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PLANNING COMMITTEE

Thursday 5 December 2013

4.00 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 - 8)

The Committee will be asked to confirm the minutes of the meeting held on 7 November 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. 51 GOOSEWELL ROAD, PLYMOUTH I3/02043/FUL

(Pages 9 - 14)

Applicant: Mr Paul Mathews
Ward: Plymstock Dunstone
Recommendation: Grant Conditionally

6.2. 139 BLANDFORD ROAD PLYMOUTH 13/01927/FUL (Pages 15 - 22)

Applicant: Miss Claire Rushmere
Ward: Compton
Recommendation: Grant Conditionally

6.3. PUBLIC REALM OUTSIDE BREWHOUSE AND MILLS BAKERY BUILDINGS ROYAL WILLIAM YARD PLYMOUTH 13/01663/FUL (Pages 23 - 34)

Applicant: Urban Splash
Ward: St Peter & the Waterfront
Recommendation: Grant Conditionally

6.4. 23-51 VICTORIA PLACE PLYMOUTH 13/01688/FUL (Pages 35 - 50)

Applicant: Mr Tim Burke
Ward: Devonport
Recommendation: Grant Conditionally

6.5. 18 BROOKINGFIELD CLOSE PLYMOUTH 13/02019/FUL (Pages 51 - 62)

Applicant: Mr Laurie Clear
Ward: Plympton Erle
Recommendation: Grant Conditionally

6.6. 24-26 MERAFIELD ROAD PLYMOUTH 13/01922/FUL (Pages 63 - 74)

Applicant: Mr Steve Pearce
Ward: Plympton Erle
Recommendation: Grant Conditionally

6.7. PROPOSED VARIATION TO SECTION 106 RELATING TO PLANNING CONSENT 05/00371/FUL. (Pages 75 - 78)

The Director for Place will submit a report on the Proposed Variation to Section 106 Relating to Planning Consent 05/ 00371/FUL.

7. PLANNING APPLICATION DECISIONS ISSUED (Pages 79 - 152)

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 1 October 2013 to 25 November 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 153 -
156)**

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

9. EXEMPT BUSINESS

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

PART II (PRIVATE MEETING)

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

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

NIL.

Planning Committee

Thursday 7 November 2013

PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

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

Apology for absence: Councillor Darcy

Also in attendance: Peter Ford, Lead Planning Officer, Julie Rundle, Senior Lawyer and Katey Johns, Democratic Support Officer.

The meeting started at 4 pm and finished at 8.10 pm.

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

57. 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 Mrs Bowyer	61.5 – Land at Seaton Neighbourhood, Plymouth 12/02027/OUT	Has engaged with Eggbuckland residents on the application	Open Declaration

58. MINUTES

Agreed the minutes of the meetings held on 10 and 24 October 2013.

59. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

60. QUESTIONS FROM MEMBERS OF THE PUBLIC

The following questions were received from members of the public, in accordance with paragraph 10 of the Constitution.

Question No	Question By	Cabinet Member or Committee Chair	Subject
Q4 13/14	Mrs L Haydon	Chair of Planning Committee	Weston Mill Incinerator (11/00750/FUL)
Question: When planning permission was granted did Plymouth City Council planning officials know what MVV's Plan B was in case Whitecleaves application was refused?			
Response: The planning permission granted in 2011 when the Planning Committee was under Conservative control was in the light of the applicant's statement that apart from Buckfastleigh there were other sites which were capable of handling IBA within or with minor modifications to their current planning consents and environmental permits, and which do not change the basis of the statements made in the EfW CHP plant planning application. This statement was given in full in the Planning Committee report (page 13). The Council did not need to consider in detail where the IBA facility was going to be located as this was not a material planning consideration, when determining the planning application. It was the issue of achieving the 95% diversion of the IBA from landfill which was the planning priority. The issue of the location of the IBA facility is the sole responsibility for the applicant, as upheld in the subsequent Judicial Review.			

Question No	Question By	Cabinet Member or Committee Chair	Subject
Q5 13/14	Ms S Hillman	Chair of Planning Committee	Energy from Waste Plant
Question: What safeguards did the planning officer include in the planning permission granted to ensure the condition attached to it, re the 95% IBA recycling was met before the plant becomes operational and that meets it's legal obligations as a planning authority?			
Response: Planning permission for the incinerator was granted in 2011 before I became Chair. Questions on the granting of that permission should therefore be directed to those who voted for it: Councillors Nigel Churchill, Ken Foster, Wendy Foster and Lynda Bowyer, and former Councillors Tom Browne, Edward Delbridge and John Lock. The IBA will not arise until the plant is operational but the scheme for monitoring and managing the 95% requirement had to be agreed by the local planning authority prior to the main building being built. This was achieved by the application to discharge the condition which was submitted on the 19th July with addendum on 2nd August 2012. This application was considered, assessed and approved on the 9th August 2012.			

61. **PLANNING APPLICATIONS FOR CONSIDERATION**

The Committee considered the following applications, development proposals by local authorities, and statutory consultations submitted under the Town and Country Planning Act, 1990, and the Planning (Listed Buildings and Conservation Areas) Act, 1990. Addendum reports were submitted in respect of minute numbers 61.2, 61.3, 61.6, 61.7 and 61.8.

61.1 7 LOOSELEIGH PARK, PLYMOUTH 13/01819/FUL

(Mr Graham Clark)

Decision

GRANTED conditionally

61.2 KING GEORGE V MEMORIAL PLAYING FIELDS, HAYE ROAD, PLYMOUTH 13/01545/FUL

(Old Plymothians and Mannameadians (OPMS) Rugby Football Club)

Decision:

Application **GRANTED** conditionally, subject to an amendment to condition (4) and the addition of condition (7):

HOURS OF OPERATION

(4) The movable floodlights hereby permitted shall not be operated outside the following times:

Floodlight positions on the three northern most pitches: 1600 hours to 2100 hours Monday to Saturday inclusive; nor at any time on Sundays and Bank or Public Holidays.

Floodlight positions on the most southerly pitch: 1600 hours to 2000 hours Monday to Saturday inclusive; nor at any time on Sundays and Bank or Public Holidays.

COLOUR OF STORAGE CONTAINER

(7) Colour of the storage container to be agreed prior to installation on site.

(Councillor Nicholson's proposal to add a new condition (7), having been seconded by Councillor Wheeler, was put to the vote and declared carried).

(Councillor Wheeler's proposal to amend condition (4), having been seconded by Councillor Jon Taylor, was put to the vote and declared carried).

61.3 91 LANGLEY CRESCENT, PLYMOUTH 13/01796/FUL

(Mr & Mrs John Mellor)

Decision:

GRANTED conditionally

61.4 61.4 5 COLLEGE PARK PLACE, PLYMOUTH 13/01755/FUL

(Miss Liza Barry)

Decision:

Application **DEFERRED** for further negotiations on modifications to its overall length and height, prior to it being brought back to Committee for determination

(The Committee heard representations against the application).

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

(A Planning Committee site visit was held on 7 November 2013 in respect of this item).

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

61.5 LAND AT SEATON NEIGHBOURHOOD, PLYMOUTH 12/02027/OUT

(KDR (Forder Valley) Ltd)

Decision:

Application **GRANTED** conditionally subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 31 January 2014

(Councillor Mrs Bowyer made an open declaration in respect of this item).

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

61.6 LONGFIELD HOUSE, GREENBANK ROAD, PLYMOUTH 13/01103/FUL

(ALDI Stores Limited)

Decision:

Application **GRANTED** conditionally, subject to the following amendment to condition (14) and inclusion of an additional informative (8):

MANAGEMENT OF STUDENT ACCOMMODATION

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

INFORMATIVE: LAND WITHIN THE BLUE LINE

(8) The Local Planning Authority notes the area of land to the north-west of the development site, that lies within the blue line on the site location plan, is derelict and would encourage the applicant to consider the redevelopment of this site to the benefit of local residents.

(The Committee heard representations against the application).

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

(Councillor Nicholson's proposal to amend condition (14), having been seconded by Councillor Stevens, was put to the vote and declared carried).

(Councillor Nicholson's proposal for an additional informative (8), having been seconded by Councillor Stevens, was put to the vote and declared carried).

(A Planning Committee site visit was held on 7 November 2013 in respect of this item).

**61.7 LONGFIELD HOUSE, GREENBANK ROAD, PLYMOUTH
13/01104/LBC**

(ALDI Stores Limited)

Decision:

Application **GRANTED** conditionally

(The Committee heard representations against the application).

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

(A Planning Committee site visit was held on 7 November 2013 in respect of this item).

61.8 5 HILL LANE, PLYMOUTH 13/01363/FUL

(Leander Developments Ltd.)

Decision:

Application **GRANTED** conditionally.

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

(The Committee heard representations against the application).

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

(Councillor Nicholson's proposal to refuse the application, having been seconded by Councillor K Foster, was put to the vote and declared lost).

(A Planning Committee site visit was held on 7 November 2013 in respect of this item).

62. PLANNING APPLICATION DECISIONS ISSUED

The Committee received a report from the Assistant Director Planning Services on decisions issued for the period 1 to 28 October 2013, including –

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

- Applications withdrawn
- Applications returned as invalid

The Lead Planning Officer reported on an error in the delegated decisions schedule relating to the Sherford New Community (application number 06/02036/OUT). This application had not yet been determined.

Members noted the planning applications issued.

63. **APPEAL DECISIONS**

Members noted the appeal decisions.

64. **EXEMPT BUSINESS**

There were no items of exempt business.

SCHEDULE OF VOTING

PLEASE NOTE

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

PLANNING COMMITTEE – 7 November 2013

SCHEDULE OF VOTING

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
61.1 7 LOOSELEIGH PARK, PLYMOUTH 13/01819/FUL Officer's Recommendation	Councillors Stevens, Tuohy, Mrs Bowyer, Sam Davey, K Foster, Mrs Foster, Jarvis, Nicholson, John Smith, Jon Taylor and Wheeler				Councillor Stark
61.2 KING GEORGE V MEMORIAL PLAYING FIELDS, HAYE ROAD, PLYMOUTH 13/01545/FUL Amendment to Condition (3) Amendment to Condition (4) Officer's Recommendation	Councillors Stevens, Tuohy, Mrs Bowyer, Sam Davey, K Foster, Mrs Foster, Jarvis, Nicholson, John Smith, Jon Taylor and Wheeler Councillors Stevens, Tuohy, Sam Davey, Jarvis, John Smith, Jon Taylor and Wheeler Councillors Stevens, Tuohy, Mrs Bowyer, Sam Davey, K Foster, Mrs Foster, Jarvis, Nicholson, John Smith, Jon Taylor and Wheeler	Councillor K Foster	Councillor Stark Councillors Mrs Bowyer, Mrs Foster, Nicholson and Stark Councillor Stark		
61.3 91 LANGLEY CRESCENT, PLYMOUTH 13/01796/FUL Officer's Recommendation	Unanimous				

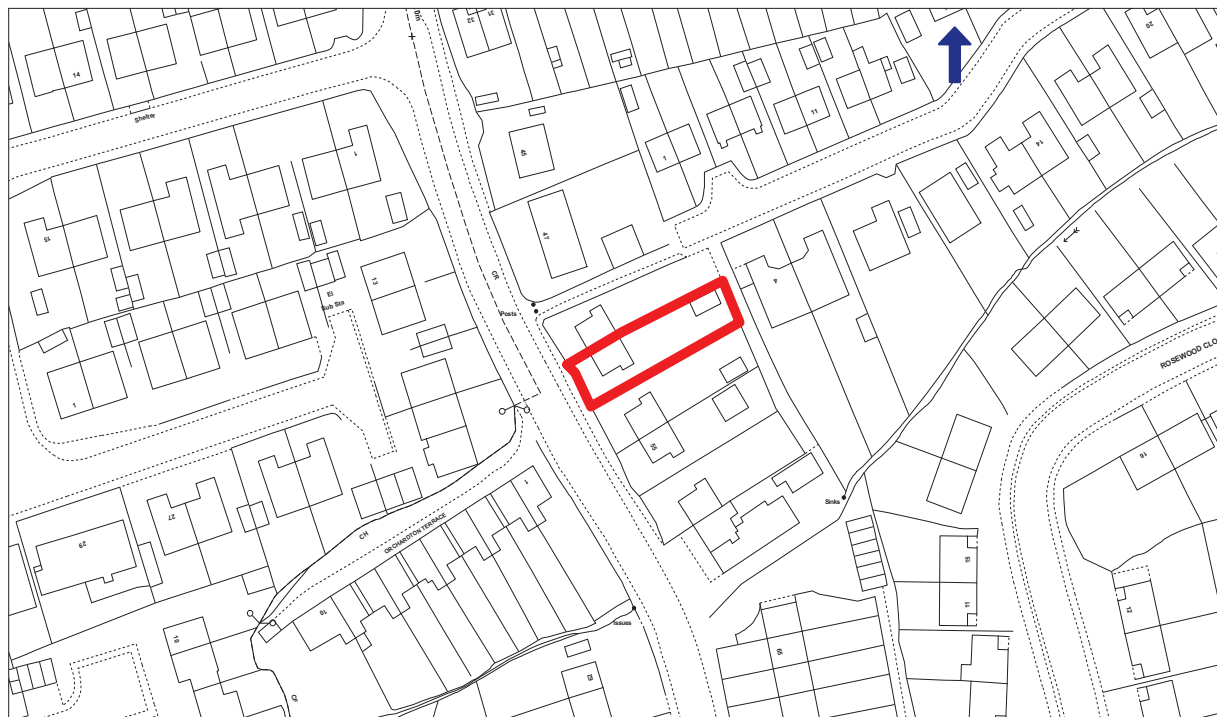
Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
61.4 5 COLLEGE PARK PLACE, PLYMOUTH 13/01755/FUL Deferral	Unanimous				
61.5 LAND AT SEATON NEIGHBOURHOOD, PLYMOUTH 12/02027/OUT Officer's Recommendation	Councillors Stevens, Tuohy, Sam Davey, Jarvis, John Smith, Stark, Jon Taylor and Wheeler		Councillors Mrs Foster, K Foster and Nicholson	Councillor Mrs Bowyer	
61.6 LONGFIELD HOUSE, GREENBANK ROAD, PLYMOUTH 13/01103/FUL Amendment to Condition (14) Additional Informative (8) Officer's Recommendation	Unanimous Unanimous Unanimous				
61.7 LONGFIELD HOUSE, GREENBANK ROAD, PLYMOUTH 13/01104/LBC Officer's Recommendation	Unanimous				
61.8 5 HILL LANE, PLYMOUTH 13/01363/FUL Proposal to Refuse Officer's Recommendation	Councillors Mrs Bowyer, Mrs Foster, K Foster, Nicholson and Stark Councillors Stevens, Tuohy, Sam Davey, Jarvis, John Smith, Jon Taylor and Wheeler	Councillors Stevens, Tuohy, Sam Davey, Jarvis, John Smith, Jon Taylor and Wheeler Councillors Mrs Bowyer, Mrs Foster, K Foster, Nicholson and Stark			

PLANNING APPLICATION REPORT



ITEM: 01

Application Number:	13/02043/FUL
Applicant:	Mr Paul Mathews
Description of Application:	Single storey side extension
Type of Application:	Full Application
Site Address:	51 GOOSEWELL ROAD PLYMOUTH
Ward:	Plymstock Dunstone
Valid Date of Application:	30/10/2013
8/13 Week Date:	25/12/2013
Decision Category:	Member/PCC Employee
Case Officer :	Liz Wells
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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This application has been brought to Planning Committee because the applicant is an employee of Plymouth City Council.

Site Description

51 Goosewell Road is a semi-detached residential property (single dwellinghouse) in Plymstock.

The property is set up and back from the road and is relatively well-screened from the road by a line of trees at the front.

Proposal Description

Single storey side extension.

The proposal is just over half the width of the original dwelling and therefore requires planning permission. The proposal has dimensions approximately 3.7m wide and 4.7m deep.

Revised plans have been submitted during the course of the application following officer negotiation. The revised plans show the extension set back from the front of the house by approximately 0.2 m and have changed the roof from lean-to to dual-pitched roof sloping front to back. Officers did not consider these amendments to warrant further public consultation in this case because no letters of representation had been received and the amendment is not considered to result in a significant additional impact on the neighbouring amenity compared to the originally submitted scheme.

Pre-Application Enquiry

None.

Relevant Planning History

No planning history for this property.

Consultation Responses

No consultation response requested or received for this application.

Representations

No letters of representation in respect of this application.

Analysis

1. The National Planning Policy Framework seeks to actively encourage and promote sustainable forms of development. It replaces all previous Planning Policy guidance issued at National Government Level.
2. This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework-Core Strategy 2007 and is considered to be compliant with National Planning Policy Framework guidance.

3. The main considerations in assessing this application are the impact on the neighbouring properties' amenities and the impact on the streetscene. The most relevant policy of the Core Strategy is CS34 (Planning Application Considerations) and detailed guidance set out in the Development Guidelines Supplementary Planning Document (SPD) First Review 2013 and National Planning Policy Framework Chapter 7 (Requiring Good Design).
4. 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.

Impact on neighbouring amenities

5. The proposal will have some impact on the adjacent neighbour, no, 53. No. 53 has a lean-to side extension with windows and a ground floor window facing the proposed extension. The application site is at a slightly higher ground level and the proposal lies to the north of that neighbour. The proposal will be positioned approximately 1 metre from this property boundary. Given the separation distance and relative orientation in the context of the existing property, officers do not consider the proposal will result in any unreasonable loss of light to that property.
6. No windows are proposed in the side of the proposed extension and therefore no unreasonable overlooking will result. However, in order to safeguard this neighbour's privacy in the future, a condition is recommended to remove permitted development rights for the insertion of windows in this side elevation. This is considered reasonable given the elevation relative to the neighbour and proximity to the boundary in this case.
7. The proposal will be visible from the side part of the garden of no. 53. Officers do not consider the impact on this part of the garden will result in an unreasonable impact on this neighbour's amenity when taking into account the appearance relative to the existing house, the relative orientation and the size and shape of the garden.

Streetscene

8. The property is relatively well-screened from the road by virtue of its position, set up and back from Goosewell Road and the line of tall trees. Nevertheless, the property is one of three pairs of semi-detached houses of the same age and design. The Development Guidelines SPD advises that side extensions should generally be set back from the front of the property. Whilst the set back proposed is less than 1 metre, it is considered sufficient in this case to distinguish the extension from the original house. In coming to

this view, officers have considered the existing extensions on nearby properties (specifically no. 57 and 55) and relatively small impact on the streetscene that the proposal will have.

9. The proposal is subordinate to the original house, and the proposed roof pitch mirrors the pitch of the main roof, and materials proposed are in keeping with the house.

Local Finance Considerations

- New Homes Bonus – not applicable to this application.
- Section 106 – not applicable to this application.
- Community Infrastructure Levy – there is no charge for this proposal under the current charging schedule.

Equalities and Diversities

None.

Conclusions

The proposal is recommended for approval subject to a condition restricting the insertion of windows into the side elevation in the future which may lead to an unreasonable loss of privacy to the adjacent neighbour at a lower ground level.

Recommendation

In respect of the application dated **30/10/2013** and the submitted drawings site location plan, existing and proposed plans and elevation drawing XY18/73/13 Revision 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: site location plan, existing and proposed plans and elevation drawing XY18/73/13 Revision 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.

FUTURE SIDE WINDOWS RESTRICTION OR OBSCURE GLAZED

(3) Notwithstanding the provisions of Article 3 and Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) any windows inserted in the at ground or first floor level in the side elevation of the proposed extension hereby approved shall at all times be obscure glazed (the glass of which shall have an obscurity rating of not less than level 5) and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and National Planning Policy Framework Chapter 7 (Requiring Good Design).

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

(1) 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).

INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)

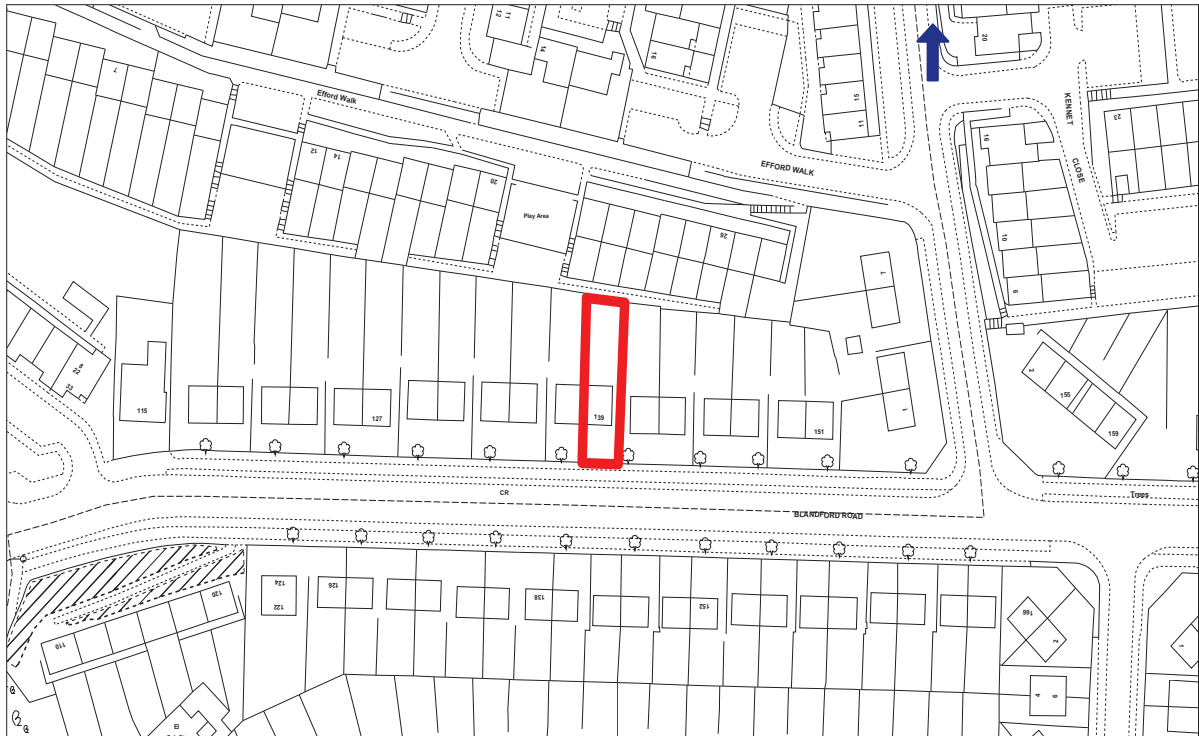
(2) In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated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

PLANNING APPLICATION REPORT



ITEM: 02

Application Number:	13/01927/FUL
Applicant:	Miss Claire Rushmere
Description of Application:	Widening access onto classified road
Type of Application:	Full Application
Site Address:	139 BLANDFORD ROAD PLYMOUTH
Ward:	Compton
Valid Date of Application:	08/10/2013
8/13 Week Date:	03/12/2013
Decision Category:	Member/PCC Employee
Case Officer :	Liz Wells
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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This application has been brought to Planning Committee because the applicant is an employee of the Council.

