: Application Withdrawn

Item No 19

Application Number: 13/01080/FUL **Applicant:** Mrs Debbie Gill
Application Type: Full Application
Description of Development: Develop part of garden by erection of dwelling with integral garage, including demolition of utility room on east side of existing dwelling, with variation of condition 12 of planning permission 09/01337/FUL to allow substitution of approved drawings: the main revised proposals to include conversion and enlargement of garage to living accommodation; provision of two external parking spaces and erection of rear conservatory and new rendered blockwork boundary wall
Site Address THORPE, 15 ROCKY PARK ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 15/08/2013
Decision: Grant Conditionally

Item No 20

Application Number: 13/01085/FUL **Applicant:** Debut Services Limited
Application Type: Full Application
Description of Development: Installation of two portacabins to provide classroom accommodation, and reduction in size of existing window and doorway in store building
Site Address MINISTRY OF DEFENCE, DURNFORD STREET PLYMOUTH
Case Officer: Jon Fox
Decision Date: 19/08/2013
Decision: Grant Conditionally

Item No 21

Application Number: 13/01086/FUL **Applicant:** LTC Group87 Ltd
Application Type: Full Application
Description of Development: Side extension to workshop
Site Address LTC POWERED ACCESS, 16 RICHMOND WALK
PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 27/08/2013
Decision: Grant Conditionally

Item No 22

Application Number: 13/01087/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Installation of railings onto existing boundary wall
Site Address RON KING HOUSE, PEEL STREET PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 22/08/2013
Decision: Grant Conditionally

Item No 23

Application Number: 13/01102/FUL **Applicant:** Classic Homes SW Limited
Application Type: Full Application
Description of Development: Erection of dwelling
Site Address LAND ADJACENT TO 446 TAVISTOCK ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 08/08/2013
Decision: Grant Conditionally

Item No 24

Application Number: 13/01117/FUL **Applicant:** Mr Mark Horswill
Application Type: Full Application
Description of Development: Change of use of existing C3 dwellinghouse to C4 House of multiple occupancy providing 5 bedrooms
Site Address 39 BEATRICE AVENUE LIPSON PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 16/08/2013
Decision: Refuse

Item No 25

Application Number: 13/01121/FUL **Applicant:** South West Baptist Association
Application Type: Full Application
Description of Development: Change of use from offices (A2) to a family support hub (D1) including the provision of 2 car parking spaces and 2 bicycle spaces
Site Address WHITEFORD CROCKER SOLICITORS, 163 RIDGEWAY PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 06/08/2013
Decision: Grant Conditionally

Item No 26

Application Number: 13/01122/ADV **Applicant:** The Student Housing Company
Application Type: Advertisement
Description of Development: Installation of 2no. internally illuminated projecting 'cube' signs and 3no. non-illuminated projecting 'blade' signs
Site Address NOTTE STREET, SUTTON PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 20/08/2013
Decision: Grant Conditionally

Item No 27

Application Number: 13/01124/FUL **Applicant:** Mr Tossell
Application Type: Full Application
Description of Development: Alteration to garage and creation of a vehicle hard standing
Site Address 4 VICARAGE GARDENS PLYMOUTH
Case Officer: Kate Price
Decision Date: 16/08/2013
Decision: Application Withdrawn

Item No 28

Application Number: 13/01134/TPO **Applicant:** Mrs Anna Gregory
Application Type: Tree Preservation
Description of Development: 2 Sycamore - Prune
2 Oak - Coppice
2 Pine - Remove large deadwood
1 Elm - Fell (dead)
Site Address 45 CEDAR GROVE, GREAT WOODFORD DRIVE
PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 09/08/2013
Decision: Grant Conditionally

Item No 29

Application Number: 13/01140/FUL **Applicant:** Mr Gary Gerrish
Application Type: Full Application
Description of Development: Change of use to a seven bedroom HMO
Site Address 47 CLIFTON PLACE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 09/08/2013
Decision: Refuse