Site Description

139 Blandford Road is a semi-detached residential property in the Compton ward of the city.

The property has an existing single footway crossing and the majority of the front garden has been block paved. Blandford Road is a classified road and therefore planning permission is required to any new access or widening access onto it.

Proposal Description

Widening access onto classified road.

The proposal will involve widening the existing footway crossing from 3 metres to 4.8 metres wide and moving the access slightly downhill. Amended plans have been negotiated during the course of the application to clarify the precise width of the access and the separation distance between the proposed vehicle crossing and the adjacent vehicle crossing. Due to the minor nature of the amendments, the amended plans have not be subject to further public consultation.

Pre-Application Enquiry

None formal. Advice sought confirmed planning permission required for widening access due to the road classification.

Relevant Planning History

No planning history for application site.

A number of nearby properties have existing hardstandings and vehicle crossings. Number 133 has approval from 2012 – application reference 12/00536/FUL – APPROVED CONDITIONALLY.

Consultation Responses

Local Highway Authority – no objections subject to a condition that the car parking provision and vehicle footway crossing comply with all approved council standards. An informative is recommended to advise the applicant to contact Amey Highways who in accordance with approved council standards manage the provision of vehicle footway crossings in the public highway.

Amended plans have been negotiated following the Local Highway Authority response. The revised submitted plan B accords with the recommended condition.

Further comments detailed in analysis section below.

Representations

One letter of representation has been received objecting to the application on the basis of loss of on-street parking in the street, commenting that parking in this street is already horrendous and that the applicant can manage with a single width access.

Analysis

1. The National Planning Policy Framework seeks to actively encourage and promote sustainable forms of development. It replaces all previous Planning Policy guidance issued at National Government Level.
2. This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework-Core Strategy 2007 and is considered to be compliant with National Planning Policy Framework guidance.
3. The main consideration in assessing this planning application are the impact on highway safety and the impact on streetscene. The most relevant policy of the Core Strategy is CS28 (Local Transport Considerations) and the detailed guidance set out in the Development Guidelines Supplementary Planning Document (SPD) First Review 2013 and National Planning Policy Framework Chapter 7 (Requiring Good Design) and 4 (Promoting Sustainable Transport).

Highway safety/Parking

4. Turning provision: Generally, for highway safety reasons where there is off-street parking with access and egress from a Classified Road (as in this case) turning provision is also required within the private property to enable a car to turn and enter and leave the property safely in forward gear. However, the application property has long established vehicular access/egress and off-street car parking without turning provision (as have some other properties on Blandford Road), so in this case the application is for the modification of the existing arrangements which is considered acceptable in principal.
5. Width and spacing: The Local Highways Authority consultation response states PCC conditions for a domestic vehicle crossing including the current Conditions of Construction and Use for Domestic Vehicle Crossings indicate vehicle crossing shall have a maximum width in the street along the application property frontage not exceeding 4.8 metres at its widest point, with a minimum of 6 metres distance from any adjacent vehicle crossing. This spacing is to allow room for on-street parking. An amended plan has been submitted confirming that a 6 metre separation distance from the adjacent vehicle crossing for no. 137 Blandford Road can be achieved whilst still requesting the vehicle crossing of 4.8 metres width. As such, the 'revised plan B' submitted plan, accords with the Council's standards and the recommended condition.
6. Levels: The ground levels of the off-street parking area would appear not to have properly taken account of the gradient or slope of the street, and at the

west side of the application property the off-street parking area is slightly higher than the threshold of the street. As the managers of the highway network and vehicle crossing provision Amey Highways have confirmed in an e-mail dated 28 October 2013 that 'they usually advise residents that the ground level of the finished private hard-standing needs to match the level of the highway'; and clearly in approving the alterations to the position of the vehicle footway crossing in the highway, Amey Highways shall need to ensure that the level of the hard-standing and the vehicle crossing meet one another appropriately, in order to provide safe access/egress without detriment to the use of the street and the public highway.

7. Drainage: The block paved hard standing installed is understood to be constructed of standard block paving and drain towards the highway. Unless the surface is constructed of an accepted type of permeable paving that would allow surface water to soak through, provision should be made for surface water drain within the site to ensure that surface water would not run off onto the highway and cause a public nuisance. Without this, the hardstand is in breach of the condition set out in the permitted development allowances for hardstands. The amended plan and details provided by the applicant indicate that this could be provided by an ACO concrete rain channel with a galvanised grate on the top, to drain water back into the ground of the applicant's property. The recommended condition requires drainage measures to be put in place before it is brought into use.
8. Streetscene: The application property is currently open fronted with the exception of a narrow raised boarder to the lower side. There is a very slight height difference between the vehicle hard standing and the pedestrian access path to the higher side and across the front of the house. The Development Guidelines SPD acknowledges that paving front gardens to provide parking spaces has become popular but encourages as much original walling as practical to be retained to ensure the appearance of enclosure, and incorporating space for soft landscaping. There are a number of hardstandings to the front of neighbouring properties in the vicinity, the majority are for a single car width which retain some form of boundary treatment. The submitted scheme is contrary to this guidance by virtue of its open nature, however officers consider that due to the set back of the property from the road (due to the unusually wide pavements in this part of the road are very wide, including grass verges and street trees) then the impact of the proposal will not result in any demonstrable harm to the visual amenity of this street. Officers consider a refusal on this ground would therefore be unreasonable and considering that the same visual impact could be achieved from a hardstand built under permitted development allowances. The Local Highways Authority considers that once the exact position of the vehicle footway crossing has been established and approved by Amey highways, then the remaining frontage would benefit from some form of boundary treatment, which would also help to guide a car when entering and the leaving the property.
9. Loss of on-street parking: With regard to the letter of representation, it is acknowledged that the proposed increase in vehicle cross over may result in

the displacement of on-street parking to off-street parking to the benefit of the occupiers of the application site. The loss of on-street parking resulting from the increase of width in vehicle cross over for this property from 3.2 metres (existing) to 4.8 metres (proposed) represents the loss of less than one car length. Some properties are able to park two cars by using a single vehicle cross over. However, it appears that wider hard stand installed requires a wider vehicle crossing and the application seeks the maximum width of cross over permitted under the current Council standards of 4.8 metres. As detailed above, an amended plan has been negotiated to ensure that a 6 metres distance from any adjacent vehicle crossing is achievable to allow for on-street parking. In this instance, the small loss of on-street parking resulting from this proposal is not considered to be significant enough to warrant the application for refusal.

10. Impact on neighbours: Officer do not consider the widened vehicle crossing and associated hard stand will have an adverse impact on neighbour amenity.
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

None. No charge under current Community Levy charging schedule.

Equalities and Diversities

None. The planning history suggests that the planning department has consistently applied planning policy where required. Issues raised about recently installed vehicle crossings and off-street parking in the vicinity are being investigated.

Conclusions

The application is recommended for approval in line with the revised plan B submitted 20 November 2013 with the condition recommended by the Local Highways Authority to ensure the hardstand is drained before being brought into use and to maintain a separation from the adjoining vehicle crossing of not less than 6 metres to maintain on-street parking provision.

Recommendation

In respect of the application dated **08/10/2013** and the submitted drawings site location plan, existing plan and proposed plan A as amended, it is recommended to:

Grant Conditionally

Conditions

CAR PARKING PROVISION

(1) The car parking provision and vehicle footway crossing shall comply with all approved council standards, including the current Conditions of Construction and Use for Domestic Vehicle Crossings; and shall have a maximum width in the street along the application property frontage not exceeding 4.8 metres at its widest point, with a minimum of 6 metres distance from any adjacent vehicle crossing. It shall be constructed in accordance with accepted best practice and standards, and drained so as to prevent surface water issuing onto the highway; and without causing detriment to the street and the lawful use of the public highway. The car parking area shall not be brought into use until measures are put in place to ensure that the hard standing does not drain onto the Public Highway, and it complies with all of the requirements of the planning consent; and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

APPROVED PLANS

(3) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, existing plan and Revised plan B (received by email 20 Nov 2013).

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, and paragraphs 61-66 of the National Planning Policy Framework 2012.

INFORMATIVE: VEHICLE FOOTWAY CROSSING

(1) The applicant should contact Amey Highways who in accordance with approved council standards manage the provision of vehicle footway crossings in the public highway. The hard-standing and vehicle footway crossing shall meet the requirements of any associated planning consent and the standards set out in the current 'Conditions of Construction and Use for Domestic Vehicle Crossings'.

INFORMATIVE: CONDITIONAL APPROVAL (2)

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

INFORMATIVE: (3) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(3) 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: 03

Application Number: 13/01663/FUL

Applicant: Urban Splash

Description of Application: Retrospective change of use of parts of former public realm quay areas to continue use as outdoor seating areas for existing restaurants (use class A3) in 'Brewhouse and Mills Bakery buildings'.

Type of Application: Full Application

Site Address: PUBLIC REALM OUTSIDE BREWHOUSE AND MILLS BAKERY BUILDINGS ROYAL WILLIAM YARD PLYMOUTH

Ward: St Peter & The Waterfront

Valid Date of Application: 08/10/2013

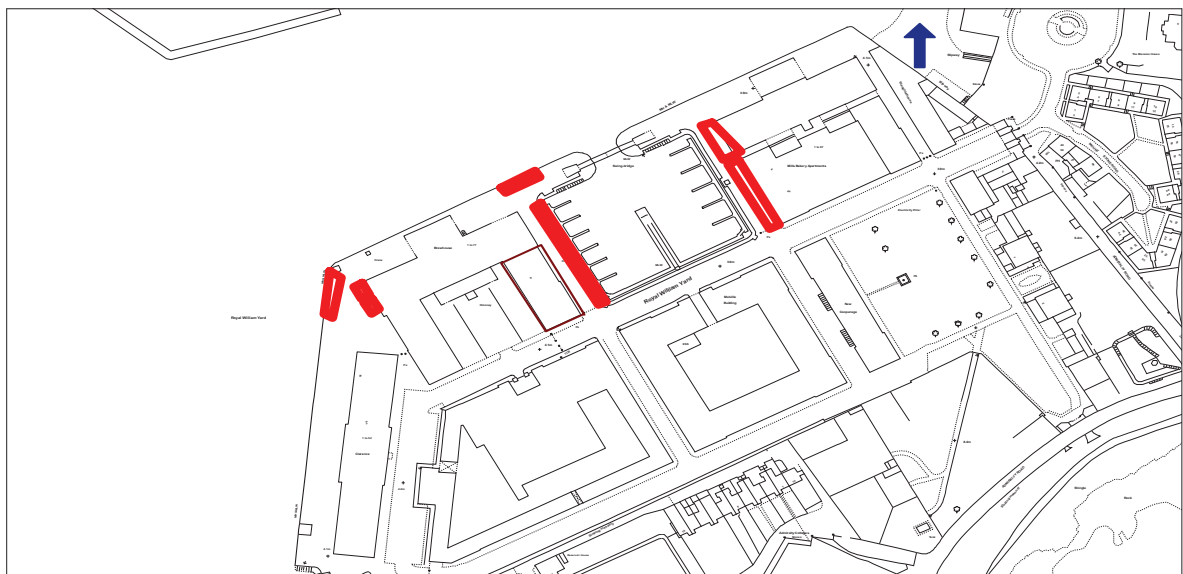
8/13 Week Date: 07/01/2014

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

Case Officer : Louis Dulling

Recommendation: Grant Conditionally

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



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Site Description

The Royal William Yard is situated within the Stonehouse Peninsula Conservation Area and consists of a number of listed buildings of which those immediately adjacent to the application site are Grade I (Mills Bakery, Brewhouse and Melville) with the Swing Bridge to the basin Grade II*.

Proposal Description

The application seeks retrospective consent for the change of use of land to form outdoor seating areas associated with A3 uses in Mills Bakery and Brewhouse.

Pre-Application Enquiry

None

Relevant Planning History

(3-5 Brewhouse) 12/02014/FUL Change of use from exhibition/arts area to restaurant and café use (Use class A3) – Granted Conditionally by Planning Committee 12/04/2013

(New Cooperage) 12/01449/FUL Change of use to a mixed use for a range of uses comprising: B1 business, A1 shops, A2 financial and professional services, A3 restaurants and cafes, A4 drinking establishments, A5 hot food takeaway, D1 non-residential institutions, D2 gymnasium use and D2 spa use, internal alterations and removal of external escape staircases with variation to Condition 12 of planning permission notice no. 10//01384/FUL to now require no more than 550 square metres of floorspace to be used for a combined total of A1 shop purposes, A2 financial and professional services, A3 restaurants and cafes, and A4 drinking establishments, without prior written approval of the local planning authority – Granted Conditionally (04/02/2013)

(Mills Bakery) 05/00416/FUL Conversion of the existing Mills Bakery building to create 79 residential apartments and offices. Change of use of parts of the ground floor to A1/A3 use, professional office services and B1 use in the east wing – Granted Conditionally (15/06/2006)

(Brewhouse) 02/01683/FUL Change of use, conversion and alterations to buildings to form 130 residential units, change of use of parts of the ground floor of the Brewhouse to an exhibition/arts facility and to retail/hot food units (Classes A1/A3) – Granted Conditionally (29/05/2003)

Consultation Responses

Environment Agency: no concerns

Police Architectural Liaison Officer: no concerns

Public Protection Service: recommends conditions and informatives should the application be approved

Local Highways Authority: recommends that the Transport Strategy for the Royal William Yard be submitted within 3 months of the consent should the application be recommended for approval.

Devon and Somerset Fire and Rescue Service: require a minimum of 3.1 metre width between kerbs

English Heritage: Whilst supportive of a mixed-use area the proposal does not appear as a co-ordinated, consistent and coherent approach (30/10/2013). 'The current proposals are harmful to the setting of the highly graded listed buildings and the character and appearance of the conservation area. As such they are contrary to advice in the NPPF and harmful to the coherence of the Yard' (08/11/2013).

Re-consulted (14/11/2013) following reduction in number of seating area

Representations

2 letters of representation in support of the proposal has been received. The main points are as follows;

- Need for local employment
- Support prosperity of Royal William Yard
- Amendments an improvement

16 letters of representation have been received in objection to the proposal. The main points are as follows;

- Noise
- Content of conversations
- Lack of information regarding noise
- Cigarette smoke ingress
- Proximity to residential properties
- Hours of use
- Emergency access
- A3 use more towards A4
- Anti-social behaviour
- Taxi pick-up area

1.0 Analysis

1.1 The application turns upon policies CS02 (Design), CS03 (Historic Environment), CS12 (Cultural/Leisure Development Considerations), CS13 (Evening/Night-time Economy Uses), CS22 (Pollution), CS28 (Local Transport Considerations) and CS34 (Planning application considerations) of the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021, Millbay and Stonehouse Area Action Plan 2006-2021 and the aims of the Council's Development Guidelines Supplementary Planning Document First Review, and the National Planning Policy Framework.

1.2 The National Planning Policy Framework seeks to actively encourage and promote sustainable forms of development. It replaces all previous Planning Policy guidance issued at National Government Level.

1.3 This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework-Core Strategy 2007 and is considered to be compliant with National Planning Policy Framework guidance.

1.4 The primary planning considerations in this case are the impact on residential amenity, the impact on the setting of listed buildings Stonehouse Peninsula Conservation Area, the overall character and appearance of the area, transport, the impact upon the existing businesses and the economy.

2.0 Amendments to Proposal as Originally Submitted

2.1 Following the amended plans received on 11/11/2013, which removed the areas of seating that are not currently in situ, the description of the application was amended as appropriate. Site notices were then placed on site to re-advertise the proposal for 14 days in order to highlight the changes to the proposal.

2.2 The amendments removed approximately; 64 covers to the north elevation of Mills Bakery, 58 covers to the immediate east of Brewhouse and 24 covers to the north west corner of Brewhouse (fronting the water). As such the proposal has reduced the overall number of seating by 146. The application now seeks consent for 401 seats.

2.3 The application now for consideration seeks consent for; 2 areas of seating to the immediate west of the Mills Bakery Building providing 132 covers in total; 2 areas of seating to the east of Brewhouse providing 131 covers in total; an area of seating to the north east corner of Brewhouse providing 32 covers; 2 areas of seating to the immediate west of Brewhouse providing 58 covers; and an area (fronting the water) providing 48 covers.

3.0 Previous examples of External Seating in the City

3.1 An application was made in 2006 (06/00392/FUL) for the 'change of use from private Quay Road to enclosed external seating area (A3 restaurant/café) and erection of glazed screens and ancillary structures' which provided approximately 400 covers on plan. No noise, hours of operation or management conditions were attached to the granting of planning consent. Although the density of residential development in the immediate area is less than that of the Royal William Yard the material planning considerations are similar.

3.2 Furthermore an application in 2004 at the property now known as The Berkeley Bar and Grill (04/01561/FUL) to 'reinstall 2 windows and provide external seating, balustrading, pavements, lighting, umbrellas and external furniture, with retention of trees and lead planters', was granted planning consent without any noise, hours of operation or management conditions. The application provided 112 covers to the ground floor with 15 residential units at upper floor levels.

4.0 Residential Amenity

4.1 The Royal William Yard is a mixed use area with residential units above the A3 restaurant uses in Mills Bakery and Brewhouse. The letters of representation raise the issue of noise associated with the use of the outdoor seating areas.

4.2 After seeking the advice of the Public Protection Service regarding the validation requirements for the application officers validated the application without a noise assessment. A resident of the Yard subsequently queried this and has sought the advice of an acoustician, regarding the submission of a noise assessment, which suggested that an assessment was necessary.

4.3 However, officers considered that there were a number of limiting factors in producing a meaningful assessment. The seating being distributed across different areas within the yard, varying nature of the clientele and seasonal variances in the level of usage would likely lead to an assessment that would be of limited use to officers' assessment. The Noise Policy Statement for England (NPSE) (2010) states that 'there are currently no European or national noise limits which have to be met' and as such the absence of suitable standards to measure against (there are no set standards for acceptable noise levels for such a use) would not provide an opportunity to measure against an established level.

4.4 The Public Protection Service have received complaints of noise from the outside area, however on investigation no evidence was obtained that resulted in any formal action.

4.5 It is recognised that the use of the outdoor seating areas is weather dependent and as such peak periods of use would be during the Spring and Summer months. There is a significant reduction in the use of the outdoor seating during Autumn and Winter months. During a number of recent site visits in connection with this application and others in the Yard some areas of seating have been stacked and stored outside of the restaurants.

4.6 A condition shall be attached to the granting of consent to ensure that the outdoor seating is stacked and secured after the designated hours of use. This will enable the operators of the restaurants to enforce the hours of operation and remove the potential for the outdoor seating areas to be used beyond the opening hours of the restaurants.

4.7 Section 11 of the NPPF states that 'Planning policies and decisions should aim to: mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions'. As such officers recognise that the development has the potential to give rise to noise related complaints and as such recommend a robust Management Plan is agreed and adopted for the duration of the development. The Management Plan which includes details of how the operators intend to control and monitor any such activity that may affect residential properties and hourly security checks to identify any such activities is considered to mitigate and reduce the impact upon residential amenity. The Management Plan has been agreed upfront and following further consultation with the Public Protection Service officers are satisfied that it is suitably robust.

4.8 Furthermore it is proposed that the Management Plan is to be reviewed annually and on any occasion when significant changes to the business take place or any substantiated complaints are received from local residents. This allows the LPA to retain the ability to ensure that the Management Plan is appropriate for the lifetime of the development.

4.9 Additionally a condition is suggested to the granting of consent to ensure that hours of use are controlled. Officers recommend that the outdoor seating areas must not be used outside of 1000 – 2230 hours Monday to Saturday and 1100 – 22.30 Hours on Sundays and Bank Holidays. Furthermore it is proposed that the condition shall remove the ability for customers to be allocated external seats after 2100 hours, with all areas of outdoor seating to be vacated by 2230 hours. The seating to be used (specific types to be secured by way of condition) shall have rubber feet so as to minimise noise disruption during setting up and removal of the seating.

4.10 In anticipation of the continued use of the outdoor seating areas a condition is recommended to the granting of consent to ensure that there is no music permitted in the outdoor seating areas unless otherwise agreed in writing by the LPA.

4.11 The NPPF also states that Planning decisions should ‘recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established’.

4.12 In this instance the majority of the ground floor units use as A3 were granted consent at the same time as the residential properties above. The application which provided a further A3 unit to the ground floor of Brewhouse (12/02014/FUL) was approved by Planning Committee earlier this year (12/04/2013). As such although the outdoor seating areas are additional to that originally consented these facilities are considered to encourage use of the Yard by non-residents which support the vitality of the businesses operating there. The outdoor seating is considered to be a sustainable way for the existing businesses to develop.

4.13 The Noise Planning Statement for England states that ‘there is a need to integrate consideration of the economic and social benefit of the activity or policy under examination with proper consideration of the adverse environmental effects, including the impact of noise on health and quality of life. This should avoid noise being treated in isolation in any particular situation, i.e. not focussing solely on the noise impact without taking into account other related factors’. It is officers’ opinion that the provision of outdoor seating supports wider economic and social aspirations. On balance given that the Management Plan will allow a level of control, in planning terms (as well as statutory nuisance and licensing regimes and other related legislation), over the use of the outdoor seating it is considered that noise can be mitigated so as not to have a significant adverse impact upon the quality of life of the residents at the Yard.

4.14 The Core Strategy (2007) identifies the Royal William Yard as a 'mixed use regeneration' area. Furthermore the Millbay and Stonehouse Area Action Plan (AAP) (2007) states 'the First Deposit of the Local Plan [2001] sought a mixed-use scheme for the yard and that aspiration has been consistently applied since. Much of the initial development within the yard has been focussed on private residential use. It is therefore necessary for the remaining buildings to have a greater focus on the other uses such as employment, cultural and community uses'. The Royal William Yard has therefore long been identified within adopted planning policies as a mixed-use area. The outdoor seating areas are considered to support the use of the Yard as a mixed-use area.

4.15 There has been some concern regarding the use of the consented A3 restaurant uses. The outdoor seating has been assessed as being used in conjunction with the A3 use. An informative is proposed to the granting of consent to ensure that the A3 uses remain used for restaurant purposes and not for an A4 (drinking establishment) use. Any change of use would require planning consent.

4.16 In order to ensure that the use of the outdoor seating areas remains as A3 restaurant use a condition shall be attached to the consent to have alcoholic drinks served to the outdoor seating areas by waiter/waitress service only with associated signage to make customers aware of this service. This provides the operator and staff the opportunity to control sources of potential adverse noise.