Item No 30

Application Number: 13/01143/FUL **Applicant:** Dr Raplh & Mrs Pari Smith

Application Type: Full Application

Description of Development: Change of use from residential to dental surgery (application for new permission to replace existing permission 10/00811/FUL)

Site Address 22 SPRINGFIELD ROAD PLYMOUTH

Case Officer: Liz Wells

Decision Date: 21/08/2013

Decision: Grant Conditionally

Item No 31

Application Number: 13/01144/ADV **Applicant:** Tesco Stores Limited

Application Type: Advertisement

Description of Development: Replacement front and side fascia signs, ATM and projecting sign with new branding signage and addition of 2x opening hours, 1x direction and 1x no-smoking vinyl signs

Site Address UNIT 1, ST TERESA HOUSE, BEAUMONT ROAD PLYMOUTH

Case Officer: Mike Stone

Decision Date: 08/08/2013

Decision: Grant Conditionally

Item No 32

Application Number: 13/01146/FUL **Applicant:** Plymouth Community Homes

Application Type: Full Application

Description of Development: Proposed fence to areas of an existing roof garden. The erection of a timber pergola and two tanalised timber tipis.

Site Address MORLEY COURT PLYMOUTH

Case Officer: Robert McMillan

Decision Date: 14/08/2013

Decision: Grant Conditionally

Item No 33

Application Number: 13/01149/FUL **Applicant:** Plymouth Barbican Association
Application Type: Full Application
Description of Development: Replacement windows
Site Address 22 NEW STREET PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 06/08/2013
Decision: Grant Conditionally

Item No 34

Application Number: 13/01150/EXUS **Applicant:** Mr Philip Smith
Application Type: LDC Existing Use
Description of Development: 3 bedroom HMO house of multiple occupation (C4)
Site Address 4 MARINA TERRACE PLYMOUTH
Case Officer: Kate Price
Decision Date: 15/08/2013
Decision: Issue Certificate - Lawful Use

Item No 35

Application Number: 13/01151/TPO **Applicant:** Hamoaze House
Application Type: Tree Preservation
Description of Development: Row of Leylandii - Reduce by 8 feet
1 Sycamore - Reduce by 8 feet
Site Address HAMOAZE HOUSE, MOUNT WISE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 13/08/2013
Decision: Grant Conditionally

Item No 36

Application Number: 13/01161/FUL **Applicant:** Mr Kevin Heath
Application Type: Full Application
Description of Development: Continued use as retail unit incorporating body art studio
Site Address 31 SEGRAVE ROAD PLYMOUTH
Case Officer: Niamh Boyle
Decision Date: 09/08/2013
Decision: Grant Conditionally

Item No 37

Application Number: 13/01163/ADV **Applicant:** JD Wetherspoons
Application Type: Advertisement
Description of Development: Double sided externally illuminated sign to be fixed to existing post
Site Address 58 SOUTHSIDE STREET PLYMOUTH
Case Officer: Mike Stone
Decision Date: 20/08/2013
Decision: Grant Conditionally

Item No 38

Application Number: 13/01165/FUL **Applicant:** Unite The Union
Application Type: Full Application
Description of Development: Two-storey extension to provide additional office space with undercroft parking and new entrance to Exeter Street
Site Address THOMPSON SOLICITORS 2 HARBOUR AVENUE SUTTON PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 29/08/2013
Decision: Grant Conditionally

Item No 39

Application Number: 13/01167/FUL **Applicant:** Mrs Thompson
Application Type: Full Application
Description of Development: Replacement windows
Site Address 37B HAWKINGE GARDENS PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 07/08/2013
Decision: Grant Conditionally

Item No 40

Application Number: 13/01171/EXUS **Applicant:** Mrs Julliette Kelly
Application Type: LDC Existing Use
Description of Development: Certificate of lawful development. Existing use for flat and maisonette
Site Address 30 ATHENAEUM STREET PLYMOUTH
Case Officer: Kate Price
Decision Date: 30/08/2013
Decision: Application Withdrawn