4.17 In addition to the mitigation of noise the Management Plan also seeks to mitigate the ingress of cigarette smoke into the residential properties above the outdoor seating areas. The Management Plan requires designated smoking areas to be at least 2 metres away from the façade of any building with residential properties (details of which to be secured by condition) above which should allow for the smoke to disperse away from the buildings' façade and reduce the potential ingress into residential properties. This element of the Management Plan has been informed by previous complaints relating to smoke ingress. It is however important to note that given the areas are currently defined as 'public realm' the Planning Authority would have no control over members of the public choosing to smoke in close proximity to the building facades should the areas remain as public realm.

5.0 Historic Environment

5.1 Given the importance of the Royal William Yard in terms of the number and quality of listed buildings the impact of the seating upon the historic environment is a material planning consideration central to the assessment of the application.

5.2 The type of seating that is currently in situ is not considered to be acceptable. Whilst certain areas of seating are considered to be sympathetic to the setting of the Grade I listed buildings others are considered to have a detrimental impact. It is also considered that the use of large umbrellas are not acceptable in terms of the impact upon the character and appearance of the Conservation Area and listed buildings. It is considered that the type of seating to be used should be as lightweight and transparent as possible to ensure that the impact upon the setting of the listed buildings is acceptable.

5.3 Officers as well as English Heritage consider that there should be a coherent and consistent approach to the type of seating within the Yard. The 2007 Management Plan, by RPS, notes (Paragraph 4.10) "The Public Realm- The coherence of the Yard, so important to its overall quality, can easily be compromised if a consistent and coordinated strategy is not adopted to signage, lighting, street furniture, paving materials, and carriageway design, or if not enough attention is paid to the spaces between the buildings."

5.4 As such officers have agreed a suitable condition with the applicant which requires further details regarding the type of seating to ensure an acceptable level of quality and a more consistent approach across all areas applied for under this application.

6.0 Transport and Parking

6.1 Given the areas of outdoor seating are currently in situ it is officers' opinion that the development will not increase the current day-to-day trip generation and associated car parking demands at the Yard. In accordance with Circular 11/95 it is not considered reasonable and necessary to condition for the provision of the Transport Strategy in order to allow the development to be considered to be acceptable.

6.2 It is officers' opinion that the use of the outdoor seating during the warmer spring and summer months would not necessarily result in an increase in the number of people visiting the restaurants, with the majority opting to sit outside rather than inside and as such would not lead to an increase in demand for car parking.

6.3 It is also noted that the proposed plan does not appear to make allowances for the siting of the crane to the west of Mills Bakery in terms of emergency access. After consultation with the Devon and Somerset Fire and Rescue Service a minimum of 3.1 metres width should be provided in order to allow access for the emergency services. As such a condition shall be attached to the granting of consent to ensure that this remains clear and unobstructed in perpetuity.

7.0 Other Considerations

7.1 Concerns have been raised regarding the taxi pick-up/drop-off areas. However, the application for consideration is for the use of areas as outdoor seating. It is not considered that the use of these areas has a direct impact upon the areas which taxis operate. As such it is not considered to be appropriate to condition for a taxi pick-up/drop-off area within the scope of this application.

8.0 Human Rights

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

9.0 Local Finance Considerations

New Homes Bonus

None

Community Infrastructure Levy

The proposal does not attract a fee under the current charging schedule.

Section 106 Agreements

None

10.0 Equalities and Diversities

None

11.0 Conclusions

11.1 Overall, following amendments and appropriate conditions the proposal is considered to be in accordance with the NPPF which states 'planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'. For the reasons as discussed above the proposal is considered to be acceptable and as such is recommended for approval.

Recommendation

In respect of the application dated **08/10/2013** and the submitted drawings GA-900 Rev: PL2, GA-910 Rev: PL1, GA-911 Rev: PL1, GA-901 Rev: PL7, it is recommended to: **Grant Conditionally**

Conditions

APPROVED PLANS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: GA-900 Rev: PL2, GA-910 Rev: PL1, GA-911 Rev: PL1, GA-901 Rev: PL7

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, and paragraphs 61-66 of the National Planning Policy Framework 2012 and the National Planning Policy Framework.

MANAGEMENT PLAN

(2) The outdoor seating hereby approved shall be managed in accordance with the Royal William Yard Outside Seating Area Management Plan and Procedures document (Management Plan) in perpetuity unless otherwise agreed in writing by the Local Planning Authority. Notwithstanding the approved Management Plan the document shall be reviewed annually and on any occasion when significant changes to the businesses take place or any substantiated complaints are received from local residents.

Reason: To protect the residential and general amenity of the area from noise emanating from the external seating areas and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the National Planning Policy Framework and in particular Section 11, paragraph 123.

HOURS OF OPERATION

(3) The outdoor seating areas must not be used outside of the following times:

Monday to Saturday 10.00 - 22.30 hrs

Sunday 11.00 - 22.30 hrs,

After 21:00 no external seating is to be allocated to customers.

The external seating must be cleared of customers by 22:30.

External furniture must only be set up or removed between the hours of 10:00 am and 22:40pm Monday - Saturday and 11:00am and 22:40pm on Sundays. The external furniture shall be stacked and made secure outside of the designated hours of use.

Reason: To protect the residential and general amenity of the area from noise emanating from the external seating areas and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the National Planning Policy Framework and in particular Section 11, paragraph 123.

OPERATIONAL RESTRICTIONS TO ENSURE USE REFLECTS USE CLASS

(4) The supply of alcoholic drinks to the external seating area must be by waiter/waitress service only.

In prominent positions in the outside seating areas signage must be present stating the opening times of the outside area and that it is served by waiter/waitress service only.

Reason: To protect the residential and general amenity of the area from noise emanating from the external seating areas and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the National Planning Policy Framework.

OUTDOOR TABLES AND FURNITURE

(5) Furniture used in the outside area must fitted with rubber feet.

Reason: To protect the residential and general amenity of the area from noise emanating from the external seating areas and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the National Planning Policy Framework and in particular Section 11, paragraph 123..

OUTDOOR SEATING

(6) Music is not permitted in the outdoor seating areas, unless otherwise agreed in writing from the Local Planning Authority.

Reason: To protect the residential and general amenity of the area from noise emanating from the external seating areas and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the National Planning Policy Framework and in particular Section 11, paragraph 123.

SMOKING AREAS

(7) Smoking shall only take place in designated smoking areas which must be at least 2 metres away from the façade of any building with residential properties adjacent or above. Prior to use any smoking area must be approved by the Local Planning Authority. After 22:30 hours the designated area must be used for smoking only.

Reason: To protect the residential and general amenity of the area from noise and odour emanating from the external seating areas and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the National Planning Policy Framework.

EMERGENCY ACCESS

(8) Notwithstanding the plans hereby approved an access measuring a minimum of 3.1 metres width should be provided in order to allow access for the emergency services between the west elevation of Mills Bakery and the crane and shall remain clear and unobstructed in perpetuity.

Reason: In order to ensure a sufficient access width for emergency vehicles in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the National Planning Policy Framework.

DETAILS OF EXTERNAL FURNITURE

(9) Notwithstanding the existing external furniture the type of furniture shall be submitted to and approved in writing by the Local Planning Authority within 1 month of the date of this consent and shall remain as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the setting of the listed buildings, Conservation Area and overall character and appearance of the area and avoid conflict with Policies CS02, CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) and the National Planning Policy Framework.

INFORMATIVE: LICENCING ACT 2003

(1) All businesses operating within the Royal William Yard must have regard to the requirements placed on them by their premises licence. These may be more stringent than the planning conditions and may place restrictions on the number of outdoor covers that they are permitted to operate which conflicts with the number for which planning permission has been granted.

INFORMATIVE: SMOKING AREAS

(2) You should consider the effect that patrons of the Royal William Yard smoking may have on residential properties. In particular it is advisable to designate areas close to any building as non-smoking to minimise and any odour or noise having an adverse effect on residential properties. Public Protection would recommend that any designated smoking area is at least 2 metres away from the façade of any building with residential properties adjacent or above. Prior to use any smoking area must be approved by the Local Planning Authority as identified in the noise management plan. After 22:30 hours the designated area must be used for smoking only.

INFORMATIVE; PROVISION OF SANITARY ACCOMMODATION

(3) When allocating outdoor seating to a particular business the applicant should take into account the number of WC's, urinals and associated sanitary accommodation is suitable to comply with BS6465 - 1:2006 +A1:2009 British Standard Sanitary Installations.

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

(4) 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).

INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)

(5) 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: CONFIRMATION OF USE CLASS

(6) The outdoor seating areas benefit from A3 use. Any change of use from this use class will require planning consent.

PLANNING APPLICATION REPORT



ITEM: 04

Application Number: 13/01688/FUL

Applicant: Mr Tim Burke

Description of Application: Erection of 4th storey and extensions and alterations to existing 3 storey building to create 12 additional dwellings with associated parking and landscaping (revision to 13/00901/FUL)

Type of Application: Full Application

Site Address: 23-51 VICTORIA PLACE PLYMOUTH

Ward: Devonport

Valid Date of Application: 12/09/2013

8/13 Week Date: 12/12/2013

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

Case Officer : Olivia Wilson

Recommendation: Grant Conditionally

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OFFICER'S REPORT

Site Description

The site is located on Victoria Place, a residential street in Stoke that is characterised by period terraced properties. The existing development comprises a 3-storey flat-roofed building that is divided into 3 blocks linked by external walkways and staircases. The building has a brutal, uncompromising appearance that is typical of many blocks of flats from the 1960s. Garages, parking spaces and a small grassed amenity area lie to the rear of the site. A rear service lane runs along the north of the site at the rear of Haddington Road and the west of the site at the rear of Arundel Terrace. This lane provides the primary means of access to the properties along Arundel Terrace. There are mature street trees along Victoria Place, including a tree immediately outside the development site.

Proposal Description

Erection of 4th storey and extensions and alterations to existing 3 storey building to create 12 additional dwellings with associated parking and landscaping (revision to 13/00901/FUL).

Pre-Application Enquiry

A meeting was held with the applicant following refusal of application 13/01688/FUL. It was recommended that the number of dwellings be reduced in order to address car parking concerns and residential amenity issues concerning the height and massing of the proposal. It was also recommended that the design of the frontage be altered to create a more traditional appearance more in keeping with the street-scene.

Relevant Planning History

08/00285/FUL – Alterations and extensions to existing building to provide an additional 14 residential units – refused.

13/00901/FUL - Erection of 4th storey and alterations to existing 3-storey building to create 14 additional dwellings, demolition of garages to rear and landscaping – refused.

Consultation Responses

The Highway Authority has no objection to the proposal. There is a shortfall of one parking space to serve the flats, but as there is on-street parking available this is not detrimental enough to constitute a reason for refusal. It is recommended that conditions be attached requiring the height of the boundary wall to be no more than 900mm high and for 14 secure cycle parking spaces to be provided.

The Public Protection Service has no objection to the application. It recommends a code of practice condition to protect residents from noise during construction and a noise condition requiring the new dwelling units to be built to good room criteria. An unexpected land contamination condition is also recommended in the event that contamination is found during the construction process.

The Devon and Somerset Fire Service notes that it normally comments in relation to Building Regulations but it sees no reason to object to the proposal.

The Devon and Cornwall Police Architectural Liaison Officer has no objection to this application.

Representations

Nineteen letters of representation have been received from local residents of Victoria Place, Haddington Road and Arundel Terrace.

These raise the following concerns:

- The proposed building is too tall and out of keeping with the character of the area, especially along a rear service lane.
- It will cause overlooking and loss of privacy to neighbouring properties in Arundel Terrace, Victoria Place and Haddington Road and will block sunlight to nearby residents on Victoria Place and Haddington Road.
- It will lead to more on-street parking pressures.
- The installation of a fence around the boundary of the parking area will restrict access for emergency vehicles to residents of Arundel Terrace.
- It will lead to an increase in noise in the area from comings and goings.
- It is out of scale with the existing residential layout.
- There will be a loss of green space and play space on the site and insufficient landscaping.
- The revised proposals differ little from the previous application that was refused. The artist's impression of the rear service lane is inaccurate.
- What will happen to the street trees?
- Recognise that the existing flats are ugly but the replacement flats are not acceptable.
- The area has been proposed for an extension to the Stoke Conservation Area – it has historic character that should be protected.

In response to revisions to the plans, four letters have been received that state that the addition of frosted glass to the Juliette balconies is a token measure and does not address the issue of overlooking of properties on Arundel Terrace.

Analysis

1. This is a re-submission of a previous application (13/00901/FUL) that was refused on the grounds of design, lack of parking and detrimental impact on residential amenity. An earlier application for a similar scheme (08/00285/FUL) was refused due to failure to complete the S106 obligation.

2. The proposal has been revised from the previous application (13/00901/FUL) in the following ways:

- The scheme has been reduced by two dwellings (from 14 to 12)
- An additional car parking space has been provided, meaning that there is a shortfall of only one parking space to serve the whole development (26 spaces serving 27 flats).

- The footprint of the extensions has been reduced to reduce the massing and to move the southern edge of the development away from the boundary with No. 21 Victoria Place. The side extension along the rear service lane behind Haddington Road has been reduced from four stories to three.
- The design of the flats has been changed from a curved standing seam roof to a mansard roof with dormer windows at fourth floor level, with a slate roof to better match the design and character of other dwellings in the street.
- Further amendments have been made to the scheme, to move the boundary fencing away from the junction between the service lanes serving Haddington Road and Arundel Terrace, and to install obscure glazing to the Juliette screens on the west (rear) elevations of the flats to reduce overlooking of properties in Arundel Terrace.

3. The proposal is to extend and alter the existing building (consisting of three linked blocks of flats), with infill and side extensions proposed to each of the three existing blocks and a new storey added in the form of a Mansard roof, raising the height of the development from three storeys to four. In total, the number of flats will be increased from 15 to 27 with the addition of 12 flats (11 two-bed flats and one one-bed) and the 3 existing flats will be extended. New treatments are proposed to the external appearance of the buildings to upgrade their appearance and to create a unified appearance to the development. Existing garages to the rear are to be demolished and replaced by open car parking.

4. The key planning considerations with this application, as with the previous application, are: design and impact on the street-scene, impact on residential amenity, standard of accommodation; highways and parking and sustainability. The main policies to be considered in relation to these issues are: CS34, CS02, CS28, CS15 and the Development Guidelines and Design SPDs and the National Planning Policy Framework (NPPF) which seeks to actively encourage and promote sustainable forms of development. It replaces all previous Planning Policy guidance issued at National Government Level.

Design and impact on the street-scene

5. The majority of properties along Victoria Place are two storeys with mansard roofs and dormer windows, but no. 34 Victoria Place, opposite the site, is three storeys in height. The properties along Haddington Road are large, two-storey terraced properties with pitched roofs (some with loft rooms) while the properties along Arundel Terrace are smaller, two-storey terraced dwellings, also with pitched roofs. The immediate surrounding area has a traditional residential character.

6. The current buildings are considered to be of low architectural merit. The flat-roofed, block design and open stairwells between the blocks do not reflect the character of the area, while the garages to the rear appear to be unused and have a run-down appearance. The amenity area to the rear also lacks character and landscaping.

7. Concerns have been raised by residents about the impact of the proposal on the character of the area. Residents consider that the height, massing and design is out of scale, although it is recognised that the existing flats are not attractive. They do not consider that the proposal has been significantly revised to address the previous concerns.

8. The previous design was considered by officers to be over-dominant in terms of height and massing, particularly along the side elevations of the development, contrary to guidance contained in the Design SPD (adopted in 2009). It was also considered to be out of character with other dwellings in the street, particularly in the fenestration along the front elevation.

9. The revised proposal is considered by officers to respond to the previous refusal reasons. Changes to the design of the fenestration, cladding of the front elevation and roof design are considered to be more acceptable and more in keeping with the traditional character of the street-scene. The proposals would remove the unsightly existing open stairwells between the blocks by enclosing them and would create a continuous street frontage which is considered to be a positive element of the scheme. The increase in height to four storeys would raise the height of the scheme above the surrounding dwellings, but the mansard roof design serves to reduce the height of the scheme compared with the previous scheme.

10. The scale of the scheme along the northern elevation has been reduced. The new extension has been slightly reduced in length and will be three storeys compared to four previously. While still introducing more of a built-up character to the rear service lane, officers consider that the scheme is an improvement on the previous scheme. The massing along the rear service lane is increased compared to the existing buildings on site, but officers do not consider that the addition in height and massing is sufficient to warrant a refusal.

11. Comments have been made about the visual representation of the scheme. It is important to emphasise that while the images provide a guide to how the scheme would look, the planning considerations are based on the scale plans that are submitted.

12. Concern has also been raised about an impact on the street trees. These are outside the site boundary. Officers note that the trees are shown on the proposed site plan, and there is no proposal to remove these trees.

13. Comments have also been made about a proposed extension to the Stoke Conservation Area to include this site. At present there are no proposals to extend the boundary of the Conservation Area and therefore the area does not come under Conservation Area policies.

14. The Design SPD states that proposals should respect the key characteristics of the area and should sit comfortably within their setting. They should also have regard to scale. In this proposal the site is within a residential neighbourhood as described above, but is considered to be a relatively sustainable location in that it is within easy walking distance of Albert Road Local Centre and also within easy access of regular bus services. While officers acknowledge that the proposal is for a considerable increase in the scale of residential development on the site which will create a higher density of residential use than is typical of the immediate area, officers consider that the amendments to the design of the scheme are acceptable, given that the site is already within residential use as flats, and the area is suited to higher density development given its relatively sustainable location.

Impact on residential amenity

15. The existing development already gives rise to a certain amount of overlooking of neighbouring properties. To the north, the property faces onto a rear service lane serving the rear of properties on Haddington Road (Nos. 15, 16, 17, 18 and 19) and providing access to properties along Arundel Terrace to the west at the rear of the site. To the east, the development faces Victoria Place directly opposite to Nos. 43, 32, 30, 28 and 26. To the south, the existing building adjoins No. 21 Victoria Place which is a two-storey property with mansard roof and two-storey tenement to the rear. These properties are considered to be most affected by the development.

16. Currently, the block facing towards Haddington Road faces directly towards the rear of Nos. 15 and 16. No. 15 is well screened from the lane by a garage and high stone wall. No. 16 has an open rear hard-standing with a small amenity space. Officers consider that the rear windows of No. 16 are currently overlooked. The current block is 15.5m long and 8m high.

17. The proposed extension along the rear service lane is 6m in width (reduced from 9m), making this proposed side elevation 21m length in total. The addition of a fourth storey along the existing block will raise the height of the whole block to 11.5m (an additional 3.5m). The new extension will be three stories in height (9.4m high).

18. The previous application was considered by officers to cause detrimental overlooking to Nos. 17 and 18 Haddington Road in addition to Nos. 15 and 16. Officers recognise that the revised proposal has been reduced in scale by 2m in height and 3m in width. The distance from the side elevation to the rear elevation of No. 16 is 25m. While this is tight, it is an existing situation and the addition of one storey is not considered to be significantly more detrimental than the existing situation. There will be a visual impact on No. 17 and 18 in terms of outlook and overlooking from the extension (and to a lesser extent the other properties along this section of Haddington Road) but this is not considered to be unacceptable enough, given the existing situation, to warrant a refusal.

19. The properties along Arundel Terrace lie at a greater distance from the site and at an angle to the site. The distance from the end of the proposed rear extension to the back of the rear tenement of No. 7 Arundel Terrace is 32m, and 48m to the rear elevation. The properties are at a lower elevation than Victoria Place due to the topography of the site, so the extension will appear higher when viewed from Arundel Terrace. The height of the south side elevation will be 12.8m. Officers acknowledge that the proposal will affect the outlook of properties in Arundel Terrace and will cause some overlooking of their rear gardens. However, officers consider that the distance between the development and these properties is sufficient to avoid any detrimental loss of outlook or privacy. The plans have been revised to provide obscure glazed screens across the rear Juliette balconies which will help to some extent to improve privacy for both occupiers of the new flats and existing residents. This can be enforced by condition. The demolition of the existing garages is likely to enhance the outlook of properties in Arundel Terrace.

20. The previous application was considered by officers to have a detrimental impact on the outlook of No. 21 Victoria Place. The revised proposal has been moved away from the shared boundary by 1.5m to create a 3m gap to the boundary. While this block will be increased in height and massing, officers consider that the revised proposal is now acceptable.

21. Nos. 34, 32, 30 and 28 Victoria Place lie to the east of the site on the opposite side of the street. Concerns have been raised about loss of privacy and loss of sunlight by the addition of a fourth storey and infilling. Officers do not consider that the increase in height would detrimentally affect the privacy of these dwellings, given that it would affect the front elevations which are already public elevations as they face the street. While the increase in height would block outlook for the upper storeys, officers do not consider that this would be detrimental enough to constitute a reason for refusal.

22. Overall, officers consider that the revisions to the proposal have responded to concerns raised with the previous application and, although finely balanced, will not be detrimental enough to neighbouring amenity to justify a refusal.

23. A condition requiring a code of practice for construction is considered appropriate in this instance to protect residents from disturbance during construction.

Highways and parking

23. Concerns have been raised about the impact that the increase in number of dwellings will have on traffic and parking. In addition, concern has been expressed that changes to the car parking layout at the rear will affect the ability of emergency vehicles and refuse lorries to access the rear service lanes.

24. The creation of the 12 additional flats will result in there being a total of 27 units. The previous application had a shortfall of parking spaces to serve the development. This revised proposal has a shortfall of one space, but this is not considered to be a reason for refusal given that there is on-street parking available.

25. Officers recognise that the development will potentially increase the amount of vehicles using the rear service lane to access parking, and may increase on-street parking. However, officers note that existing parking provision is to the rear of the site off the service lane, so the access arrangement is an already existing situation. The new car park layout will make the spaces easier to use by residents and should reduce on-street parking.

26. The plans have been revised to set the boundary fence back from the corner of the service lane junction in order to provide for more turning space for vehicles. This is considered to be positive and will help the movement of traffic. Officers consider that subject to conditions relating to provision of secure cycle parking and visibility, the level of parking provision is now acceptable.

27. The rear service lane is currently accessed for refuse collection. Officers consider that the proposals will not change the existing situation with regards to access. Access for emergency vehicles is not a planning consideration, but the Devon and Somerset Fire Service can see no objection to the proposal. Currently, there is no boundary treatment to the site. Railings are proposed around the boundary. Details can be requested by condition. Bin storage is currently shown within the internal courtyard adjacent to the car parking area. Bin collection would be from the rear car park entrance. Officers consider that it is important that bin storage and collection is properly considered, and consider that a condition is required for further details to be submitted.

Standard of accommodation

28. The proposed flats range in size from 53.5 sq m for the two-bed flats to 40 sq m for the one-bed flat. This meets the required internal standards for one and two bedroom flats as set out in the Development Guidelines SPD.

29. The flats are laid out so that the flats are all dual aspect except for No. 4, 18, and 24 which face east only. Officers are satisfied that the flats will provide an adequate amount of daylight.

30. There is a communal refuse storage facility to the rear of the development with access onto the car park, and cycle storage provided within the central courtyard at the rear. There is a small grassed amenity space provided at the rear of the development within the courtyard. Officers note that the amount of amenity space is smaller than would normally be required for a development of this size. While there is some amenity space to the front and side of the scheme, it does not provide for private space. Officers consider that it is important that the amenity space provided is properly landscaped and managed to provide for maximum benefit to residents, and this can be required by condition.

31. Officers recognise that the proposal will also upgrade the quality of accommodation for existing residents and therefore will improve their standard of accommodation. The new flats have been designed to be suitable for use by disabled persons (as set out in the Lifetime Homes Statement) and there is a communal lift to provide access to all storeys of the development. This can be required by condition. A noise condition has been suggested so that all rooms meet the good room criteria for noise insulation. This is considered by officers to be appropriate in this instance to improve the standard of accommodation for occupiers.

Sustainability

32. Officers note that ecological enhancement measures are proposed in the form of bat boxes and bird boxes. The following landscaping/ biodiversity measures are proposed: one combined bat and swift box – on the western aspect of the building; two swift box along the western and northern aspect of the building and two house sparrow boxes facing the areas of trees to the north and west of the building. In addition, one combined bat and swift box is proposed for the western aspect of the building; one for summer roosting - on the north facing aspect of the building and one box for hibernating bats - on the west facing aspect of the building. Landscaping measures consist of 4 new trees planted along the northern boundary of the site together with shrubs along the eastern and northern boundaries. These measures can be required by conditions.

33. It is also proposed to install a roof mounted PV solar array to meet the renewable energy requirements of the scheme. These measures can be conditioned.

33. 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

This application has been assessed against the Regulations relating to planning obligations and officers consider it does not give rise to a requirement for a S106 obligation.

Community Infrastructure Levy

The provisional Community Infrastructure Levy liability (CIL) for this development is £23,370. This information is based on the CIL information form submitted with the application.

A breakdown of the final calculation will be shown in the liability notice once planning permission first permits the development (including all pre-commencement conditions details being agreed). The liable party(s) will be given the opportunity to apply for social housing relief or ask for a review of the calculation at that stage.

There is no negotiation of CIL. The Levy is subject to change and is also index-linked. You should check the current rates at the time planning permission first permits development (which includes agreement of details for any pre-commencement conditions) see www.plymouth.gov.uk/cil for guidance.

It is noted that the applicant has indicated that they do not intend to apply for social housing relief on the CIL form.

New Homes Bonus

Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended section 70 of the Town and Country Planning Act 1990. This development will generate a total of approximately £80,584 in New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in the determination of this application.

Equalities & Diversities issues

This proposal will provide accommodation conforming to lifetime homes standards.

Conclusions

This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework-Core Strategy 2007 and is considered to be compliant with National Planning Policy Framework guidance paras. 17 and 49. Officers consider that the previous refusal reasons have been overcome and that the proposal is acceptable in terms of residential amenity, character of the area, highways and parking, standard of accommodation and sustainability. It is recommended to grant conditional approval.

Recommendation

In respect of the application dated **12/09/2013** and the submitted drawings Revision to site layout with alteration to boundary and revision to rear elevation with obscure glazing on Juliette balconies

Site location plan, 101 Existing site plan, 102 Proposed site plan Rev A, 120 Existing elevations 1 - 4, 121 Existing elevations 5 - 8, 125 Proposed elevations 1 - 4 Rev A, 126 Proposed elevations 5 - 8, 103 Existing ground and first floor plan, 104 Existing second floor and roof plan, 110 Proposed ground floor plan Rev A, 111 Proposed First Floor Plan Rev A, 112 Proposed Second Floor Plan Rev A, 113 Proposed Third Floor Plan Rev 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: Site location plan, I01 Existing site plan, I02 Proposed site plan Rev A, I20 Existing elevations 1- 4, I21 Existing elevations 5 - 8, I25 Proposed elevations 1- 4 Rev A, I26 Proposed elevations 5 - 8, I03 Existing ground and first floor plan, I04 Existing second floor and roof plan, I10 Proposed ground floor plan Rev A, I11 Proposed First Floor Plan Rev A, I12 Proposed Second Floor Plan Rev A, I13 Proposed Third Floor Plan 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, and paragraphs 61-66 of the National Planning Policy Framework 2012.

CYCLE PROVISION

(3) No dwelling shall be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 14 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.

PROVISION OF PARKING AREA

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

Reason:

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

ROAD ACCESS FOR CONTRACTORS

(5) 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, and paragraph 32 of the National Planning Policy Framework 2012.

PROVISION OF SIGHT LINES

(6) No development shall take place until details of the sight lines to be provided at the junction between the means of access to the car parking area and the highway have been submitted to and approved in writing by the Local Planning Authority. The approved sight lines shall be provided before the the new proposed units are first occupied.

Reason:

To provide adequate visibility for drivers of vehicles at the road junction in the interests of public safety in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

NOISE

(7) The development should be built in such a way that it meets BS8233:1999 Good Room criteria, 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 protect the residents from unwanted noise, after occupation of the building and to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

NOISE VERIFICATION

(8) Prior to occupation of the building hereby approved the applicant shall submit in writing for approval a noise verification report demonstrating compliance with the levels required in the Condition above.

Reason:

To protect the residents from unwanted noise, after occupation of the building, to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

FURTHER DETAILS: BIN STORAGE

(9) No development shall take place until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz: details of the bin storage area. For the avoidance of doubt, space must be provided for eight 1100 litre bins with appropriate screening around the storage area and access for refuse collection. The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66, 109, 110 and 123 of the National Planning Policy Framework 2012 .

FURTHER DETAILS: BOUNDARY TREATMENT

(10) No development shall take place until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz: details of perimeter railings and other means of enclosure around the boundary of the site. The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66, 109, 110 and 123 of the National Planning Policy Framework 2012 .

LANDSCAPE DESIGN PROPOSALS

(11) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include: means of enclosure; car parking layouts; hard surfacing materials; lighting; planting plans including the location of all proposed plants their species, numbers, densities, type.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

EXTERNAL MATERIALS

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

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

RENEWABLE ENERGY

(13) Notwithstanding the Energy Report submitted by GPJ Consulting Engineers, prior to development being undertaken, the applicant shall provide to the Local Planning Authority a full report for approval in writing identifying how a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by on-site renewable energy production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

Unless otherwise agreed in writing, the approved on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

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

REPORTING OF UNEXPECTED CONTAMINATION

(14) In the event that contamination of ground conditions is found when carrying out the approved development that was not previously identified, expected or anticipated, it must be reported in writing immediately to the Local Planning Authority and 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 11'.

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 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 policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 -123 of the National Planning Policy Framework 2012.

OBSCURE GLAZING: BALCONY SCREENS

(15) Notwithstanding the provisions of Article 3 and Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the balcony screens (at first, second and third floor levels) in the west elevation of the proposed extensions, shall at all times be obscure glazed (the glass of which shall have an obscurity rating of not less than level 5).

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwellings in Arundel Terrace in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 of the National Planning Policy Framework 2012.

LIFETIME HOMES

(16) All of the new flats shall be built to lifetime homes standards in accordance with the submitted Lifetime Homes Statement.

Reason

To provide adaptable accommodation in accordance with Lifetime Homes standard to enable the homes to be adapted for the needs of elderly or disabled persons in accordance with Policy CS15 of the Plymouth Local Development Framework Core Strategy 2007 (2006 - 2021) and the NPPF.

BIODIVERSITY

(17) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecology and Mitigation Strategy for the site.

Reason

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

INFORMATIVE: (1) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

(1) The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at www.plymouth.gov.uk/CIL. You can contact the Local Planning Authority at any point to discuss your liability calculation; however a formal Liability Notice will only be issued by the Local Planning Authority once any pre-commencement conditions are satisfied.

INFORMATIVE: POSITIVE AND PROACTIVE WORKING

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

INFORMATIVE: CODE OF PRACTICE FOR CONSTRUCTION

(3) A copy of the Public Protection Service, Code of Practice for Construction and Demolition Sites can be adopted either in part or as a whole to satisfy the above condition. It can be downloaded for submission via:
<http://www.plymouth.gov.uk/homepage/environmentandplanning/pollution/noise/noisecandeal/constructionnoise.htm>
It is also available on request from the Environmental Protection and Monitoring Team: 01752 304147.

PLANNING APPLICATION REPORT



ITEM: 05

Application Number: 13/02019/FUL

Applicant: Mr Laurie Clear

Description of Application: Demolition of commercial buildings, removal of wall along front elevation and erection of 3 3-bedroom dwellings with associated parking (resubmission of 12/02125/FUL)

Type of Application: Full Application

Site Address: 18 BROOKINGFIELD CLOSE PLYMOUTH

Ward: Plympton Erle

Valid Date of Application: 23/10/2013

8/13 Week Date: **18/12/2013**

Decision Category: Member Referral

Case Officer : Olivia Wilson

Recommendation: Grant Conditionally

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OFFICERS REPORT

This application has been called in to Planning Committee by Councillor Beer.

Site location

18 Brookfield Close is a largely residential street in the St Maurice area of Plympton that slopes down from south to north. The site is on the eastern side of the street facing a terrace of late Victorian terraced cottages. There is a modern mews-style development of 4 dwellings to the south and a single detached bungalow to the north. The site backs onto Lavinia Drive which has modern semi-detached housing.

Proposal Description

Demolition of commercial buildings, removal of wall along front elevation and erection of three 3-bedroom dwellings with associated parking (resubmission of 12/02125/FUL).

Pre-Application Enquiry

A follow-up meeting was held following refusal of an earlier planning application. Officers recommended that the scheme be reduced in size to 3 dwellings to achieve a better standard of accommodation and parking. Officers also discussed the relationship to the properties to the rear.

Relevant Planning History

79/03309/FUL – Erection of pair of semi-detached houses with integral garages – permitted.

84/03573/FUL – Erection of workshop/ store – permitted.

12/02125/FUL - Demolition of commercial buildings, removal of wall along front elevation and erection of 4 semi-detached 2-bedroom houses with associated parking and landscaping - refused.

Consultation Responses

The Public Protection Service has no objection to the application but notes that further site investigations will be required. Conditions are recommended related to controlling noise during construction.

The Highway Authority has no objection to the revised application. There are two car parking spaces per dwelling which is considered sufficient to meet the needs of the development. The existing use would generate a similar amount of traffic. A condition is proposed to request cycle parking.

Representations

Four letters of representation have been received from residents of Brookfield Close.

These raise the following concerns:

1. The new dwellings will add to existing on-street parking problems.
2. Would like clarification on drainage from the new properties.

Analysis

1. The existing use is an office/commercial building of 180 sq m and up to 6m in height with flat roof and a parking area at the front that was constructed in the 1980s. It is surrounded by residential properties. There is a block wall along the street frontage with a gate and forecourt parking.
2. This is a revised application following refusal of an earlier application to construct two pairs of semi-detached dwellings (12/02125/FUL). This application was refused on the grounds of inadequate parking provision, substandard accommodation and detrimental impact on residential amenity.
3. This revised proposal is to construct a terrace of three dwellings with parking at the front and rear gardens.
4. The main planning considerations with this application are: principle of demolition and new residential development/ loss of employment; design; standard of accommodation; impact on neighbouring residential amenity (including drainage) and highways and parking. The relevant policies are: CS05, CS34, CS15, CS28 and the Development Guidelines SPD as well as the National Planning Policy Framework (NPPF). This seeks to actively encourage and promote sustainable forms of development. It replaces all previous Planning Policy guidance issued at National Government Level. In particular, Para. 17 states that planning should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Principle of demolition and new residential development

5. The existing office/ commercial building was constructed in the 1980s and is still in use. The site is no longer considered acceptable for commercial use because of the location within a residential area.
6. Officers consider that the loss of this small employment site is acceptable in relation to Policy CS05 in that its loss is not considered to be detrimental to the area's economic development needs, given the small size of the unit. A residential development is considered to be an acceptable use in this location.

Design

7. The proposed dwellings are two-storey terraced dwellings with gable-end roofs, bay windows on the front elevation and slate roofs with brick on the front elevation and render on the side and rear elevations. There is a shared passage between the units to provide access to the rear for bin storage. Unit 1 is set down from Units 2 and 3. They are set back from the street by 5m to allow two parking spaces in front.
8. Officers consider that the dwellings have been designed to reflect the design of other dwellings in the street. The dwellings opposite are terraced two-storey cottages that front directly onto the street with rendered elevations and slate roofs. On the east side of the street, there is no clear pattern of street frontage. Officers note that new dwellings have been built to the south (above the site) and are similar in scale to those proposed with rendered facades and slate roofs. These have parking to the rear.
9. In terms of design officers consider that the proposed dwellings are acceptable in scale and appearance.

Standard of accommodation

10. The Development Guidelines SPD sets out internal space standards and amenity space standards for residential development.
11. The internal space guideline for a residential dwelling with three bedrooms is 82 sq m. The proposed dwellings all exceed this standard (88 sq m).
12. The recommended guideline for amenity space for a terraced dwelling is 50 sq m. These dwellings would provide about 40 sq m of private amenity space. Officers consider that while small, this would provide acceptable amenity for occupiers.

Impact on neighbouring residential amenity

13. The site is surrounded by the following residential properties: No. 8 Brookingfield Close is above the site (to the south) and separated by a driveway. Officers do not consider that the new dwellings would be detrimental to the amenity of this dwelling.
14. No. 20 is below the site (to the north) and is a detached bungalow with amenity space to the side (south) of the dwelling. As the new dwellings will have a similar footprint to the existing office building, although they will be taller, officers do not consider that the construction of the new dwellings will be detrimental to the outlook or amenity of No. 20.
15. The site backs onto Lavinia Drive. The rear elevation of the new dwellings is only about 15m from the rear elevation of No. 6 Lavinia Drive. The Development Guidelines SPD states that habitable room windows facing directly opposite each other should be a minimum of 21m apart. These properties on Lavinia Drive have small rear gardens and would be directly overlooked by the first floor rear windows of the new dwellings. In order to avoid detrimental overlooking, the properties have been designed with

obscure glazed windows at first floor level to the rear and rooflights. This can be controlled by condition.

16. The height of the dwellings would be 7.5m compared to 5m with the existing factory. Officers also note that the existing factory is set back on the site adjacent to the rear boundary, whereas the new dwellings would have rear gardens behind.
17. Given the existing arrangement and the closeness of the existing building to the boundary, officers consider that the revised plans are sufficient to protect the privacy and amenity of residents of 5 and 6 Lavinia Drive. There would be a 2.5m high screen wall at the rear of the gardens to screen the ground floor windows.
18. Concerns have been raised about the drainage for the scheme. The proposal is to connect the properties to the mains sewer that runs along the street. Surface water will also be linked to the mains drain. This would be covered by Building Regulations and subject to the permission of South West Water.
19. A code of practice condition can be required to by condition to protect the amenity of residents during construction.

Parking

20. Concerns have been raised by residents about the impact of the development on parking pressures from additional on-street parking.
21. The proposal provides 2 off-street parking spaces per dwelling in front of each dwelling. Each space is 5m long by 2.4m wide. Officers consider that this provision is adequate to serve the needs of the development without adding to on-street parking pressures, and therefore cannot be considered to be detrimental to residential amenity. Officers note that the existing commercial use will generate parking demand, and consider that the residential use will not generate a significantly higher level of traffic.
22. It is important that cycle parking is also provided, but this can be requested by condition.
23. Due to the gradient of the street it would be preferable to provide a continuous dropped kerb vehicle crossover along the entire site frontage. This can be required through a condition so that the necessary works are completed before the dwellings are occupied.

Local Financial Considerations

This application is not subject to a S106 obligation.

The provisional Community Infrastructure Levy liability (CIL) for this development is £2,430. This information is based on the CIL information form submitted with the application. A breakdown of the final calculation will be shown in the liability notice once planning permission first permits the development (including all pre-commencement conditions details being agreed). The liable party(s) will be given the opportunity to apply for social housing relief or ask for a review of the calculation at that stage. There is no negotiation of CIL. The Levy is subject to change and is also index-linked. The applicant should check the current rates at the time planning permission first permits development (which includes agreement of details for any pre-commencement conditions) see www.plymouth.gov.uk/cil for guidance. It is noted that the applicant has indicated they do not intend to apply for social housing relief on the CIL form.

Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended section 70 of the Town and Country Planning Act 1990. This development will generate a total of approximately £20,146 in New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in the determination of this application.

Equalities and Diversities

There are no issues arising from this application.

Conclusions

This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework-Core Strategy 2007 and is considered to be compliant with National Planning Policy Framework guidance. It is recommended to grant conditional approval.

Recommendation

In respect of the application dated **23/10/2013** and the submitted drawings I389-PL-001 Rev B Existing site arrangement; I389_PL-003 Rev Proposed elevations; PL-002 Rev A Proposed plans. Design and Access Statement., it is recommended to: **Grant Conditionally**

Conditions

APPROVED PLANS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: I389-PL-001 Rev B Existing site arrangement; I389_PL-003 Rev Proposed elevations; PL-002 Rev A Proposed plans. Design and Access Statement.

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66 of the National Planning Policy Framework 2012.

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

PROVISION OF PARKING AREA

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

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

CYCLE PROVISION

(4) No dwelling shall be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 1 bicycle per dwelling 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, and paragraph 32 of the National Planning Policy Framework 2012.

ACCESS/HIGHWAY IMPROVEMENTS

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

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

CODE OF PRACTICE DURING CONSTRUCTION

(6) 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, and paragraphs 120 -123 of the National Planning Policy Framework 2012 .

CONTAMINATED LAND

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

Section 1. Site Characterisation

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

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

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Section 2. Submission of Remediation Scheme

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

Section 3. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

Section 4. Reporting of Unexpected Contamination

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

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 – 123 of the National Planning Policy Framework 2012.

EXTERNAL MATERIALS

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

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, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

OBSCURE GLAZING

(9) Notwithstanding the provisions of Article 3 and Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the windows at first floor level in the east elevation of the proposed dwellings, shall at all times be obscure glazed (the glass of which shall have an obscurity rating of not less than level 5).

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 of the National Planning Policy Framework 2012.

RESTRICTIONS ON PERMITTED DEVELOPMENT

(10) Notwithstanding the provisions of Article 3 and Classes A, B and C of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no enlargements, improvements or other alterations, including to the roof, shall be constructed to the dwellings hereby approved.

Reason:

In order to protect the amenity of 5 and 6 Lavinia Close, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120-123 of the National Planning Policy Framework 2012.

INFORMATIVE: KERB LOWERING

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

INFORMATIVE: CODE OF PRACTICE

(2) 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 (2), initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, location of wheel wash facilities, access points, location of car parking for contractors, construction traffic parking, details of turning facilities within the site for site traffic and HGVs, and a scheme to encourage public transport use by contractors; and
- c. Hours of site operation, dust suppression measures and noise limitation measures.

INFORMATIVE: POSITIVE AND PROACTIVE WORKING

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

INFORMATIVE: (4) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

(4) The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at www.plymouth.gov.uk/CIL. You can contact the Local Planning Authority at any point to discuss your liability calculation; however a formal Liability Notice will only be issued by the Local Planning Authority once any pre-commencement conditions are satisfied.

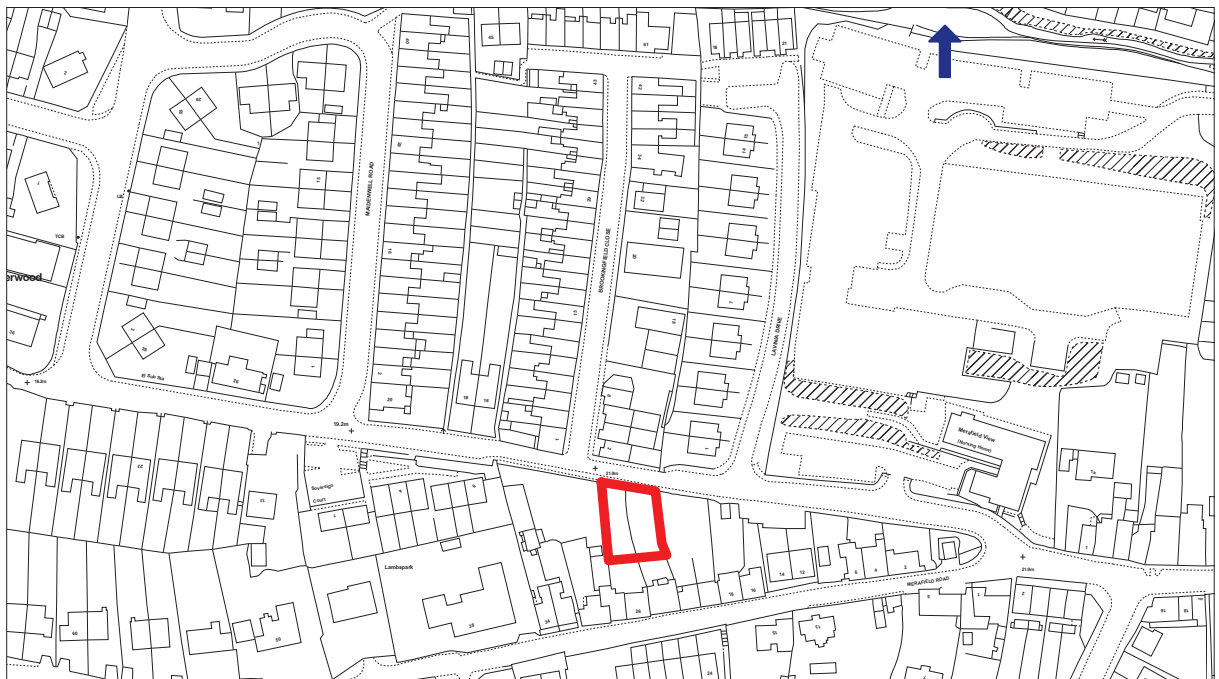
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PLANNING APPLICATION REPORT



ITEM: 06

Application Number:	13/01922/FUL
Applicant:	Mr Steve Pearce
Description of Application:	Erection of pair of detached three-storey dwellings with integral garages with access from Underlane
Type of Application:	Full Application
Site Address:	24-26 MERAFIELD ROAD PLYMOUTH
Ward:	Plympton Erle
Valid Date of Application:	08/10/2013
8/13 Week Date:	03/12/2013
Decision Category:	Member Referral
Case Officer :	Kate Saunders
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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

Site Description

The site is the lower half of the gardens to 24 and 26 Merafield Road, where it fronts Underlane. The site levels vary. The site is approximately 3m higher than Underlane and the boundary with the road is marked by a stone wall topped by a partial hedge containing immature elms, and the sites are on two levels. There are mature fruit trees on the site. There are residential properties on both sides of 24 and 26 Merafield Road. There is a section 30 order along the front of the site

Proposal Description

Erection of pair of detached three-storey dwellings with integral garages with access from Underlane

Pre-Application Enquiry

None

Relevant Planning History

06/00727 – 24 Merafield Road outline application for residential REFUSED
06/00721 – 26 Merafield Road outline application for residential REFUSED
06/01503 – 26 and 24 Merafield Road outline application for 2 dwellings – GRANTED
07/00820 – 26 and 24 Merafield Road full application for 2 dwellings – REFUSED
08/00218 – 26 and 24 Merafield Road, Erect a pair of three storey semi-detached dwellings, with integral garages – WITHDRAWN
08/01559/FUL - Erect a pair of three storey semi-detached dwellings, with integral garages – WITHDRAWN
08/02188/FUL- Erect a pair of three storey semi-detached dwellings, with integral garages – GRANTED
12/1715/FUL - A full application to develop the rear gardens with a pair of three storey semi-detached dwellings with integral garages (following expiry of permission 08/02188/FUL) – WITHDRAWN

In addition, planning application 04/01256 for a site to the rear of 28-34 Merafield Road, adjacent to the application site, was refused on grounds of loss of trees and the impact this would have on the character of the area. Furthermore it was considered that the houses would be out of character and cause overlooking of properties to the rear. This proposal was however allowed by appeal and work has commenced on site.