Item No 41

Application Number: 13/01173/TPO **Applicant:** Mr Richard McKeich
Application Type: Tree Preservation
Description of Development: 4 Sycamore - Crown raise to 3m above ground level on garden side
Site Address 41 CONSORT CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 14/08/2013
Decision: Grant Conditionally

Item No 42

Application Number: 13/01174/FUL **Applicant:** Mr Robbie Burns
Application Type: Full Application
Description of Development: Retrospective application to retain single storey side extension with roof terrace (revision to permission 12/00147/FUL)
Site Address 1 ROLLIS PARK ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 30/08/2013
Decision: Refuse

Item No 43

Application Number: 13/01175/FUL **Applicant:** Prime Delux
Application Type: Full Application
Description of Development: Continue use of part of existing retail unit (Class A1) as café (Class A3)
Site Address 48 EBRINGTON STREET PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 27/08/2013
Decision: Grant Conditionally

Item No 44

Application Number: 13/01184/PRDE **Applicant:** Mrs Clare Conway
Application Type: LDC Proposed Develop
Description of Development: Hip to gable and rear dormer roof extensions
Site Address 44 NORTH DOWN ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 19/08/2013
Decision: Issue Certificate - Lawful Use

Item No 45

Application Number: 13/01197/FUL **Applicant:** Mr Terry Mason
Application Type: Full Application
Description of Development: Change of use, alteration and conversion of first floor shop storage area to form self-contained flat including replacement (higher) roof (renewal of application 10/01266/FUL)
Site Address CAMILLE STORES FORE STREET TAMERTON FOLIOT PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 02/09/2013
Decision: Grant Conditionally

Item No 46

Application Number: 13/01202/TPO **Applicant:** Mr Jonathan Oliver
Application Type: Tree Preservation
Description of Development: Evergreen Oak - Reduce to 3m or fell due to split in stem
Site Address 60 BORINGDON HILL PLYMOUTH
Case Officer: Jane Turner
Decision Date: 14/08/2013
Decision: Grant Conditionally

Item No 47

Application Number: 13/01207/TCO **Applicant:** Mrs Margaret Harris
Application Type: Trees in Cons Area
Description of Development: Young horse chestnut - fell
Site Address 4 BELMONT VILLAS PLYMOUTH
Case Officer: Jane Turner
Decision Date: 12/08/2013
Decision: Grant Conditionally

Item No 48

Application Number: 13/01210/FUL **Applicant:** Mr S Truscott
Application Type: Full Application
Description of Development: Erection of single storey extension
Site Address 15 SPINNAKER QUAY PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 09/08/2013
Decision: Grant Conditionally

Item No 49

Application Number: 13/01213/FUL **Applicant:** Tesco Stores Limited
Application Type: Full Application
Description of Development: Installation of 3x air conditioner units, 1x condenser unit and enclosure fencing
Site Address FORMER HOE CENTRE, NOTTE STREET PLYMOUTH
Case Officer: Mike Stone
Decision Date: 22/08/2013
Decision: Grant Conditionally

Item No 50

Application Number: 13/01214/FUL **Applicant:** Tesco Stores Limited
Application Type: Full Application
Description of Development: Installation of ATM (cash dispenser) with signage and security camera
Site Address FORMER HOE CENTRE, NOTTE STREET PLYMOUTH
Case Officer: Mike Stone
Decision Date: 16/08/2013
Decision: Grant Conditionally

Item No 51

Application Number: 13/01215/FUL **Applicant:** Tesco Stores Limited
Application Type: Full Application
Description of Development: Installation of store front entrance door and security door
Site Address FORMER HOE CENTRE, NOTTE STREET PLYMOUTH
Case Officer: Mike Stone
Decision Date: 16/08/2013
Decision: Grant Conditionally

Item No 52

Application Number: 13/01217/ADV **Applicant:** Tesco Stores Limited
Application Type: Advertisement
Description of Development: 2x internally illuminated fascia signs, 3x non-illuminated fascia signs, 1x internally illuminated projecting sign and window manifestations (vinyls)
Site Address FORMER HOE CENTRE, NOTTE STREET PLYMOUTH
Case Officer: Mike Stone
Decision Date: 19/08/2013
Decision: Grant Conditionally