Consultation Responses

Highways Authority – No objections subject to conditions

Public Protection Service – No objections subject to conditions

Representations

Seven letters of representation have been received and raise the following issues:

- Loss of trees
- Harmful to the character of the area
- Add to road congestion
- Parking problems will be made worse
- Obstruct existing hardstanding at I Lavinia Drive
- Overlooking of neighbouring properties
- Unsafe for pedestrians
- Overdevelopment
- Likely to contribute towards a car accident
- Inadequate parking

Analysis

The National Planning Policy Framework seeks to actively encourage and promote sustainable forms of development. It replaces all previous Planning Policy guidance issued at National Government Level.

This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework-Core Strategy 2007 and is considered to be compliant with National Planning Policy Framework guidance.

This application follows the expiry of planning permission for a similar scheme 08/02188/FUL which was granted permission on 31/03/2009 (expired 31/03/2012). The only real difference is that the properties were previously semi-detached .

The site circumstances appear to have changed little since the expired permission was granted, likewise local planning policy has not changed however it should be noted that since that approval the 'Development Guidelines' Supplementary Planning Document has been adopted and the National Planning Policy Framework 2012 introduced. Much of the original officer report is reiterated below with appropriate updates where necessary.

This application primarily turns upon policies CS02 (Design), CS15 (Overall Housing Provision), CS18 (Plymouth's Green Space), CS22 (Pollution), CS28 (Local Transport Considerations) and CS34 (Planning Application Considerations) of the adopted Core Strategy and the Development Guidelines Supplementary Planning Document First Review 2013 (SPD). Appropriate consideration has also been given to the National Planning Policy Framework 2012

The area is characterised by compact residential property as referred to in the inspectors report for the adjacent site.

Residential Amenity

The properties will be three-storey townhouses that will accommodate a garage and bedroom on the lower ground floor, living, dining and kitchen on the ground floor and two bedrooms and a bathroom on the first floor. All rooms will be of a sufficient size and have adequate levels of natural light. The houses are considered to enjoy a reasonable level of amenity. The proposed rear gardens are approximately 6m deep and 8m wide (48 sqm) which is lower than the recommended standard of 100 square metres for detached dwellings in the Development Guidelines SPD. However the SPD also states that within more densely developed neighbourhoods of Plymouth it is not unreasonable to assume that outdoor amenity space provision might be lower. Although quite small the gardens are considered to be adequate and in character with development in the vicinity. Therefore, officers consider the plot is of adequate size to accommodate 2 dwellings that would be in character with the area and have all required amenities. Officers therefore consider that there is no conflict with policies CS15 or CS34.

Character and amenity

In terms of appearance it is recognised that the design of the dwellings is relatively simple however this is reflective of the properties on the adjacent plots that were allowed on appeal. The use of natural stone, render and slate respects the local materials palette, further details of which will be requested via condition. The proposal will involve considerable excavation, which officer's consider allows the massing as a 3 storey building onto Underlane and 2 storey dwelling to the rear to be acceptable. The proposal is therefore considered to comply with policies CS02 and CS34 in terms of design.

Neighbour amenity

The distance between habitable room windows stands at approximately 14 - 17m. As with the guidance used in the previous approval the more recent Development Guidelines SPD suggests a minimum distance of 21m between habitable room windows for 2 storey development (the development to the rear is 2 storey as seen from Merafield Road). In this case, privacy concerns have been overcome by the sensitive location of windows. There are no habitable room windows at first floor level to the rear and ground floor kitchen windows would be screened by the provision of a 2m fence along the rear boundary. The provision of the fence and need to insert obscure glazing to the first floor window would be secured by condition. Therefore officers consider that there would not be an unreasonable loss of privacy to the houses and gardens in Merafield Road.

With regard to dominance of the proposed building, the development would be approximately 6m from the boundary of the rear garden and 14-17m from the main houses in Merafield Road. As with the guidance used in the previous approval the SPD suggests a distance of 12m between gable walls and habitable rooms to prevent dominance. It is considered that the distances shown are acceptable and that refusal is not justified on grounds of dominance in this instance.

To the front of the development is a terrace of houses in Brockingfield Close with a gable end facing the site. An 11- 12m distance from windows to boundary wall has been achieved and therefore officers consider that privacy for these dwellings would be retained at a reasonable level. Both outlook and privacy would therefore be maintained even with this 3 storey development.

Furthermore noise and disturbance from the site will be controlled through a code of practice in order to protect the amenities of existing residents. On balance the proposal is considered to comply with policies CS15 and CS34.

Trees

The current boundary wall, hedge and planting are a welcome feature of the area however the trees along this section of hedge are immature. It was considered on the adjacent plot at 28-34 Merafield Road that suitable landscaping could be introduced to compensate for the loss of the hedge and trees. Areas of landscaping are shown on the submitted plans and further details will be required via condition. Officers therefore consider that there will be no significant harm to the amenity of the area or conflict with policy CS18.

Highways

The Highways Authority notes the similarity of this application to earlier applications on the site and reiterate their previous comments. Underlane is narrow at the proposed point of access but the applicant has set-back the development line which will widen the highway at this point, thus allowing two-way passing on the carriageway. This will comply with the Section 30 Order, Public Health Act 1925 which must be adhered to.

Officers consider that further details are required in order to ensure the works to the highway will be carried out to a suitable standard. As such no development should take place on site until such time that a scaled engineering drawing is submitted to and approved in writing by the Highway. Any works within the highway will be subject to a Section 278 Agreement, Highways Act 1980 and the resulting increase in road / footway width will be adopted by the Highway Authority as Highway Maintainable at Public Expense, HMPE. The provision of a full width footway in this locality will help to improve safety for pedestrians in the area.

The improvement to the highway, as a result of the above s30 order, is considered against the impact of any associated vehicle movements. In coming to a view the Highways Authority has been mindful of the advice contained within PCC adopted policy guidance and the National Planning Policy Framework, in particular paragraph 32 states "Development should only be refused on transport grounds where the residual cumulative impacts of the development are severe".

It is noted that concerns have been raised regarding parking in the area. This development will provide two spaces per dwelling which is in accordance with the current maximum standards.

Further conditions are also recommended to address the finish of the drive and garage door type. Officers therefore consider that the proposal complies with policy CS28.

Contaminated Land

The Public Protection Service notes that an appropriate contamination assessment has been submitted to accompany the application and are happy with its findings. A condition is however recommended to cover the matter of unexpected contamination.

Human Rights

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

Local Finance Considerations

Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended section 70 of the Town and Country Planning Act 1990. This development will generate a total of approximately £17,268 in New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in the determination of this application.

The provisional Community Infrastructure Levy liability (CIL) for this development is £3,120.00. This information is based on the CIL information form submitted with the application and the submitted breakdown of floorspace

A breakdown of the final calculation will be shown in the liability notice once planning permission first permits the development (including all pre-commencement conditions details being agreed). The liable party(s) will be given the opportunity to apply for social housing relief or ask for a review of the calculation at that stage. There is no negotiation of CIL. The Levy is subject to change and is also index-linked. You should check the current rates at the time planning permission first permits development (which includes agreement of details for any pre-commencement conditions) see www.plymouth.gov.uk/cil for guidance. It is noted that the applicant has indicated that they do not intend to apply for social housing relief on the CIL form.

Equalities and Diversities

No further issues to be considered.

Conclusions

The application will result in the creation of two detached properties which will provide a decent standard of accommodation with adequate off-street parking and amenity space. The use of conditions will ensure neighbouring amenity and the character of the area is preserved. The application is therefore recommended for approval.

Recommendation

In respect of the application dated **08/10/2013** and the submitted drawings Location Plan, 2083/3A, Cornwall Geoenvironmental Ltd Phase One Contamination Status Report and accompanying Design and Access Statement, it is recommended to:

Grant Conditionally

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 2083/3A.

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, and paragraphs 61-66 of the National Planning Policy Framework 2012.

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, and paragraphs 120 -123 of the National Planning Policy Framework 2012 .

REPORTING OF UNEXPECTED CONTAMINATION

(4) In the event that contamination of ground conditions is found when carrying out the approved development that was not previously identified, expected or anticipated, it must be reported in writing immediately to the Local Planning Authority and 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 11'.

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 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 policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 -123 of the National Planning Policy Framework 2012.

ACCESS/HIGHWAY IMPROVEMENTS (GRAMPIAN)

(5) No development shall take place until drawings are submitted, for the proposed access and improvements to the existing highway to accommodate carriageway widening and footway provision as required, to the Local Planning Authority and approved in writing and furthermore no occupation of any dwelling shall be permitted until such a time that all the highway works on the approved plans have been completed.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

SURFACING OF DRIVEWAY/PARKING AREAS

(6) Before the development hereby permitted is occupied, the driveway and parking area shall either be (a) constructed using a permeable construction or (b) hard paved for a distance of not less than 5 metres from the edge of the public highway and drained to a private soakaway; and shall thereafter be maintained to ensure satisfactory access to the adjoining highway, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that no private surface water or loose material is deposited onto the adjoining highway in the interests of highway safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

GARAGE DOOR TYPE [RESTRICTED DRIVE]

(7) The door to the garage hereby permitted shall be of a type that does not project beyond the face of the garage when open or being opened.

Reason:

In order that the door can be opened even when a car is parked in front of it, due to the limited length of the driveway in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

EXTERNAL MATERIALS

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

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

FURTHER DETAILS

(9) No development shall take place until details of the external window reveals have been submitted to and approved in writing by the Local Planning Authority . The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66, 109, 110 and 123 of the National Planning Policy Framework 2012 .

DETAILS OF ENCLOSURE AND SCREENING

(10) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of all means of enclosure and screening to be used. The works shall conform to the approved details and shall be completed before the development is first occupied.

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, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

LANDSCAPE DESIGN PROPOSALS

(11) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

RESTRICTIONS ON PERMITTED DEVELOPMENT

(12) Notwithstanding the provisions of Article 3 and Classes A, B, C and E of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no enlargements, improvements or other alterations, including to the roof or construction of an outbuilding, shall be constructed to the dwellings hereby approved.

Reason:

In order to protect the amenities of the neighbouring properties, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120-123 of the National Planning Policy Framework 2012.

INFORMATIVE: CODE OF PRACTICE

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

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

contractors, construction traffic parking, details of turning facilities within the site for site traffic and HGVs, and a scheme to encourage public transport use by contractors; and

c. Hours of site operation, dust suppression measures and noise limitation measures.

INFORMATIVE: PUBLIC HIGHWAY APPROVAL

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

INFORMATIVE: [CIL LIABLE] DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

(3) The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at www.plymouth.gov.uk/CIL. You can contact the Local Planning Authority at any point to discuss your liability calculation; however a formal Liability Notice will only be issued by the Local Planning Authority once any pre-commencement conditions are satisfied.

INFORMATIVE: CONDITIONAL APPROVAL (4)

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

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PLYMOUTH CITY COUNCIL

Subject: Proposed variation to Section 106 relating to planning consent 05/00371/FUL.

Committee: Planning Committee

Date: 5th December 2013

CMT Member: Anthony Payne (Director for Place)

Author: Simon Pickstone

Contact details: Tel: 01752 307396
Email: simon.pickstone@plymouth.gov.uk

Ref: 05/00371/FUL

Key Decision: No

Part: I

Item: 07

Purpose of the report:

This report seeks approval to enter into the process of securing a Deed of Variation for the S106 obligation with the University of Plymouth. The University have already given their support for this proposal.

The S106 obligation relates to planning permission: 05/00371/FUL for the erection of an Arts Facility Building and Arts Centre unit supporting accommodation.

It is proposed that a £100,000 transport contribution to a crossing at North Hill should now be used to deliver a public realm improvement scheme to Drake's Park and Reservoir.

The Brilliant Co-operative Council Corporate Plan 2013/14 -2016/17:

The report is considered in the context of the Local Development Framework, which includes a policy framework for addressing the impacts of development in support of the Council's priority for delivering growth.

<http://www.plymouth.gov.uk/corporateplan.htm>

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

Since the Council no longer considers the measures agreed under this S106 agreement to be required or necessary, and given the fact that simply handing the money back to the University to use as they see fit would carry the risk of there being no net gains in terms of public benefits, it is considered that directing this money to Public Realm improvements will deliver a mutually positive outcome for all parties concerned. Beyond this there are no financial or resource implications identified.

This recommendation/request has no implications in relation to the CIL regulations.

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

The case for seeking the measures in the first instance rested on the impact of the development on infrastructure and services. Through the variation of the S106 obligation, the Council's aims and priorities will still be respected.

Equality and Diversity:

Has an Equality Impact Assessment been undertaken? No

Recommendations and Reasons for recommended action:

It is recommended that Planning Committee:

Agree to the preparation and completion of a deed of variation which amends the existing S106 obligation as follows:

- That the £100,000.00 Transport Obligation be amended to enable it to be spent on Public Realm Improvements to Drake's Park and Reservoir.

Alternative options considered and rejected:

To return the money to the University to spend as they see fit. This will run the risk of there being no net public benefits realised from this action.

Published work / information:

Planning consent for application 05/00371/FUL and related S106 obligation dated 17/10/2005.
Plymouth's Local Development Framework Planning Obligations and Affordable
National Planning Policy Framework 2013

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1.0 Background

1.1 Planning permission was granted for application no. 05/00371/FUL on the 17/10/2005 and has now been fully implemented. The associated S106 Agreement contained a single financial Obligation amounting to £100,000.00 to be used for the following purposes: **“Public Transport improvements within the area, to include alterations to the recent pedestrian crossing opposite the Central Library and associated highway works on North Hill by removing the stagger to create a ‘straight over’ crossing”**.

1.2 A time limit within which to spend the money was stipulated as part of the agreement; as is standard with all S106 Agreements. The ‘spend expiry date’ was 1/12/2011.

1.3 The North Hill ‘straight over’ crossing was a proposal led by Planning and master planning work undertaken by the Council with the University, and was partly driven by the Vision for Plymouth work led by David Mackay. The transport consultation response, dated April 2005, highlighted the concerns in transport about the crossing and said that an assessment of the impact of this crossing should be made prior to its implementation to demonstrate that the crossing could be achieved without causing unacceptable delay and queuing. An amount to test this feasibility was also requested. The £100k figure was agreed as a contribution although this was an estimate and not based on any firm design.

1.3 Two options were investigated for the use of the S106 funding to deliver the straight across crossing. Both options necessitated the loss of the southbound North Hill bus lane. It became apparent that both options would be detrimental to wider transport requirements, in particular bus punctuality, on North Hill and the Northern Corridor overall, and that the cost of these Options exceeded the amount of money available to deliver such a crossing.

1.4 Also, following discussions with the University, it became apparent that the University no longer supported the provision of a 'straight over' pedestrian crossing opposite Plymouth Library in part due to perceived safety concerns given the proposed extent of the works. It was also apparent that the University were supportive of the provision of an off road cycle path through the campus and the idea of upgrading the existing crossing on North Hill to a Toucan crossing which made it suitable for use by cycles. Separate funding had been received from the Government’s Local Sustainable Transport Fund to upgrade the crossing – work which was completed in 2012 although retained the staggered nature of the crossing which is evident on site today.

1.5 In summary the aspiration for the crossing in 2006 from both the UoP and the City Council came from urban design requirements, rather than to satisfy a highway need. Since the S106 agreement was signed the position of the UoP has changed – their Estates Team no longer want the crossing – and transport investigations have revealed that alterations to the crossing would be detrimental to the performance of the public transport network and cause capacity issues on the Charles Street, Cobourg Street and North Hill junctions. The cost of such a scheme also exceeded the money available. In recognition of the detrimental impact on the network and the change in requirements of the UoP it was felt that the delivery of the obligation was not achievable. Subsequently more minor alterations to the crossing were made which were delivered through the LSTF *Plymouth Connect* scheme to convert the crossing a toucan crossing as part of the phased delivery of an east west cycle route through the City Centre to Plymstock.

1.6 As a result of these issues, and the subsequent delay in implementing the scheme, the spend expiry date was reached before the money could be spent. As a result of this the Applicant (Plymouth University) requested the return of the money; as is their right under the terms of the Agreement.

1.7 Rather than returning the money to the University and potentially losing any public benefit which otherwise would have been realised, officers approached the University and were able to agree a compromise which would still secure some public benefits. The compromise was that it would have to first go through the necessary legal processes to vary the original S106 Agreement to allow the Council to retain the money until such time as Plymouth University were able to secure enough funds to deliver a public realm improvement scheme to Drake's Park and Reservoir. The University was in the process of applying for a Heritage Lottery grant for the majority of the funding needed to deliver the scheme.

1.8 This variation is considered a positive solution in that things have moved on in public transport terms to the point where the agreed works are no longer considered viable or technically necessary; and Public Realm improvements to Drake's Park and Reservoir would not only benefit the University but would deliver an equivalent public benefit to the original scheme to the residents and business of Plymouth.

1.9 The University confirmed in September this year that it had been successful at securing the necessary Heritage Lottery Funding for the. As a result of this, and in order to release us from the original S106 Agreement, approval is being sought from the Planning Committee to allow it to enter into a Variation Agreement with the University. This will allow the £100,000.00 Obligation to part-fund Public Realm improvements as opposed to Public Transport improvements as was originally agreed.

PLANNING COMMITTEE

Decisions issued for the following period: 1 October 2013 to 25 November 2013

Note - This list includes:

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

Item No **1**

Application Number: 06/02036/OUT **Applicant:** Red Tree (2004) LLP

Application Type: Outline Application

Description of Development: Outline planning permission for part of the proposed 'Sherford' settlement comprising residential development (320 new dwellings); a community sports hub; recreation and open space facilities and detailed approval for highway improvements to Stanborough Cross; the construction of a new junction with Haye Road and the construction of part of a Main Street link road to serve 'Sherford'

Site Address "SHERFORD NEW COMMUNITY" LAND
SOUTH/SOUTHWEST OF A38 DEEP LANE AND EAST OF
HAYE ROAD ELBURTON PLYMOUTH

Case Officer: Alan Hartridge

Decision Date: 12/11/2013

Decision: Grant Subject to S106 Obligation - Full

Item No **2**

Application Number: 08/00653/OUT **Applicant:** Red Tree (2004) LLP

Application Type: Outline Application

Description of Development: Outline application "Provision of up to 5,500 new dwellings; up to 67,000 squares metres of business and commercial space; up to 16,700 square metres of mixed retail accommodation, community and open space facilities; three primary schools and one secondary school; health care centre; community park; two community wind turbines; park and ride interchange at Deep Lane, together with details of the Main Street link between Deep Lane junction and Stanborough Cross"
Details as per previous application 06/02036/OUT

Site Address SHERFORD NEW COMMUNITY SOUTH WEST OF DEEP LANE

Case Officer: Alan Hartridge

Decision Date: 21/11/2013

Decision: Application Withdrawn

Item No **3**

Application Number: 13/00590/FUL **Applicant:** Mrs Kelly Lethbridge

Application Type: Full Application

Description of Development: Erection of three-storey detached dwelling, associated 2 double detached garages and access

Site Address PLOT 1 LAND ADJ TO 334 TAVISTOCK ROAD PLYMOUTH

Case Officer: Simon Osborne

Decision Date: 04/11/2013

Decision: Grant Conditionally

Item No **4**

Application Number: 13/00591/FUL **Applicant:** Mrs Amy Tozer

Application Type: Full Application

Description of Development: Erection of two-storey detached dwelling with rooms in the roof space, and access

Site Address PLOT 2 LAND ADJ TO 334 TAVISTOCK ROAD PLYMOUTH

Case Officer: Simon Osborne

Decision Date: 04/11/2013

Decision: Grant Conditionally

Item No **5**

Application Number: 13/00592/FUL **Applicant:** Mr Jonathan Sims
Application Type: Full Application
Description of Development: Erection of three-storey detached dwelling with detached double garage and access
Site Address PLOT 3 LAND ADJ TO 334 TAVISTOCK ROAD
 PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 04/11/2013
Decision: Grant Conditionally

Item No **6**

Application Number: 13/00688/FUL **Applicant:** Kier
Application Type: Full Application
Description of Development: Redevelopment to provide 102 residential units (87 apartments and 15 houses) and 77.0 sqm of Commercial floorspace (Shops (Class A1), Financial and Professional Services (Class A2), Restaurant/Café (class A3), and/or Business Use (Class B1)) and associated public realm works, vehicular access and waterfront walkway, and vehicular parking with variation of condition 2 of planning permission 12/01112/FUL to revise the drawing numbers to allow for amendments to materials, site layout, maisonette and Block 10 elevations, landscape, interim boulevard and parking provision
Site Address PLOT A1, MILLBAY DEVELOPMENT, MILLBAY ROAD
 PLYMOUTH
Case Officer: Katherine Graham
Decision Date: 29/10/2013
Decision: Grant Subject to S106 Obligation - Full

Item No **7**

Application Number: 13/00816/FUL **Applicant:** The Free School Trust and Kier
Application Type: Full Application
Description of Development: Erection of part four-storey, part two-storey free school (6,944sqm) with associated roof terrace, drop off facilities and landscaping
Site Address PLOT D4, MILLBAY PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 29/10/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 8

Application Number: 13/00900/FUL **Applicant:** Fulcrum Power Generation Limit
Application Type: Full Application
Description of Development: 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
Site Address FORMER TOSHIBA FACTORY SITE, ERNESETTLE LANE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 15/10/2013
Decision: Grant Conditionally

Item No 9

Application Number: 13/01025/FUL **Applicant:** Eliot Design & Build Limited
Application Type: Full Application
Description of Development: Demolition of existing dwelling and erection of 22 no affordable/local needs dwellings with new access road and parking and external works
Site Address 273 TAVISTOCK ROAD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 24/10/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 10

Application Number: 13/01076/FUL **Applicant:** Mr Rupert Lloyd
Application Type: Full Application
Description of Development: Erection of detached dwelling
Site Address FURSDON HOUSE, BLUNTS LANE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 05/11/2013
Decision: Grant Conditionally

Item No 11

Application Number: 13/01078/LBC **Applicant:** Mr Rupert Lloyd
Application Type: Listed Building
Description of Development: Erection of detached dwelling within the grounds of Fursdon House
Site Address FURSDON HOUSE, BLUNTS LANE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 05/11/2013
Decision: Grant Conditionally

Item No 12

Application Number: 13/01103/FUL **Applicant:** ALDI Stores Limited
Application Type: Full Application
Description of Development: Demolition of former laundry building and repair and conversion of former Greenbank Prison (and Annexe) to provide 65 self contained student flats, construction of 1,410m2 foodstore (A1 use) with associated access off Greenbank Road, parking and landscaping
Site Address LONGFIELD HOUSE, GREENBANK ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 14/11/2013
Decision: Grant Conditionally

Item No 13

Application Number: 13/01104/LBC **Applicant:** ALDI Stores Limited
Application Type: Listed Building
Description of Development: Demolition of former laundry building and repairs, internal alterations and conversion of former Greenbank Prison (and annexe) to provide 65 self-contained student flats
Site Address LONGFIELD HOUSE, GREENBANK ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 14/11/2013
Decision: Grant Conditionally

Item No 14

Application Number: 13/01155/FUL **Applicant:** Buddies Childcare CIC
Application Type: Full Application
Description of Development: Construction of supported timber decking and associated fencing and erection of mono-pitched polycarbonate canopy
Site Address GLEN PARK PRIMARY SCHOOL, GLEN ROAD
PLYMPTON PLYMOUTH
Case Officer: Jon Fox
Decision Date: 01/10/2013
Decision: Grant Conditionally

Item No 15

Application Number: 13/01177/FUL **Applicant:** Mr Andy Tibbs
Application Type: Full Application
Description of Development: 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
Site Address 317 HEMERDON HEIGHTS PLYMOUTH
Case Officer: Mike Stone
Decision Date: 16/10/2013
Decision: Refuse

Item No 16

Application Number: 13/01228/FUL **Applicant:** UTC
Application Type: Full Application
Description of Development: Demolition of sports block and temporary buildings, erection of two storey link block and extension to hall, refurbishment of retained three storey extension, new fence and external works with variation of condition (1) of planning permission 12/01043/FUL, To amend car parking layout, windows and external cladding
Site Address PARKSIDE COMPREHENSIVE SCHOOL, PARK AVENUE
DEVONPORT PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 04/10/2013
Decision: Grant Conditionally

Item No 17

Application Number: 13/01239/FUL **Applicant:** Mr Joe Iji
Application Type: Full Application
Description of Development: Develop part of side garden by erection of dwellinghouse, with rooms in roofspace, variation of condition 2 of 12/01058; to include provision of raised level amenity area to rear, revised rear access steps, provision of part gabled side wall and modified hipped roof section, first floor landing window in side elevation and provision of patio area over front garage
Site Address LAWN HOUSE EAST, 1 EDGAR TERRACE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 09/10/2013
Decision: Grant Conditionally

Item No 18

Application Number: 13/01298/FUL **Applicant:** Helen Holman & Mark Street
Application Type: Full Application
Description of Development: Proposed front extension/conservatory, front and rear dormers and internal alterations
Site Address 200 PLYMOUTH ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 01/10/2013
Decision: Application Withdrawn

Item No 19

Application Number: 13/01301/FUL **Applicant:** Mr Andrew Mitchelmore
Application Type: Full Application
Description of Development: Re-development of site by erection of 12 code level 5 affordable flats with associated parking and access
Site Address THE ASTOR COMMUNITY CENTRE, DARTMOOR VIEW PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 14/10/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 20

Application Number: 13/01322/FUL **Applicant:** Mr John McConnell
Application Type: Full Application
Description of Development: Erection of 3m high mesh fence along boundary with Edgcumbe Avenue
Site Address DEVONPORT HIGH SCHOOL FOR BOYS, PARADISE ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 17/10/2013
Decision: Grant Conditionally

Item No 21

Application Number: 13/01324/FUL **Applicant:** Plympton St. Maurice Child Car
Application Type: Full Application
Description of Development: New office building on redundant car parking space and new entrance feature
Site Address PLYMPTON ST MAURICE PRIMARY SCHOOL, LONGBROOK STREET PLYMOUTH
Case Officer: Jon Fox
Decision Date: 07/10/2013
Decision: Grant Conditionally

Item No 22

Application Number: 13/01333/FUL **Applicant:** Pilgrim Primary School
Application Type: Full Application
Description of Development: Creation of 24 space car park with access off Hastings Terrace, and associated landscaping
Site Address PILGRIM PRIMARY SCHOOL, OXFORD STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 17/10/2013
Decision: Grant Conditionally

Item No 23

Application Number: 13/01339/FUL **Applicant:** Old Priory Junior School
Application Type: Full Application
Description of Development: Removal of temporary storage container and construction of new storage shed
Site Address OLD PRIORY JUNIOR SCHOOL, RIDGEWAY PLYMOUTH
Case Officer: Jon Fox
Decision Date: 04/10/2013
Decision: Grant Conditionally

Item No 24

Application Number: 13/01340/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Construction of a new 1.4m high and 100m long tidal flood defence
Site Address LONGBRIDGE ROAD, MARSH MILLS PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 15/10/2013
Decision: Grant Conditionally

Item No 25

Application Number: 13/01342/FUL **Applicant:** God TV
Application Type: Full Application
Description of Development: Change of use from night club to place of worship with ancillary activities
Site Address FORMER MILLENNIUM COMPLEX, 34-36 UNION STREET PLYMOUTH
Case Officer: Katherine Graham
Decision Date: 13/11/2013
Decision: Grant Conditionally

Item No 26

Application Number: 13/01353/FUL **Applicant:** Plymouth Hospitals NHS Trust

Application Type: Full Application

Description of Development: Creation of Helipad and new access to Derriford Road on the car park northeast of the hospital

Site Address DERRIFORD HOSPITAL, DERRIFORD ROAD PLYMOUTH

Case Officer: Robert McMillan

Decision Date: 07/11/2013

Decision: Grant Conditionally

Item No 27

Application Number: 13/01363/FUL **Applicant:** Leander Developments Ltd

Application Type: Full Application

Description of Development: Demolition of existing dwelling and erection of seven detached houses with new access off Hill Lane and associated landscaping

Site Address 5 HILL LANE PLYMOUTH

Case Officer: Olivia Wilson

Decision Date: 14/11/2013

Decision: Grant Conditionally

Item No 28

Application Number: 13/01367/FUL **Applicant:** Mr B May

Application Type: Full Application

Description of Development: Demolition of existing block of 3 garages and erection of new block of larger size

Site Address LAND ADJ. TO 1 GARDS LANE PLYMOUTH

Case Officer: Mike Stone

Decision Date: 09/10/2013

Decision: Grant Conditionally

Item No 29

Application Number: 13/01379/FUL **Applicant:** Mrs Jane Amberly
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 16 RYDAL CLOSE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 04/10/2013
Decision: Grant Conditionally

Item No 30

Application Number: 13/01393/LBC **Applicant:** IDH
Application Type: Listed Building
Description of Development: Installation of 3 no. ventilation ducts in rear elevation, and alterations to internal partition walls
Site Address THE CRESCENT SPECIALIST DENTAL CENTRE, 2 THE CRESCENT PLYMOUTH
Case Officer: Liz Wells
Decision Date: 09/10/2013
Decision: Refuse

Item No 31

Application Number: 13/01404/FUL **Applicant:** Mr Charles Ingram
Application Type: Full Application
Description of Development: Single storey front and rear extensions and pitched roof over porch
Site Address 47 HUXHAM CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 22/10/2013
Decision: Grant Conditionally

Item No 32

Application Number: 13/01425/FUL **Applicant:** Mr Christopher Curtis
Application Type: Full Application
Description of Development: Proposed double garage and demolition of existing single garage
Site Address 166 BILLACOMBE ROAD PLYMSTOCK PLYMOUTH
Case Officer: Mike Stone
Decision Date: 03/10/2013
Decision: Grant Conditionally

Item No 33

Application Number: 13/01448/FUL **Applicant:** Mr Richard Cameron
Application Type: Full Application
Description of Development: Alterations to existing raised decking at rear
Site Address 3 ROSECLAVE CLOSE PLYMOUTH
Case Officer: Niamh Boyle
Decision Date: 02/10/2013
Decision: Grant Conditionally

Item No 34

Application Number: 13/01449/FUL **Applicant:** Cromwell Residential Limited
Application Type: Full Application
Description of Development: Change of use, and conversion including side extension to form four studio flats at lower ground floor, two flats at ground floor, two flats at first floor and one flat at second floor to provide a total of 30 student bedspaces
Site Address 22 to 24 MUTLEY PLAIN PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 14/10/2013
Decision: Grant Conditionally

Item No 35

Application Number: 13/01451/FUL **Applicant:** Plymouth Audi
Application Type: Full Application
Description of Development: Change of use of workshop to additional showroom use, erection of a single storey side extension and extension of hardstanding
Site Address 1 EAGLE ROAD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 14/10/2013
Decision: Grant Conditionally

Item No 36

Application Number: 13/01453/ADV **Applicant:** Plymouth Audi
Application Type: Advertisement
Description of Development: Installation of 4 new/replacement pylon advertisements and 8 new/replacement fascia advertisements
Site Address 1 EAGLE ROAD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 14/10/2013
Decision: Grant Conditionally

Item No 37

Application Number: 13/01460/FUL **Applicant:** Pilgrim Primary School
Application Type: Full Application
Description of Development: Part two-storey, part-single storey extensions to school to provide eight additional classrooms, a new entrance, boundary fencing and landscaping
Site Address PILGRIM PRIMARY SCHOOL, OXFORD STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 01/11/2013
Decision: Grant Conditionally

Item No 38

Application Number: 13/01469/FUL **Applicant:** Mr and Mrs Roberts
Application Type: Full Application
Description of Development: Conversion of property to 3 flats
Site Address 235 EMBANKMENT ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 02/10/2013
Decision: Refuse

Item No 39

Application Number: 13/01471/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Installation of fenced play area
Site Address FROGMORE FIELD, CULVER WAY, FROGMORE AVENUE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 04/11/2013
Decision: Grant Conditionally

Item No 40

Application Number: 13/01474/FUL **Applicant:** Mr B Bignell
Application Type: Full Application
Description of Development: Single storey rear extension with raised decking
Site Address 72 MILEHOUSE ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 01/10/2013
Decision: Refuse

Item No 41

Application Number: 13/01477/FUL **Applicant:** Mr Paul Rainford
Application Type: Full Application
Description of Development: Change of use of care home to 10-bed house in multiple occupation
Site Address 63 HADDINGTON ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 11/10/2013
Decision: Application Withdrawn

Item No 42

Application Number: 13/01480/LBC **Applicant:** National Trust
Application Type: Listed Building
Description of Development: Proposed alterations to include first floor fire screen, installation of fire escape lighting, upgrade existing kitchen and doors to form fire escape route
Site Address CHAPEL, SALTRAM HOUSE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 08/11/2013
Decision: Grant Conditionally

Item No 43

Application Number: 13/01483/FUL **Applicant:** Quay Café Ltd
Application Type: Full Application
Description of Development: Use of ground floor unit, approved for shop (Class A1), as restaurant/café (use Class A3) with variation of condition 3 of planning permission 05/01440/FUL to extend hours of opening.
Site Address QUAY CAFÉ, UNIT 2, 6 HARBOUR AVENUE SUTTON PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 09/10/2013
Decision: Grant Conditionally

Item No 44

Application Number: 13/01485/TPO **Applicant:** Plymouth Tree Services
Application Type: Tree Preservation
Description of Development: Pine - remove 1 limb near neighbours property
Site Address 12 POWISLAND DRIVE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 14/10/2013
Decision: Refuse

Item No 45

Application Number: 13/01500/FUL **Applicant:** Mr Potter
Application Type: Full Application
Description of Development: Erection of 14 roof mounted solar panels
Site Address 29 GREEN PARK ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 11/10/2013
Decision: Grant Conditionally

Item No 46

Application Number: 13/01502/FUL **Applicant:** Mr Ridley Errington
Application Type: Full Application
Description of Development: Demolition of outside toilet together with rebuilding of tenement
Site Address 3 HOTHAM PLACE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 03/10/2013
Decision: Grant Conditionally

Item No 47

Application Number: 13/01503/LBC **Applicant:** Mr Ridley Errington
Application Type: Listed Building
Description of Development: Demolition of outside toilet together with rebuilding of tenement
Site Address 3 HOTHAM PLACE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 03/10/2013
Decision: Grant Conditionally

Item No 48

Application Number: 13/01508/FUL **Applicant:** Multistates Ltd
Application Type: Full Application
Description of Development: Variation of condition 2 (plans condition) of 12/01019/FUL (Change of use, conversion and alteration from offices to three self-contained flats including replacement windows, rooflights and sun pipes) to amend the appearance by changing window positions and cill heights
Site Address 5 TO 9 (ODDS) DEAN HILL PLYMOUTH
Case Officer: Mike Stone
Decision Date: 25/10/2013
Decision: Grant Conditionally

Item No 49

Application Number: 13/01516/FUL **Applicant:** Mr G Richards
Application Type: Full Application
Description of Development: Loft conversion and rear dormer
Site Address 272 AUSTIN CRESCENT PLYMOUTH
Case Officer: Mike Stone
Decision Date: 24/10/2013
Decision: Grant Conditionally

Item No 50

Application Number: 13/01518/TPO **Applicant:** Mr Paul Mather
Application Type: Tree Preservation
Description of Development: 1 Holm Oak, decayed at base - Remove
Site Address 6 MORLEY CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 01/10/2013
Decision: Grant Conditionally

Item No 51

Application Number: 13/01522/FUL **Applicant:** The United Reform Church Inc
Application Type: Full Application
Description of Development: Replace existing aluminium framed windows with UPV framed windows
Site Address PILGRIM UNITED REFORM CHURCH, ST LEVAN ROAD
PLYMOUTH
Case Officer: Mike Stone
Decision Date: 04/10/2013
Decision: Grant Conditionally

Item No 52

Application Number: 13/01525/FUL **Applicant:** Oakland Ltd
Application Type: Full Application
Description of Development: Removal of existing bungalow and erection of two detached dwellings and new access
Site Address 27 HAYE ROAD PLYMOUTH
Case Officer: David Wasserberg
Decision Date: 04/11/2013
Decision: Grant Conditionally

Item No 53

Application Number: 13/01528/FUL **Applicant:** Mr Richard Burley
Application Type: Full Application
Description of Development: Erection of wall along boundary
Site Address 18 DARWIN CRESCENT PLYMOUTH
Case Officer: Mike Stone
Decision Date: 31/10/2013
Decision: Grant Conditionally

Item No 54

Application Number: 13/01537/PRUS **Applicant:** Mr Julian Payne
Application Type: LDC Proposed Use
Description of Development: Conversion of garage into office for personal use
Site Address LOUIEVILLE, 9 UNICORN CLOSE PLYMOUTH
Case Officer: Niamh Boyle
Decision Date: 30/10/2013
Decision: Issue Certificate - Lawful Use

Item No 55

Application Number: 13/01541/ADV **Applicant:** J D Wetherspoon PLC
Application Type: Advertisement
Description of Development: Externally illuminated brass lettering fascia signage, hanging sign; internally illuminated sign and other non-illuminated signage
Site Address 95 TO 99 RIDGEWAY PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 25/10/2013
Decision: Grant Conditionally

Item No 56

Application Number: 13/01542/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Proposed change of use from boat storage to bicycle hire facility, including external alterations and installation of railings to access ramp to Commercial Wharf
Site Address 13-14 COMMERCIAL WHARF, MADEIRA ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 08/10/2013
Decision: Grant Conditionally

Item No 57

Application Number: 13/01543/FUL **Applicant:** Mr P Ryland
Application Type: Full Application
Description of Development: Single storey side extension - Resubmission of 12/02224/FUL with smaller extension and addition of patio doors to rear tenement
Site Address 21 HIGHER COMPTON ROAD HARTLEY PLYMOUTH
Case Officer: Mike Stone
Decision Date: 03/10/2013
Decision: Grant Conditionally

Item No 58

Application Number: 13/01545/FUL **Applicant:** Old Plymothians And Manname
Application Type: Full Application
Description of Development: Siting of container to store sports equipment and provision of 2 movable/temporary floodlights
Site Address KING GEORGE V MEMORIAL PLAYING FIELDS, HAYE ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 12/11/2013
Decision: Grant Conditionally

Item No 59

Application Number: 13/01546/TPO **Applicant:** Mr Nicholas West
Application Type: Tree Preservation
Description of Development: 8 holm oak - raise crowns to approximately 4m above ground level
Site Address 6 ROBERT ADAMS CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 01/10/2013
Decision: Grant Conditionally

Item No 60

Application Number: 13/01553/TPO **Applicant:** Mrs J Jewell
Application Type: Tree Preservation
Description of Development: Fell one holly & one Lawson Cypress
One Sycamore & one Ash reduce by 5m top, 3m sides
Prune one Laurel
Site Address 8 KINGSWAY GARDENS PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 21/11/2013
Decision: Grant Conditionally

Item No 61

Application Number: 13/01556/FUL **Applicant:** Mr Graham Quigley
Application Type: Full Application
Description of Development: Proposed side and rear single storey extension, rear dormer
and formation of roof terrace with external staircase, entrance
porch and alterations to windows. Erection of boathouse
Site Address SALTIMORE, HOLLY PARK CLOSE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 04/10/2013
Decision: Grant Conditionally

Item No 62

Application Number: 13/01563/FUL **Applicant:** Saunton Estates Ltd
Application Type: Full Application
Description of Development: Erection of dwelling (existing work shop to be demolished)
Site Address 67 RIDGEWAY PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 24/10/2013
Decision: Grant Conditionally

Item No 63

Application Number: 13/01567/EXUS **Applicant:** Mr John James Cooksley
Application Type: LDC Existing Use
Description of Development: Certificate of Lawful Development - Storing, maintaining and servicing motor vehicles
Site Address 1A WARLEIGH AVENUE PLYMOUTH
Case Officer: Kate Price
Decision Date: 17/10/2013
Decision: Issue Certificate - Lawful Use

Item No 64

Application Number: 13/01568/TPO **Applicant:** Mr D Elbrow
Application Type: Tree Preservation
Description of Development: 1 Sycamore - remove
4 Larch - reduce by 1/3
Site Address 7 WOODLANDS LANE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 09/10/2013
Decision: Refuse

Item No 65

Application Number: 13/01569/FUL **Applicant:** Mr I Aldogan
Application Type: Full Application
Description of Development: Change of use from A1 retail to A5 hot food takeaway
Site Address 201 - 203 WOLSELEY ROAD KEYHAM PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 14/11/2013
Decision: Grant Conditionally

Item No 66

Application Number: 13/01572/FUL **Applicant:** Mr & Mrs Tossell
Application Type: Full Application
Description of Development: Retrospective application, new garage on site of former garage
Site Address 4 VICARAGE GARDENS PLYMOUTH
Case Officer: Kate Price
Decision Date: 21/10/2013
Decision: Grant Conditionally

Item No 67

Application Number: 13/01573/FUL **Applicant:** Debut Services Ltd
Application Type: Full Application
Description of Development: Continued siting of four portacabin modular buildings for a further temporary period
Site Address MINISTRY OF DEFENCE, ROYAL CITADEL PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 21/10/2013
Decision: Grant Conditionally

Item No 68

Application Number: 13/01574/FUL **Applicant:** Miss R Spanton
Application Type: Full Application
Description of Development: Two storey side extension with pitched roof and single storey rear extension incorporating raised patio
Site Address 28 FURZEHATT ROAD PLYMSTOCK PLYMOUTH
Case Officer: Mike Stone
Decision Date: 31/10/2013
Decision: Grant Conditionally

Item No 69

Application Number: 13/01575/FUL **Applicant:** Easylet
Application Type: Full Application
Description of Development: Change of use from 13 bed student accommodation to a 14 bed House of Multiple Occupancy (HMO)
Site Address OAKLAND MANSION, 203 OUTLAND ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 11/10/2013
Decision: Grant Conditionally

Item No 70

Application Number: 13/01576/PRDE **Applicant:** Mr Henry Thomas
Application Type: LDC Proposed Develop
Description of Development: Single storey extension to rear of existing garage
Site Address 12 COMPASS DRIVE PLYMOUTH
Case Officer: Niamh Boyle
Decision Date: 30/10/2013
Decision: Issue Certificate - Lawful Use

Item No 71

Application Number: 13/01578/TPO **Applicant:** Mr Keith Woodgate
Application Type: Tree Preservation
Description of Development: Crown lift 4 Hornbeam trees, removing lowest 3-4 branches
Site Address 4 COACH HOUSE MEWS PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 03/10/2013
Decision: Grant Conditionally

Item No 72

Application Number: 13/01580/FUL **Applicant:** Mrs Sarah Chiswell
Application Type: Full Application
Description of Development: Fencing and patio to rear of dwelling
Site Address 27 RUSSELL AVENUE PLYMOUTH
Case Officer: Jody Leigh
Decision Date: 02/10/2013
Decision: Grant Conditionally

Item No 73

Application Number: 13/01581/FUL **Applicant:** Mr Robert Lester
Application Type: Full Application
Description of Development: Proposal to alter the current parking layout
Site Address 29 AND 31 WYNDHAM MEWS PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 16/10/2013
Decision: Grant Conditionally

Item No 74

Application Number: 13/01585/TPO **Applicant:** Mr Alan Millar
Application Type: Tree Preservation
Description of Development: T1 Sycamore - fell
T2 Sycamore - Reduce by 2m
T3 Lime - Remove limb nearest deck and reduce by 4-5m
Site Address 28 ALBION DRIVE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 22/10/2013
Decision: Refuse

Item No 75

Application Number: 13/01589/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Removal of metal windows and panels to staircases and replacement with UPVC white windows and panels
Site Address 1 TO 31 ARTILLERY PLACE COXSIDE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 17/10/2013
Decision: Grant Conditionally