Item No 53

Application Number: 13/01224/FUL **Applicant:** Matrix Plymouth S.A

Application Type: Full Application

Description of Development: Removal of existing timber window on side north elevation to be replaced with two timber sliding sashes

Site Address TRAFALGAR BLOCK, CRAIGIE DRIVE

Case Officer: Jess Maslen

Decision Date: 20/08/2013

Decision: Grant Conditionally

Item No 54

Application Number: 13/01225/LBC **Applicant:** Matrix Plymouth S.A.

Application Type: Listed Building

Description of Development: Removal of existing timber window on side north elevation to be replaced with two timber sliding sashes

Site Address TRAFALGAR BLOCK, CRAIGIE DRIVE CRAIGIE DRIVE
PLYMOUTH

Case Officer: Jess Maslen

Decision Date: 20/08/2013

Decision: Grant Conditionally

Item No 55

Application Number: 13/01226/TPO **Applicant:** Mr Bowers

Application Type: Tree Preservation

Description of Development: 2 Sycamore reduce by 2.5m
1 Cherry reduce by 2.5m

Site Address 47 ABERDEEN AVENUE PLYMOUTH

Case Officer: Jane Turner

Decision Date: 20/08/2013

Decision: Grant Conditionally

Item No 56

Application Number: 13/01227/TPO **Applicant:** Mr Steve Best
Application Type: Tree Preservation
Description of Development: Reduce Ash and Oak branches overhanging garden by 2m
Site Address 26 WELLFIELD CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 20/08/2013
Decision: Grant Conditionally

Item No 57

Application Number: 13/01231/FUL **Applicant:** Mr Harris
Application Type: Full Application
Description of Development: Extension at first floor level
Site Address 75 FLEET STREET PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 09/08/2013
Decision: Grant Conditionally

Item No 58

Application Number: 13/01232/FUL **Applicant:** Mr & Mrs D Fisher
Application Type: Full Application
Description of Development: Single storey rear extension (revision to previous application 13/00667/FUL)
Site Address 9 FRENHAM AVENUE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 19/08/2013
Decision: Grant Conditionally

Item No 59

Application Number: 13/01244/FUL **Applicant:** Mr Neil Webber
Application Type: Full Application
Description of Development: First floor extension and extended east side dormer.
Site Address 18 HILLDALE ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 28/08/2013
Decision: Grant Conditionally

Item No 60

Application Number: 13/01254/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Proposed engineering works to create reinforced soil slope to allow conservation of Stonehouse wall
Site Address STONEHOUSE WALL, NEWPORT STREET
 STONEHOUSE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 02/09/2013
Decision: Grant Conditionally

Item No 61

Application Number: 13/01255/FUL **Applicant:** Mr Marcin Raczynski
Application Type: Full Application
Description of Development: Formation of raised hardstanding in front garden
Site Address 164 BRENTFORD AVENUE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 30/08/2013
Decision: Grant Conditionally

Item No 62

Application Number: 13/01256/FUL **Applicant:** Master Chef
Application Type: Full Application
Description of Development: Change of use from A1 to A5 with installation of external extraction ducting to rear
Site Address URBAN ROOTS 23 MUTLEY PLAIN PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 16/08/2013
Decision: Grant Conditionally

Item No 63

Application Number: 13/01257/FUL **Applicant:** Mr Jason Cox
Application Type: Full Application
Description of Development: Erection of single storey side and rear extensions and loft conversion
Site Address 9 SOUTH VIEW ELBURTON PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 09/08/2013
Decision: Grant Conditionally

Item No 64

Application Number: 13/01262/FUL **Applicant:** Mr and Mrs Dark
Application Type: Full Application
Description of Development: Erection of rear conservatory
Site Address 109 ELBURTON ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 09/08/2013
Decision: Grant Conditionally

Item No 65

Application Number: 13/01263/FUL **Applicant:** Mr Pridham
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 47 DEVERON CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 19/08/2013
Decision: Grant Conditionally

Item No 66

Application Number: 13/01267/FUL **Applicant:** Mr Trevor Irish
Application Type: Full Application
Description of Development: Erection of porch annex to front of property
Site Address 4 AYLESBURY CRESCENT PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 16/08/2013
Decision: Grant Conditionally

Item No 67

Application Number: 13/01273/FUL **Applicant:** Matrix Plymouth S.A.