Item No 76

Application Number: 13/01592/FUL **Applicant:** Mr & Mrs Wright
Application Type: Full Application
Description of Development: First floor side extension over existing garage/kitchen and single storey front extension under existing canopy roof
Site Address 31 ROWLAND CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 01/10/2013
Decision: Grant Conditionally

Item No 77

Application Number: 13/01593/FUL **Applicant:** Marine Academy Plymouth
Application Type: Full Application
Description of Development: Substitution of two grass football pitches with one artificial multi-purpose pitch, floodlighting and fencing
Site Address MARINE ACADEMY PLYMOUTH, TREVITHICK ROAD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 16/10/2013
Decision: Refuse

Item No 78

Application Number: 13/01604/FUL **Applicant:** Miss Christina Franks
Application Type: Full Application
Description of Development: Erection of balcony to rear
Site Address 29 NORTH DOWN ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 31/10/2013
Decision: Refuse

Item No 79

Application Number: 13/01605/FUL **Applicant:** Colin Tinker
Application Type: Full Application
Description of Development: Erection of car port to front of dwelling
Site Address 8 BELLE VUE ROAD PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 09/10/2013
Decision: Grant Conditionally

Item No 80

Application Number: 13/01608/FUL **Applicant:** Oreston Community Primary Sc
Application Type: Full Application
Description of Development: Two-storey infill extension over existing ground floor
Site Address ORESTON COMMUNITY ACADEMY, 27 ORESTON ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 04/11/2013
Decision: Grant Conditionally

Item No 81

Application Number: 13/01612/TPO **Applicant:** Taylor Wimpey
Application Type: Tree Preservation
Description of Development: Various pruning and reduction of 12 ash trees
Site Address REAR OF 26 TO 32 TILLARD CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 15/10/2013
Decision: Grant Conditionally

Item No 82

Application Number: 13/01614/PRDE **Applicant:** Mr & Mrs Nolan Smith
Application Type: LDC Proposed Develop
Description of Development: Certificate of proposed development - new rear dormer
Site Address 57 RHEOLA GARDENS PLYMOUTH
Case Officer: Kate Price
Decision Date: 09/10/2013
Decision: Application Withdrawn

Item No 83

Application Number: 13/01617/FUL **Applicant:** Mrs Jaqueline West
Application Type: Full Application
Description of Development: Detached double garage with studio above
Site Address MARGROVE, COLESDOWN HILL PLYMOUTH
Case Officer: Liz Wells
Decision Date: 21/10/2013
Decision: Grant Conditionally

Item No 84

Application Number: 13/01618/TPO **Applicant:** Mr Adam Felgate
Application Type: Tree Preservation
Description of Development: 1 oak and 4 sycamore - Reduce branches overhanging garden by approx 15 feet
Site Address 43 BOUNDARY PLACE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 15/10/2013
Decision: Grant Conditionally

Item No 85

Application Number: 13/01620/FUL **Applicant:** St Lukes Hospice
Application Type: Full Application
Description of Development: Alterations and extensions to: 1) Entrance lobby and re-roofing conservatory; 2) Existing chapel; 3) Existing laundry store; and 4) To provide covered housing to existing generator equipment
Site Address ST LUKES HOSPICE, STAMFORD ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 03/10/2013
Decision: Grant Conditionally

Item No 86

Application Number: 13/01621/FUL **Applicant:** Ash Properties
Application Type: Full Application
Description of Development: External alterations including new entrance and exits on east and west elevations
Site Address 10 to 12 WESTERN APPROACH PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 21/10/2013
Decision: Grant Conditionally

Item No 87

Application Number: 13/01623/ADV **Applicant:** Puttin' on the Ritz Plymouth
Application Type: Advertisement
Description of Development: Installation of signage to front elevation
Site Address 16 KAY CLOSE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 02/10/2013
Decision: Grant Conditionally

Item No 88

Application Number: 13/01624/FUL **Applicant:** Puttin' on the Ritz Plymouth Limi
Application Type: Full Application
Description of Development: Change of use to D2 for Ballroom Classes
Site Address 16 KAY CLOSE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 04/10/2013
Decision: Grant Conditionally

Item No 89

Application Number: 13/01625/FUL **Applicant:** Mr Nigel White
Application Type: Full Application
Description of Development: Proposed single storey rear extension
Site Address 21 HOOE ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 04/10/2013
Decision: Grant Conditionally

Item No 90

Application Number: 13/01626/FUL **Applicant:** Mr Richard Harding
Application Type: Full Application
Description of Development: Alterations to previously approved 13/01189/FUL to provide a steeper roof pitch
Site Address 204 PLYMOUTH ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 04/10/2013
Decision: Grant Conditionally

Item No 91

Application Number: 13/01632/FUL **Applicant:** Curtis Ball
Application Type: Full Application
Description of Development: Installation of new window
Site Address 10-13 MANOR STREET PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 16/10/2013
Decision: Grant Conditionally

Item No 92

Application Number: 13/01633/FUL **Applicant:** Mr Chris Newton
Application Type: Full Application
Description of Development: Erect outbuilding (garden room)in rear garden; amendment to 13/00432/FUL to change size of windows
Site Address 103 HOOE ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 11/10/2013
Decision: Grant Conditionally

Item No 93

Application Number: 13/01634/REM **Applicant:** Mrs Judith Sheehy
Application Type: Reserved Matters
Description of Development: Reserved matters application for the approval of detail of access appearance, landscaping, layout and scale following the grant of outline planning permission for the construction of garage with store above
Site Address 20 BENBOW STREET PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 06/11/2013
Decision: Grant Conditionally

Item No 94

Application Number: 13/01635/EXUS **Applicant:** Mr Adewale Ileladewa
Application Type: LDC Existing Use
Description of Development: Lawful development Certificate for supported living accommodation
Site Address 42 MEREDITH ROAD PLYMOUTH
Case Officer: Kate Price
Decision Date: 29/10/2013
Decision: Issue Certificate - Lawful Use

Item No 95

Application Number: 13/01637/FUL **Applicant:** Stonegate Pub Company
Application Type: Full Application
Description of Development: External seating in association with adjacent public house
Site Address THE ROUNDABOUT PH, 2 DRAKE CIRCUS PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 31/10/2013
Decision: Grant Conditionally

Item No 96

Application Number: 13/01641/FUL **Applicant:** Mrs S Murray
Application Type: Full Application
Description of Development: Single storey side extension
Site Address 2 COLSTON CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 04/10/2013
Decision: Grant Conditionally

Item No 97

Application Number: 13/01651/TCO **Applicant:** Mr Kieran Earley
Application Type: Trees in Cons Area
Description of Development: Silver Birch - remove
Site Address 1 ALBEMARLE VILLAS PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 08/10/2013
Decision: Grant Conditionally

Item No 98

Application Number: 13/01652/FUL **Applicant:** Mr Peter Wheeler
Application Type: Full Application
Description of Development: Single storey rear/side extension
Site Address 63 LOWER COMPTON ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 22/10/2013
Decision: Grant Conditionally

Item No 99

Application Number: 13/01653/FUL **Applicant:** Mrs Debbie Buse
Application Type: Full Application
Description of Development: Conversion of garage to bedroom, and addition of front extension to sun room
Site Address 1 LIPPELL DRIVE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 24/10/2013
Decision: Grant Conditionally

Item No 100

Application Number: 13/01656/FUL **Applicant:** Mrs Carole Durston
Application Type: Full Application
Description of Development: Formation of 3 flats, 1 bedsit and 3 studio flats
Site Address 19 WALKER TERRACE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 21/10/2013
Decision: Grant Conditionally

Item No 101

Application Number: 13/01657/FUL **Applicant:** Ice Angels Events Ltd
Application Type: Full Application
Description of Development: Erection of temporary ice rink, Santa's grotto and associated facilities for five months (October 2013 to March 2014)
Site Address ROYAL PARADE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 13/11/2013
Decision: Grant Conditionally

Item No 102

Application Number: 13/01664/LBC **Applicant:** Urban Splash
Application Type: Listed Building
Description of Development: Reconfiguration of entrance lobby to north end
Site Address NEW COOPERAGE ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 03/10/2013
Decision: Grant Conditionally

Item No 103

Application Number: 13/01665/FUL **Applicant:** Mrs J Addison
Application Type: Full Application
Description of Development: Part two storey, part single storey rear extension to provide additional accommodation for flats 3 and 4
Site Address 21 ERMINGTON TERRACE
Case Officer: Liz Wells
Decision Date: 31/10/2013
Decision: Grant Conditionally

Item No 104

Application Number: 13/01666/ADV **Applicant:** Theatre Royal Plymouth
Application Type: Advertisement
Description of Development: Projected logos and images to north and south elevation of fly tower
Site Address THEATRE ROYAL, ROYAL PARADE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 21/10/2013
Decision: Grant Conditionally

Item No 105

Application Number: 13/01667/FUL **Applicant:** Mr and Mrs Richard Riordan
Application Type: Full Application
Description of Development: Erection of two storey rear extension
Site Address 37 FURZEHATT ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 11/10/2013
Decision: Grant Conditionally

Item No 106

Application Number: 13/01668/FUL **Applicant:** Mr Robin Leverton
Application Type: Full Application
Description of Development: Proposed change of use of hairdresser (A1) to self contained ground floor flat (C3)
Site Address 26 STATION ROAD KEYHAM PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 31/10/2013
Decision: Grant Conditionally

Item No 107

Application Number: 13/01669/FUL **Applicant:** Mr and Mrs Stones
Application Type: Full Application
Description of Development: Two storey rear extension
Site Address 5 BROOM PARK PLYMOUTH
Case Officer: Liz Wells
Decision Date: 16/10/2013
Decision: Grant Conditionally

Item No 108

Application Number: 13/01670/PRUS **Applicant:** Plymouth Ford Spares
Application Type: LDC Proposed Use
Description of Development: Breaking cars on site
Site Address 10 HAXTER CLOSE PLYMOUTH
Case Officer: Jody Leigh
Decision Date: 25/10/2013
Decision: Application Withdrawn

Item No 109

Application Number: 13/01672/FUL **Applicant:** Mr & Mrs Jeffery
Application Type: Full Application
Description of Development: Erection of dwelling
Site Address MOUNT STONE HOUSE, MOUNT STONE ROAD
PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 30/10/2013
Decision: Grant Conditionally

Item No 110

Application Number: 13/01673/LBC **Applicant:** Mr & Mrs Jeffery
Application Type: Listed Building
Description of Development: Erection of dwelling and demolition of existing structures
Site Address MOUNT STONE HOUSE, MOUNT STONE ROAD
PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 30/10/2013
Decision: Grant Conditionally

Item No 111

Application Number: 13/01683/FUL **Applicant:** Anchor Trust
Application Type: Full Application
Description of Development: Removal of soft wood windows and doors and replacement with PVC-U windows and doors with rosewood foiled external finish
Site Address SELKIRK HOUSE, CHURCH ROAD PLYMSTOCK
PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 25/10/2013
Decision: Grant Conditionally

Item No 112

Application Number: 13/01686/FUL **Applicant:** Mr Terry Fitzpatrick
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 6 CASTLE BANK GARDENS PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 17/10/2013
Decision: Grant Conditionally

Item No 113

Application Number: 13/01687/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 5m, has a maximum height of 4m, and has an eaves height of 3m
Site Address 7 DOIDGES FARM CLOSE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 08/10/2013
Decision: Prior approval required

Item No 114

Application Number: 13/01689/TCO **Applicant:** Mr Dave Smith
Application Type: Trees in Cons Area
Description of Development: Fig - fell
Site Address 48 MOLESWORTH ROAD STOKE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 15/10/2013
Decision: Grant Conditionally

Item No 115

Application Number: 13/01691/TPO **Applicant:** Mr Steve Giles
Application Type: Tree Preservation
Description of Development: Oak - overall crown reduction of 4-5m
Site Address 5 LYNMOUTH CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 15/10/2013
Decision: Grant Conditionally

Item No 116

Application Number: 13/01693/LBC **Applicant:** Mr David Scanlebury
Application Type: Listed Building
Description of Development: Conversion of ground floor offices to 2 flats
Site Address 9-11 DURNFORD STREET PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 11/11/2013
Decision: Grant Conditionally

Item No 117

Application Number: 13/01697/FUL **Applicant:** Mr Neal Phillips
Application Type: Full Application
Description of Development: Conversion of garage to gamesroom and additional bedroom
Site Address 19 HAROLDSLEIGH AVENUE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 23/10/2013
Decision: Grant Conditionally

Item No 118

Application Number: 13/01699/ADV **Applicant:** Mr Vikesh Panchal
Application Type: Advertisement
Description of Development: Replacement internally illuminated advertisements (3 no. on fascia, 1 no. on forecourt)
Site Address PC WORLD MARSH MILLS BUSINESS PARK,
LONGBRIDGE ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 11/10/2013
Decision: Grant Conditionally

Item No 119

Application Number: 13/01700/TCO **Applicant:** Plymouth Community Homes
Application Type: Trees in Cons Area
Description of Development: 4 Plane trees - pollard back to previous points
Site Address CAR PARKING AREA ON LAND TO REAR OF 1-6
CLOWANCE CLOSE, 31-55 GEORGE STREET AND 55-58
PEMBROKE STREET PLYMOUTH
Case Officer: Jane Turner
Decision Date: 16/10/2013
Decision: Grant Conditionally

Item No 120

Application Number: 13/01703/FUL **Applicant:** Clarks
Application Type: Full Application
Description of Development: Erection of rear extension, relocation of air conditioning units,
and alterations to the rear elevation
Site Address 38-42 CORNWALL STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 06/11/2013
Decision: Grant Conditionally

Item No 121

Application Number: 13/01705/FUL **Applicant:** Mr Frank Bramall
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 10 MORETON AVENUE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 11/10/2013
Decision: Grant Conditionally

Item No 122

Application Number: 13/01706/FUL **Applicant:** Mrs Tania Sargent
Application Type: Full Application
Description of Development: Proposed raised decking area to the rear elevation at first floor level and associated works
Site Address 32 GREENACRES PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 31/10/2013
Decision: Grant Conditionally

Item No 123

Application Number: 13/01707/FUL **Applicant:** Premier Parking Solutions Ltd
Application Type: Full Application
Description of Development: Change of use to pay and display car park for oversized and commercial vehicles for a temporary period of 2 years
Site Address FORMER SITE OF FOOT ANSTEY SARGENT, DERRYS CROSS PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 19/11/2013
Decision: Grant Conditionally

Item No 124

Application Number: 13/01709/TCO **Applicant:** Rimmer Marine
Application Type: Trees in Cons Area
Description of Development: Removal of: 1 Alder, 2 Field Maple, 3 Rowan
Site Address LAND TO NORTH OF RIMMER'S BOATYARD, 39
CREMYLL STREET PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 24/10/2013
Decision: Grant Conditionally

Item No 125

Application Number: 13/01710/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Creation of 4 no. car park spaces
Site Address MORWELL GARDENS NORTH PROSPECT PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 25/10/2013
Decision: Grant Conditionally

Item No 126

Application Number: 13/01718/TCO **Applicant:** OCS Group UK
Application Type: Trees in Cons Area
Description of Development: Various tree management works
Site Address MINISTRY OF DEFENCE, DURNFORD STREET
PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 07/10/2013
Decision: Grant Conditionally

Item No 127

Application Number: 13/01722/FUL **Applicant:** National Marine Aquarium
Application Type: Full Application
Description of Development: Installation of temporary sun fish sculpture
Site Address NATIONAL MARINE AQUARIUM ROPE WALK PLYMOUTH
Case Officer: Katherine Graham
Decision Date: 24/10/2013
Decision: Grant Conditionally

Item No 128

Application Number: 13/01723/CAC **Applicant:** Astor House (Plymouth) Limited
Application Type: Conservation Area
Description of Development: Demolition of infill buildings to rear
Site Address ASTOR HOTEL, 14 ELLIOT STREET PLYMOUTH
Case Officer: Katherine Graham
Decision Date: 04/11/2013
Decision: Grant Conditionally

Item No 129

Application Number: 13/01724/GPD **Applicant:** Mr R Elliott
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 3.6m, has a maximum height of 3.19m, and has an eaves height of 2.2m
Site Address 63 SEGRAVE ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 08/10/2013
Decision: Prior approval not req

Item No 130

Application Number: 13/01725/LBC **Applicant:** Woodside Animal Trust
Application Type: Listed Building
Description of Development: Conversion of offices and ground floor shop and three flats, with associated demolitions and alteration with car parking (revisions to approved application 12/01201/LBC)
Site Address 111 RIDGEWAY PLYMOUTH
Case Officer: Jon Fox
Decision Date: 05/11/2013
Decision: Grant Conditionally

Item No 131

Application Number: 13/01726/TCO **Applicant:** Mr Timothy Lambie
Application Type: Trees in Cons Area
Description of Development: Yew, Pine and Bay - trim as high as possible
Site Address 18 THORN PARK PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 08/10/2013
Decision: Grant Conditionally

Item No 132

Application Number: 13/01727/FUL **Applicant:** Mr & Mrs Thorpe
Application Type: Full Application
Description of Development: Erection of front porch and rear extension
Site Address 19 PORTWAY CLOSE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 11/10/2013
Decision: Grant Conditionally

Item No 133

Application Number: 13/01729/TCO **Applicant:** Diocese of Exeter
Application Type: Trees in Cons Area
Description of Development: Row of leylandii - remove
Site Address THE VICARAGE, 23 WYNDHAM SQUARE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 15/10/2013
Decision: Grant Conditionally

Item No 134

Application Number: 13/01730/TPO **Applicant:** Westcare Supply Zone
Application Type: Tree Preservation
Description of Development: Oaks - reduce to give 13m clearance around industrial unit
Site Address UNIT 1 FORRESTERS BUSINESS PARK, 35 ESTOVER CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 06/11/2013
Decision: Grant Conditionally

Item No 135

Application Number: 13/01731/TPO **Applicant:** Mr Duncan Westlake
Application Type: Tree Preservation
Description of Development: Mulberry - remove 2 branches growing into boundary wall
Site Address LAND TO REAR OF 54 BLUNTS LANE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 03/10/2013
Decision: Grant Conditionally

Item No 136

Application Number: 13/01732/FUL **Applicant:** Mr & Mrs Westbrook
Application Type: Full Application
Description of Development: Creation of vehicle access off Crownhill Road
Site Address 235 CROWNHILL ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 22/10/2013
Decision: Grant Conditionally

Item No 137

Application Number: 13/01735/TPO **Applicant:** Diocese of Exeter
Application Type: Tree Preservation
Description of Development: Lime - reduce to higher pruning points & remove low sucker growth
Site Address THE RECTORY, 6 UNDERHILL ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 06/11/2013
Decision: Grant Conditionally

Item No 138

Application Number: 13/01737/TCO **Applicant:** St Pauls Church
Application Type: Trees in Cons Area
Description of Development: Various tree management works
Site Address ST PAULS CHURCH, DURNFORD STREET
STONEHOUSE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 24/10/2013
Decision: Grant Conditionally

Item No 139

Application Number: 13/01738/GPD **Applicant:** Mr & Mrs Steve & Susan Bates
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4.1m, has a maximum height of 2.9m, and has an eaves height of 2.9m
Site Address 107 HEMERDON HEIGHTS PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 17/10/2013
Decision: Prior approval not req

Item No 140

Application Number: 13/01739/31 **Applicant:** DH Plymouth Ltd
Application Type: GPDO PT31
Description of Development: Notification of proposed demolition and enquiring whether prior approval required for method of demolition and treatment of site
Site Address FORMER MEGABOWL, COT HILL PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 08/10/2013
Decision: Prior approval required

Item No 141

Application Number: 13/01741/ADV **Applicant:** St Mary & All Saints DCC
Application Type: Advertisement
Description of Development: Replacement church sign to incorporate notice board (non-illuminated)
Site Address ST MARY & ALL SAINTS CHURCH 88 CHURCH ROAD PLYMSTOCK PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 21/10/2013
Decision: Grant Conditionally

Item No 142

Application Number: 13/01742/TPO **Applicant:** Mr Mark Wildman
Application Type: Tree Preservation
Description of Development: Sycamore - remove 5 branches over garage roof
Horse Chestnut - crownlift over garage to give 2-3m clearance
Site Address 141 HOOE ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 25/10/2013
Decision: Grant Conditionally

Item No 143

Application Number: 13/01744/ADV **Applicant:** Murray Volkswagen
Application Type: Advertisement
Description of Development: Erection of 6 flagpoles
Site Address MURRAY LIMITED, 44 MILLBAY ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 16/10/2013
Decision: Grant Conditionally

Item No 144

Application Number: 13/01750/FUL **Applicant:** Plymouth Leisure Limited
Application Type: Full Application
Description of Development: Change of use from office (A2) to Hot food takeaway (A5)
Site Address 1 PEMROS ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 31/10/2013
Decision: Refuse

Item No 145

Application Number: 13/01752/FUL **Applicant:** Thompson and Jackson
Application Type: Full Application
Description of Development: Single storey rear extension.
Site Address 4 ST LAWRENCE ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 08/11/2013
Decision: Grant Conditionally

Item No 146

Application Number: 13/01753/FUL **Applicant:** Classique Dance Studio
Application Type: Full Application
Description of Development: Change of use from office to D2 to supply leisure/ballet studio
Site Address FIRST FLOOR, THE OLD DISPENSARY, 27 CRAIGIE DRIVE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 14/11/2013
Decision: Grant Conditionally

Item No 147

Application Number: 13/01758/TPO **Applicant:** Treverbyn Management Compa
Application Type: Tree Preservation
Description of Development: Red Buckeye - Fell
Cedar - Fell
Site Address TREVERBYN HOUSE ACORN GARDENS PLYMPTON PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 24/10/2013
Decision: Grant Conditionally

Item No 148

Application Number: 13/01760/FUL **Applicant:** Mrs Claudine Sanford
Application Type: Full Application
Description of Development: Proposed detached garage
Site Address 49 TORR LANE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 23/10/2013
Decision: Grant Conditionally

Item No 149

Application Number: 13/01761/FUL **Applicant:** Mr Paul Smith
Application Type: Full Application
Description of Development: Proposed two storey rear extension
Site Address 13 SKARDON PLACE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 21/10/2013
Decision: Grant Conditionally

Item No 150

Application Number: 13/01762/FUL **Applicant:** Mr Gregory Secker
Application Type: Full Application
Description of Development: Change of use, conversion and alteration to form retail unit and two 2-bedroom cottages with associated amenity space, off-street parking and highway works
Site Address SPICE ISLAND 1 NEWNHAM ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 13/11/2013
Decision: Grant Conditionally

Item No 151

Application Number: 13/01763/FUL **Applicant:** AMS SW Limited
Application Type: Full Application
Description of Development: Change of use of existing C3 dwellinghouse to C4 house of multiple occupancy providing 7 bedrooms
Site Address 8 DERRY AVENUE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 17/10/2013
Decision: Application Withdrawn