Application Type: Full Application

Description of Development: Installation of Insulation, the addition of extra timber roof battens, a new vapour control layer & breather membrane all of which will raise the overall height of the roof

Site Address TRAFALGAR BLOCK, CRAIGIE DRIVE PLYMOUTH

Case Officer: Jess Maslen

Decision Date: 20/08/2013

Decision: Grant Conditionally

Item No 68

Application Number: 13/01274/LBC **Applicant:** Matrix Plymouth S.A.

Application Type: Listed Building

Description of Development: Installation of insulation; the addition of extra timber roof battens, a new vapour control layer & breather membrane all of which will raise the overall height of the roof

Site Address TRAFALGAR BLOCK, CRAIGIE DRIVE PLYMOUTH

Case Officer: Jess Maslen

Decision Date: 20/08/2013

Decision: Grant Conditionally

Item No 69

Application Number: 13/01275/FUL **Applicant:** Mr J Bryce

Application Type: Full Application

Description of Development: Proposed detached modernist dwelling with double garage, out houses and associated vehicular circulation: application to vary Condition 2 of Planning Permission 13/00443/FUL to include enlargement of the first floor on the northern elevation, reduction of the ground and lower ground floor on the southern elevation and fenestration changes

Site Address FORMER PLYMOUTH COLLEGE, HARTLEY ROAD PLYMOUTH

Case Officer: Robert McMillan

Decision Date: 21/08/2013

Decision: Grant Conditionally

Item No 70

Application Number: 13/01276/FUL **Applicant:** Tamar Housing Society
Application Type: Full Application
Description of Development: Replace aluminium windows in these flats with UPVC Windows in same design
Site Address 4 - 6 EDDYSTONE TERRACE PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 22/08/2013
Decision: Grant Conditionally

Item No 71

Application Number: 13/01279/FUL **Applicant:** Mr & Mrs Hall
Application Type: Full Application
Description of Development: Construction of new block paving driveway to the front of the property
Site Address 51 PONSONBY ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 22/08/2013
Decision: Grant Conditionally

Item No 72

Application Number: 13/01281/FUL **Applicant:** The Co-operative Group
Application Type: Full Application
Description of Development: Installation of new refrigeration plant, AC, stained timber fence and gate to the rear of the store
Site Address CO-OP STORE, 42 SPRINGFIELD ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 20/08/2013
Decision: Grant Conditionally

Item No 73

Application Number: 13/01284/FUL **Applicant:** Mr Steve Vitali
Application Type: Full Application
Description of Development: Single storey side extension including link to existing outbuilding
Site Address 26 LONGBROOK STREET PLYMOUTH
Case Officer: Liz Wells
Decision Date: 22/08/2013
Decision: Refuse

Item No 74

Application Number: 13/01286/LBC **Applicant:** Mr Steve Vitali
Application Type: Listed Building
Description of Development: Demolition of existing flat roof kitchen, conversion of outbuilding, extension to link house and outbuilding to form additional accommodation
Site Address 26 LONGBROOK STREET PLYMOUTH
Case Officer: Liz Wells
Decision Date: 22/08/2013
Decision: Refuse

Item No 75

Application Number: 13/01291/GPD **Applicant:** Mr & Mrs RJ Martin
Application Type: GPDO Request
Description of Development: A Single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 3.5m, has a maximum height of 3.9m, and has an eaves height of 2.9m.
Site Address 4 BLAIRGOWRIE ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/08/2013
Decision: Prior approval not req

Item No 76

Application Number: 13/01295/GPD **Applicant:** Mr Richard Croft
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 5.5m, has a maximum height of 2.6m, and an eaves height of 2.6m
Site Address 22 TITHE ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 06/08/2013
Decision: Prior approval not req

Item No 77

Application Number: 13/01296/FUL **Applicant:** Mr Salam Fawzi
Application Type: Full Application
Description of Development: Change of use from A1 unit to self contained flat
Site Address 213 EMBANKMENT ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 20/08/2013
Decision: Grant Conditionally

Item No 78

Application Number: 13/01297/FUL **Applicant:** Mrs A May
Application Type: Full Application
Description of Development: Conversion of lower ground floor into flat
Site Address 51 HYDE PARK ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 16/08/2013
Decision: Grant Conditionally

Item No 79

Application Number: 13/01303/LBC **Applicant:** Mrs Juliette Kelly
Application Type: Listed Building
Description of Development: Retrospective approval for subdivision into two flats
Site Address 30 ATHENAEUM STREET PLYMOUTH
Case Officer: Kate Price
Decision Date: 30/08/2013
Decision: Application Withdrawn

Item No 80

Application Number: 13/01304/FUL **Applicant:** British Broadcasting Corporation
Application Type: Full Application
Description of Development: Refurbishment and extension of existing building with variation of condition 2 of planning permission 13/00035/FUL to install photovoltaic panels with minor alterations
Site Address BBC SOUTHWEST, BROADCASTING HOUSE, SEYMOUR ROAD MANNAMEAD PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 02/09/2013
Decision: Grant Conditionally

Item No 81

Application Number: 13/01313/FUL **Applicant:** Mr Ade Oriolowo
Application Type: Full Application
Description of Development: Proposed alterations to form additional self contained flat, including rear dormer, cycle and bin storage
Site Address 4 FORD PARK ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 23/08/2013
Decision: Grant Conditionally

Item No 82

Application Number: 13/01318/FUL **Applicant:** Mr David Tunnell
Application Type: Full Application
Description of Development: Two storey side extension, resubmission of 13/00815/FUL with amendments to increase size of extension
Site Address 2 ORCHARD ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 22/08/2013
Decision: Grant Conditionally

Item No 83

Application Number: 13/01327/TCO **Applicant:** Mr England
Application Type: Trees in Cons Area
Description of Development: Laurel - Reduce to 3ft and manage as a hedge
Site Address 54 VALLETORT ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 22/08/2013
Decision: Grant Conditionally

Item No 84

Application Number: 13/01332/GPD **Applicant:** Jamie McMurrich
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 3m, has a maximum height of 2.8m, and has an eaves height of 2.4m
Site Address 5 CHELMER CLOSE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 14/08/2013
Decision: Prior approval not req

Item No 85

Application Number: 13/01334/GPD **Applicant:** Mr and Mrs Charles Ingram
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 3.8m, has a maximum height of 3.5m, and has an eaves height of 2.7m
Site Address 47 HUXHAM CLOSE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 16/08/2013
Decision: Prior approval required

Item No 86

Application Number: 13/01336/FUL **Applicant:** Mr Walkey
Application Type: Full Application
Description of Development: Single storey front extension and single storey rear extension (existing porch and rear conservatory to be replaced)
Site Address 2 SUNNYCREST, MILLWAY PLACE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 23/08/2013
Decision: Grant Conditionally

Item No 87

Application Number: 13/01338/GPD **Applicant:** Mr Philip King
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 3.5m, has a maximum height of 3m, and has an eaves height of 3m
Site Address 211 PIKE ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 14/08/2013
Decision: Prior approval not req

Item No 88

Application Number: 13/01345/FUL **Applicant:** Mr Peter Thompson
Application Type: Full Application
Description of Development: Erection of dormer on rear elevation to accommodate internal staircase
Site Address FIRST FLOOR FLAT, 31 ASHFORD ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 22/08/2013
Decision: Grant Conditionally

Item No 89

Application Number: 13/01348/TCO **Applicant:** Ms Susan Godefroy
Application Type: Trees in Cons Area
Description of Development: Remove 4 small trees (including 1 Lime tree) identified in pre-submitted Arboricultural report - trees causing damage to wall.
Site Address WENTWORTH HOUSE, DORMY AVENUE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 27/08/2013
Decision: Grant Conditionally

Item No 90

Application Number: 13/01352/LBC **Applicant:** Le Bistrot Pierre
Application Type: Listed Building
Description of Development: Installation of additional louvers within the existing steel window adjacent to existing louvers. Window to be deglazed across top two panes and louver to sit behind
Site Address LE BISTROT PIERRE, NEW COOPERAGE, ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 22/08/2013
Decision: Grant Conditionally

Item No 91

Application Number: 13/01359/TCO **Applicant:** Mr Stuart Robertson
Application Type: Trees in Cons Area
Description of Development: T1 Scotspine - Fell
T2 Cherry - Prune damaged limb
Site Address 33 WHITEFORD ROAD MANNAMEAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 30/08/2013
Decision: Grant Conditionally

Item No 92

Application Number: 13/01362/FUL **Applicant:** Mr D Bell
Application Type: Full Application
Description of Development: Single storey extension to rear of detached with link corridor to main dwelling
Site Address 55 COMPTON AVENUE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 23/08/2013
Decision: Application Withdrawn

Item No 93

Application Number: 13/01365/TCO **Applicant:** Mr Allan Cooper
Application Type: Trees in Cons Area
Description of Development: Reduce only tree in garden to 4m
Site Address 26 RIVERSIDE WALK PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 30/08/2013
Decision: Grant Conditionally

Item No 94

Application Number: 13/01366/TCO **Applicant:** Number One
Application Type: Trees in Cons Area
Description of Development: Lime tree - Reduce by 50%
Site Address 1 WINDSOR VILLAS, LOCKYER STREET PLYMOUTH
Case Officer: Jane Turner
Decision Date: 02/09/2013
Decision: Grant Conditionally

Item No 95

Application Number: 13/01370/FUL **Applicant:** Torr Home
Application Type: Full Application
Description of Development: Conversion into a single 2 bedroom unit
Site Address 59 AND 61 THE DRIVE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 22/08/2013
Decision: Grant Conditionally

Item No 96

Application Number: 13/01371/FUL **Applicant:** Premier Parking Solutions Limit
Application Type: Full Application
Description of Development: Continued use of site as a temporary 'pay and display' car park (for a duration of 2 years) together with the retention of boundary hoardings
Site Address FORMER SITE OF FOOT ANSTEY SARGENT, DERRYS CROSS PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 22/08/2013
Decision: Grant Conditionally

Item No 97

Application Number: 13/01378/FUL **Applicant:** Mr & Mrs Thompson
Application Type: Full Application
Description of Development: Single storey side and rear extension
Site Address 7 CHEPSTOW AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 30/08/2013
Decision: Grant Conditionally

Item No 98

Application Number: 13/01385/FUL **Applicant:** Ms S Godfrey
Application Type: Full Application
Description of Development: Change of use to 8 bed HMO
Site Address 147 STUART ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 29/08/2013
Decision: Refuse

Item No 99

Application Number: 13/01389/FUL **Applicant:** Mr Robert Smith
Application Type: Full Application
Description of Development: To construct a vehicle hardstanding
Site Address 151 PIKE ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 30/08/2013
Decision: Grant Conditionally

Item No 100

Application Number: 13/01390/FUL **Applicant:** Mr David Stolton
Application Type: Full Application
Description of Development: Change of use of shop and showroom (A1) to a theatre, rehearsal studio and bar
Site Address 156 EXETER STREET PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 23/08/2013
Decision: Application Withdrawn

Item No 101

Application Number: 13/01391/ADV **Applicant:** Mr David Stolton
Application Type: Advertisement
Description of Development: Proposed fascia sign to front elevation in relation to proposed use (13/01390/FUL) to read 'The Underground Theatre'
Site Address 156 EXETER STREET PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 29/08/2013
Decision: Grant Conditionally

Item No 102

Application Number: 13/01394/GPD **Applicant:** Malcolm Brock
Application Type: GPDO Request
Description of Development: Conversion of offices above Post Office to residential (C3)
Site Address 34 MORSHEAD ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 22/08/2013
Decision: Prior approval not req

Item No 103

Application Number: 13/01395/GPD **Applicant:** Mr Jos Knight
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4m, has a maximum height of 3.3m, and has an eaves height of 3.3m
Site Address 27 NORTH DOWN ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 22/08/2013
Decision: Prior approval not req

Item No 104

Application Number: 13/01396/FUL **Applicant:** Mr & Mrs Poole
Application Type: Full Application
Description of Development: Single storey side extension
Site Address 54 FRENHAM AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 30/08/2013
Decision: Grant Conditionally

Item No 105

Application Number: 13/01424/GPD **Applicant:**
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4m, has a maximum height of 3.9m, and has an eaves height of 3.4m
Site Address 31 ERLSTOKE CLOSE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 28/08/2013
Decision: Prior approval required

Item No 106

Application Number: 13/01426/FUL **Applicant:** Mr Abdul Kalam
Application Type: Full Application
Description of Development: Installation of front dormer window
Site Address 47 LOCKINGTON AVENUE PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 29/08/2013
Decision: Grant Conditionally

Item No 107

Application Number: 13/01431/31 **Applicant:** Plymouth City Council
Application Type: GPDO PT31
Description of Development: Application for prior approval for demolition of outbuildings and toilet block (part 31 of the Town and Country Planning (General Permitted Development) Order 1995)
Site Address SALISBURY ROAD PRIMARY SCHOOL, SALISBURY ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 07/08/2013
Decision: Prior approval required

Item No 108

Application Number: 13/01438/FUL **Applicant:**
Application Type: Full Application
Description of Development: NOT YET VALIDATED
Site Address 22 MUTLEY PLAIN PLYMOUTH
Case Officer:
Decision Date: 08/08/2013
Decision: Application Withdrawn

Item No 109

Application Number: 13/01473/ESR10 **Applicant:** Design Development Limited
Application Type: Environmental Ass
Description of Development: Screening Opinion for mixed use development
Site Address PLYMBRIDGE ROAD ESTOVER PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 22/08/2013
Decision: Enviroment Assessment R10

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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) 44 WHITEFORD ROAD PLYMOUTH.
Appeal Proposal: (Description) Building of a single storey extension to the east of the existing single storey extension at the rear of the property, partial demolition of the garage at north end of garden, creating a smaller garage

Appeal Category:

Appeal Type: WR

Award of Costs:

DecisionCode: Allowed

Appeal Synopsos:

(i) The Inspector disagreed with the LPA's opinion in that he did not consider that the proposed extension would have an unacceptable overbearing impact on the outlook from next door.

(ii) The Inspector did not feel that the proposed extension would cause any greater contravention to the amount of daylight entering the neighbour's property than that already caused by the existing two storey extension attached to the rear of number 44;

(iii) Thus the Inspector considered that the living conditions of the occupiers of 42 Whiteford Road would not be harmed in respect of outlook and daylight by the erection of the proposed single storey extension.

Appeal Conditions

The appeal is allowed and planning permission is granted for a single storey rear extension and alterations to the existing garage at 44 Whiteford Road, Plymouth, PL3 5LX, in accordance with the terms of the application Ref:13/00138/FUI, dated 28 January 2013, subject to the following conditions:

- 1) The development hereby permitted shall begin before the expiration of three years from the date of this decision.
- 2) The development hereby permitted shall not be carried out other than in accordance with the following approved drawings: 44 AF (00)01 A; 44 AF (00)02 A; 44 AF (00)03 A; 44 AF (00)04 A; 44 AF (00)05 A; 44 AF (00)06 A; 44 AF (00)07 OP2 A; 44 AF (00)08 A.
- 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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