Item No 152

Application Number: 13/01767/FUL **Applicant:** Mr Philip Choak
Application Type: Full Application
Description of Development: Proposed rear conservatory with storage
Site Address 29 MARINA ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 31/10/2013
Decision: Grant Conditionally

Item No 153

Application Number: 13/01769/GPD **Applicant:** Studio JB Architectural Services
Application Type: GPDO Request
Description of Development: Change of use from B1 office(s) to C3 residential – (4 flats)
Site Address 3 WOODLAND TERRACE, GREENBANK ROAD
PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 15/10/2013
Decision: Prior approval required

Item No 154

Application Number: 13/01771/FUL **Applicant:** Hindhead Property Management
Application Type: Full Application
Description of Development: Change of use to 12 bed (non-student) house in multiple occupation
Site Address HOTEL ROYAL, 11 ELLIOT STREET PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 21/10/2013
Decision: Grant Conditionally

Item No 155

Application Number: 13/01772/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Replacement of all entrance doors in building
Site Address 1-27 BELMONT COURT, BELMONT PLACE STOKE
PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 11/11/2013
Decision: Grant Conditionally

Item No 156

Application Number: 13/01776/FUL **Applicant:** The Oasis Care Home
Application Type: Full Application
Description of Development: Proposed two storey side extension and movement of first floor
fire exit door and staircase to accommodate new platform lift
Site Address THE OASIS CARE HOME, 90-92 PLYMSTOCK ROAD
PLYMSTOCK PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 08/11/2013
Decision: Grant Conditionally

Item No 157

Application Number: 13/01780/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Vehicle access onto classified road in connection with vehicle
hardstanding
Site Address 415 BUDSHEAD ROAD WHITLEIGH PLYMOUTH
Case Officer: Liz Wells
Decision Date: 30/10/2013
Decision: Refuse

Item No 158

Application Number: 13/01782/FUL **Applicant:** Mr Mark Ryder
Application Type: Full Application
Description of Development: Two storey rear extension
Site Address 23 SOUTHGATE CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 01/11/2013
Decision: Application Withdrawn

Item No 159

Application Number: 13/01784/GPD **Applicant:** Mr P Fox
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4.4m, has a maximum height of 2.95m, and has an eaves height of 2.95m
Site Address 48 MOLESWORTH ROAD PLYMPTON PLYMOUTH
Case Officer: Mike Stone
Decision Date: 23/10/2013
Decision: Prior approval not req

Item No 160

Application Number: 13/01785/FUL **Applicant:** Miss Maria Bosco
Application Type: Full Application
Description of Development: Proposed new shop front
Site Address 4 THE BROADWAY PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 14/11/2013
Decision: Grant Conditionally

Item No 161

Application Number: 13/01790/PRDE **Applicant:** Mr David Gaylard
Application Type: LDC Proposed Develop
Description of Development: Hip to gable roof alterations with rear dormer
Site Address 57 DEAN PARK ROAD PLYMOUTH
Case Officer: Jody Leigh
Decision Date: 23/10/2013
Decision: Issue Certificate - Lawful Use

Item No 162

Application Number: 13/01791/TPO **Applicant:** Turners of Roborough
Application Type: Tree Preservation
Description of Development: 3 Sycamore - Fell
2 Ash - Fell
2 Groups of sycamore next to fence - Fell
Site Address TURNERS OF ROBOROUGH, TAVISTOCK ROAD
PLYMOUTH
Case Officer: Jane Turner
Decision Date: 12/11/2013
Decision: Grant Conditionally

Item No 163

Application Number: 13/01792/FUL **Applicant:** Mrs Esther Hopkins
Application Type: Full Application
Description of Development: Raised access across flat roof and insertion of door to side at first floor level to provide disabled access from existing hardstanding
Site Address 176 SHERIDAN ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 25/10/2013
Decision: Grant Conditionally

Item No 164

Application Number: 13/01793/FUL **Applicant:** Mrs Sheila Stirling
Application Type: Full Application
Description of Development: Proposed two storey side extension and extension to existing garage to provide games room and WC
Site Address 15 BEATTY CLOSE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 31/10/2013
Decision: Grant Conditionally

Item No 165

Application Number: 13/01794/FUL **Applicant:** Mr Kevin Norris
Application Type: Full Application
Description of Development: Expansion of existing school facilities to provide additional accommodation through the conversion of the first and second floors, construction of an access ramp to the first floor and erection of roof covering
Site Address KEYHAM BARTON PRIMARY SCHOOL, RENOWN STREET PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 21/11/2013
Decision: Grant Conditionally

Item No 166

Application Number: 13/01795/ADV **Applicant:** Lloyds Banking Group
Application Type: Advertisement
Description of Development: Proposed internally illuminated fascia signage, hanging sign and associated signage
Site Address HALIFAX PLC, 36 MUTLEY PLAIN PLYMOUTH
Case Officer: Mike Stone
Decision Date: 01/11/2013
Decision: Grant Conditionally

Item No 167

Application Number: 13/01796/FUL **Applicant:** Mr & Mrs John Mellor
Application Type: Full Application
Description of Development: Single storey rear extension and raised decking/patio
Site Address 91 LANGLEY CRESCENT PLYMOUTH
Case Officer: Liz Wells
Decision Date: 08/11/2013
Decision: Grant Conditionally

Item No 168

Application Number: 13/01800/ADV **Applicant:** Ocean BMW
Application Type: Advertisement
Description of Development: Proposed internally illuminated fascia sign
Site Address OCEAN BMW, LONGBRIDGE ROAD MARSH MILLS
PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 24/10/2013
Decision: Grant Conditionally

Item No 169

Application Number: 13/01804/LBC **Applicant:** University of Plymouth
Application Type: Listed Building
Description of Development: Re-instatement of the cascade feature
Site Address DRAKE'S PLACE GARDENS AND RESERVOIRS NORTH
HILL DRAKE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 13/11/2013
Decision: Grant Conditionally

Item No 170

Application Number: 13/01810/FUL **Applicant:** mr Jonny Fraser
Application Type: Full Application
Description of Development: Proposed rear dormer window and 3 no rooflights
Site Address 3 WOODLAND TERRACE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 23/10/2013
Decision: Grant Conditionally

Item No 171

Application Number: 13/01816/FUL **Applicant:** Mr Danny Perring
Application Type: Full Application
Description of Development: Single storey side extension
Site Address 1 HIGHCLERE GARDENS PLYMOUTH
Case Officer: Liz Wells
Decision Date: 29/10/2013
Decision: Grant Conditionally

Item No 172

Application Number: 13/01818/FUL **Applicant:** Mr M Clarke
Application Type: Full Application
Description of Development: Enlargement of existing porch, pitch roof to garage and permeable paving
Site Address 3 CORINGDEAN CLOSE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 23/10/2013
Decision: Grant Conditionally

Item No 173

Application Number: 13/01819/FUL **Applicant:** Mr Graham Clark
Application Type: Full Application
Description of Development: Proposed single storey rear extension
Site Address 7 LOOSELEIGH PARK PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 08/11/2013
Decision: Grant Conditionally

Item No 174

Application Number: 13/01823/FUL **Applicant:** Mr & Mrs M Elliott
Application Type: Full Application
Description of Development: Proposed first floor extension above existing garage
Site Address 14 BOULDEN CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 31/10/2013
Decision: Grant Conditionally

Item No 175

Application Number: 13/01824/FUL **Applicant:** Mr Lee Coventry
Application Type: Full Application
Description of Development: Conservatory to side
Site Address 69 FAIRVIEW AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 24/10/2013
Decision: Grant Conditionally

Item No 176

Application Number: 13/01826/ADV **Applicant:** Skipton Building Society
Application Type: Advertisement
Description of Development: Internally illuminated fascia signs and projecting sign
Site Address SKIPTON BLDG SOC, 4 ST ANDREWS CROSS
PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 25/11/2013
Decision: Grant Conditionally

Item No 177

Application Number: 13/01827/FUL **Applicant:** Premier Inn Hotels Limited
Application Type: Full Application
Description of Development: Formation of air conditioning compound
Site Address PREMIER LODGE HOTEL,28 SUTTON ROAD PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 25/11/2013
Decision: Refuse

Item No 178

Application Number: 13/01829/FUL **Applicant:** Mr Raad Bihnam
Application Type: Full Application
Description of Development: NOT YET VALIDATED
Site Address 23 SOUTH VIEW TERRACE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 08/11/2013
Decision: Application Withdrawn

Item No 179

Application Number: 13/01831/FUL **Applicant:** Mr & Mrs Tony Twitchell
Application Type: Full Application
Description of Development: Variation of condition 5 of 10/00776/REM and 13/01401/FUL to allow various amendments to dwelling at plot 3 including changes to roof and balconies
Site Address 25 COLTNESS ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 19/11/2013
Decision: Grant Conditionally

Item No 180

Application Number: 13/01833/FUL **Applicant:** Mr Peter Mitchell
Application Type: Full Application
Description of Development: Proposed change of use of doctors surgery (D1) and community support centre (D2) to form 2 separate dwellings (C3)
Site Address 44 to 46 RYDER ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 14/11/2013
Decision: Grant Conditionally

Item No 181

Application Number: 13/01834/TCO **Applicant:** Mrs Charmain Evans
Application Type: Trees in Cons Area
Description of Development: 4 Sycamore Trees Crown Thin by 20%
Site Address THE OLD RECTORY, 9FORE STREET PLYMPTON PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 09/10/2013
Decision: Application Withdrawn

Item No 182

Application Number: 13/01835/FUL **Applicant:** Mrs Helen Hynard
Application Type: Full Application
Description of Development: Single storey side/rear extension
Site Address 2 BRADLEY ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 31/10/2013
Decision: Grant Conditionally

Item No 183

Application Number: 13/01837/TPO **Applicant:** Mrs Christine Marmoit
Application Type: Tree Preservation
Description of Development: Tree Works
Site Address 31 ALBION DRIVE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 09/10/2013
Decision: Application Withdrawn

Item No 184

Application Number: 13/01843/TPO **Applicant:** Mount Wise Devon Limited
Application Type: Tree Preservation
Description of Development: Walnut - fell
Site Address ADMIRALTY HOUSE MOUNT WISE CRESCENT
PLYMOUTH
Case Officer: Jane Turner
Decision Date: 20/11/2013
Decision: Grant Conditionally

Item No 185

Application Number: 13/01844/ADV **Applicant:** University College of St Mark &
Application Type: Advertisement
Description of Development: Replacement sports centre advertisement
Site Address UNIVERSITY COLLEGE OF ST MARK AND ST JOHN,
DERRIFORD ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 25/11/2013
Decision: Grant Conditionally

Item No 186

Application Number: 13/01845/FUL **Applicant:** KW Brothers Ltd
Application Type: Full Application
Description of Development: Change of use and extensions to existing building to form B8 and A1 mixed use centre with access to Durnford Street
Site Address 25 DURNFORD STREET PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 13/11/2013
Decision: Grant Conditionally

Item No 187

Application Number: 13/01849/FUL **Applicant:** Mr Michael Foster
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address THE FOLLY, 2 RESERVOIR ROAD PLYMSTOCK
PLYMOUTH
Case Officer: Liz Wells
Decision Date: 18/11/2013
Decision: Application Withdrawn

Item No 188

Application Number: 13/01851/ADV **Applicant:** Poundland
Application Type: Advertisement
Description of Development: Installation of 1 No internally illuminated fascia sign and 1 No internally illuminated projecting sign
Site Address 66 to 68 NEW GEORGE STREET PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 05/11/2013
Decision: Grant Conditionally

Item No 189

Application Number: 13/01858/FUL **Applicant:** Drake Circus Limited Partnershi
Application Type: Full Application
Description of Development: Change of use from A1 (retail) to A2 (financial and professional service)
Site Address UNIT 21A, DRAKE CIRCUS SHOPPING CENTRE,1 CHARLES STREET PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 13/11/2013
Decision: Grant Conditionally

Item No 190

Application Number: 13/01861/FUL **Applicant:** Mr Dave Wolley
Application Type: Full Application
Description of Development: Erection of external fire escape
Site Address 61 PEMBROKE STREET PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 13/11/2013
Decision: Grant Conditionally

Item No 191

Application Number: 13/01864/GPD **Applicant:** S Crosbie Architectural Consulta
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4.05m, has a maximum height of 3.34m, and has an eaves height of 2.05m
Site Address 164 SPRINGFIELD ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 28/10/2013
Decision: Prior approval not req

Item No 192

Application Number: 13/01866/TCO **Applicant:** Arborists
Application Type: Trees in Cons Area
Description of Development: 2 Yew - Remove
Site Address 55 MANNAMEAD ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 06/11/2013
Decision: Grant Conditionally

Item No 193

Application Number: 13/01868/FUL **Applicant:** Mr Shaun Oleary
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 25 OWEN DRIVE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 11/11/2013
Decision: Grant Conditionally

Item No 194

Application Number: 13/01880/GPD **Applicant:** Mr Phillip Weeks
Application Type: GPDO Request
Description of Development: A Single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 6m, has a maximum height 2.7, and has an eaves height of 2.7m
Site Address 36 MEDLAND CRESCENT PLYMOUTH
Case Officer: Mike Stone
Decision Date: 28/10/2013
Decision: Prior approval not req

Item No 195

Application Number: 13/01885/ADV **Applicant:** Evans Cycles
Application Type: Advertisement
Description of Development: Installation of 3no internally illuminated fascia signs and 3no flags
Site Address 2 CHARLES CROSS PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 18/11/2013
Decision: Grant Conditionally

Item No 196

Application Number: 13/01887/FUL **Applicant:** Mr and Mrs Taylor
Application Type: Full Application
Description of Development: Construction of vehicle hardstanding
Site Address 232 ST PETERS ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 07/11/2013
Decision: Refuse

Item No 197

Application Number: 13/01888/ADV **Applicant:** The Royal British Legion
Application Type: Advertisement
Description of Development: Illuminated fascia and entrance signs
Site Address 174 ARMADA WAY PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 21/11/2013
Decision: Grant Conditionally

Item No 198

Application Number: 13/01890/FUL **Applicant:** Mr & Mrs Tucker
Application Type: Full Application
Description of Development: First floor extension above garage including front and rear dormers
Site Address 24 HOLTWOOD ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 12/11/2013
Decision: Grant Conditionally

Item No 199

Application Number: 13/01902/FUL **Applicant:** Mr Michael Sperinck
Application Type: Full Application
Description of Development: Front dormer extension
Site Address 12 MEADOW WAY PLYMOUTH
Case Officer: Liz Wells
Decision Date: 15/11/2013
Decision: Refuse

Item No 200

Application Number: 13/01909/FUL **Applicant:** Mrs Gail Dyer
Application Type: Full Application
Description of Development: Replacement of roof covering and associated works
Site Address PLYMOUTH MAGISTRATES COURT, ST ANDREW STREET PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 14/11/2013
Decision: Grant Conditionally

Item No 201

Application Number: 13/01910/FUL **Applicant:** Mr Greg Lang
Application Type: Full Application
Description of Development: Proposed single and two storey side extension and single storey front extension
Site Address 8 HOLLYCROFT ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 15/11/2013
Decision: Refuse

Item No 202

Application Number: 13/01914/FUL **Applicant:** Ms J. Sienko & Mr A Collacott
Application Type: Full Application
Description of Development: Demolition of existing single storey side extension and construction of two storey side extension and single storey front extension
Site Address 51 HILTON AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 14/11/2013
Decision: Grant Conditionally

Item No 203

Application Number: 13/01917/FUL **Applicant:** Mr John Ireland
Application Type: Full Application
Description of Development: Two storey rear extension and internal alterations
Site Address 23 CEDARCROFT ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 22/11/2013
Decision: Grant Conditionally

Item No 204

Application Number: 13/01923/FUL **Applicant:** Mr & Mrs G. Burnett
Application Type: Full Application
Description of Development: Two storey side and rear extension and raised patio to rear (existing garage to be demolished)
Site Address 34 LONGCAUSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 18/11/2013
Decision: Grant Conditionally

Item No 205

Application Number: 13/01928/ADV **Applicant:** C&J Clarke International
Application Type: Advertisement
Description of Development: Installation of 1no. Internally illuminated fascia sign and 1no. Internally illuminated hanging sign
Site Address 38 TO 42 CORNWALL STREET CITY CENTRE PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 21/11/2013
Decision: Grant Conditionally

Item No 206

Application Number: 13/01930/FUL **Applicant:** Mr and Mrs A Kidd
Application Type: Full Application
Description of Development: Two storey rear extension and associated access landing
Site Address 21 GOWER RIDGE ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 19/11/2013
Decision: Grant Conditionally

Item No 207

Application Number: 13/01934/FUL **Applicant:** Mr & Mrs P. Harries
Application Type: Full Application
Description of Development: Erection of single storey extension
Site Address 1 BRISMAR WALK PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 21/11/2013
Decision: Grant Conditionally

Item No 208

Application Number: 13/01937/TCO **Applicant:** Mrs Charmian Evans
Application Type: Trees in Cons Area
Description of Development: Group of sycamore trees - management works including felling 3 poor specimens
Site Address 9 FORE STREET PLYMPTON PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 14/11/2013
Decision: Grant Conditionally

Item No 209

Application Number: 13/01939/FUL **Applicant:** Mr Graham Pennack
Application Type: Full Application
Description of Development: Proposed raised decking area to rear
Site Address 28 DEVERON CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 15/11/2013
Decision: Grant Conditionally

Item No 210

Application Number: 13/01947/TCO **Applicant:** Equitas Financial (UK) Ltd
Application Type: Trees in Cons Area
Description of Development: Sycamore - 2-3m reduction
- 15% thin and lift over pavement
Site Address 36 MANNAMEAD ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 20/11/2013
Decision: Grant Conditionally

Item No 211

Application Number: 13/01954/FUL **Applicant:** Mr & Mrs Stockton
Application Type: Full Application
Description of Development: Roof alterations and extensions to dwelling (Revision to previous approval 13/00677/FUL)
Site Address 20 GOWER RIDGE ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 19/11/2013
Decision: Grant Conditionally

Item No 212

Application Number: 13/01955/FUL **Applicant:** Mr Antonio Siani
Application Type: Full Application
Description of Development: Proposed garage for mobility scooter
Site Address 77 MOUNT BATTEN WAY PLYMOUTH
Case Officer: Mike Stone
Decision Date: 15/11/2013
Decision: Grant Conditionally

Item No 213

Application Number: 13/01962/FUL **Applicant:** Mrs Sarah Hole
Application Type: Full Application
Description of Development: Proposed front dormer conversion from flat to sloping roof
Site Address 27 BRADFORD CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 22/11/2013
Decision: Grant Conditionally

Item No 214

Application Number: 13/01963/FUL **Applicant:** Mr Michael Norris
Application Type: Full Application
Description of Development: Proposed front dormer conversion from flat to sloping roof
Site Address 25 BRADFORD CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 22/11/2013
Decision: Grant Conditionally

Item No 215

Application Number: 13/01964/FUL **Applicant:** Mr & Mrs Alan Roberts
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address BERRY HOUSE, 95 PLYMSTOCK ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 22/11/2013
Decision: Grant Conditionally

Item No 216

Application Number: 13/01968/GPD **Applicant:** Mr and Mrs Watkins
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse 3.5m, has a maximum height of 3.9m and an eaves height of 2.8m
Site Address 78 BEARSDOWN ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 11/11/2013
Decision: Prior approval not req

Item No 217

Application Number: 13/01974/TPO **Applicant:** Mrs Minion
Application Type: Tree Preservation
Description of Development: Magnolia - Minor pruning works
Site Address 21 SMALLACK DRIVE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 21/11/2013
Decision: Grant Conditionally

Item No 218

Application Number: 13/01975/TCO **Applicant:** Mr Gary Tapp
Application Type: Trees in Cons Area
Description of Development: Minor tree maintenance works
Site Address 30 THORN PARK PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 15/11/2013
Decision: Grant Conditionally

Item No 219

Application Number: 13/01977/FUL **Applicant:** Mr and Mrs Paul and Nadine Be
Application Type: Full Application
Description of Development: Variation of condition 2 of 11/01424/FUL to add playroom over garage
Site Address 81 UNDERLANE PLYMSTOCK PLYMOUTH
Case Officer: Mike Stone
Decision Date: 22/11/2013
Decision: Grant Conditionally

Item No 220

Application Number: 13/01992/FUL **Applicant:** Mrs Teresa Trick
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 2 SOUTH VIEW TERRACE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 22/11/2013
Decision: Grant Conditionally

Item No 221

Application Number: 13/01999/FUL **Applicant:** Mr M Cusack
Application Type: Full Application
Description of Development: Alterations and extension to side and rear, part single and part 2 storey to rear and two storey to side
Site Address 16 BAINBRIDGE AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 22/11/2013
Decision: Grant Conditionally

Item No 222

Application Number: 13/02001/FUL **Applicant:** Mr Alan Heath
Application Type: Full Application
Description of Development: Retention of single storey rear extension and construction of new front porch
Site Address 39 HORNCHURCH ROAD PLYMOUTH
Case Officer: Kate Price
Decision Date: 25/11/2013
Decision: Grant Conditionally

Item No 223

Application Number: 13/02016/FUL **Applicant:** Mr and Mrs S Wagstaff
Application Type: Full Application
Description of Development: Erection of 1 dwelling (as per previously approved 10/01559/FUL)
Site Address 110 ALBERT ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 22/11/2013
Decision: Grant Conditionally

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

Application Number **12/00151/LBC**
Appeal Site **9 ALFRED STREET PLYMOUTH**
Appeal Proposal Retrospective application for satellite dish to the rear of the building
Case Officer Olivia Wilson

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 04/11/2013
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The Inspector allowed the appeal on the grounds that the satellite dish is a replacement for aerials and is considered to be a less intrusive solution. While the dish has an impact on the appearance of the listed building, it is small and any harm caused is offset by the benefits of removing an aerial that was more prominently located. Satellite dishes are now commonplace installations that do not necessarily appear unacceptable provided that they are carefully sited and limited in diameter. The very limited glimpses of the installation are acceptable.

Application Number **12/01672/FUL**
Appeal Site **47 MUTLEY PLAIN PLYMOUTH**
Appeal Proposal Change of use of first and second floors to student house in multiple occupation (6 persons), change of use of basement to one bedroom self-contained flat and demolition of existing garage to form parking area for 3 vehicles
Case Officer Jon Fox

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 10/10/2013
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The Inspector agreed that the proposed basement flat would suffer from poor levels of daylight and outlook due to being at a low level, hemmed in by retained high walls, and further constrained by the parking of cars and the bin store and screen

Application Number **12/01786/FUL** Page 154
Appeal Site **9 BEAUMONT AVENUE PLYMOUTH**
Appeal Proposal Change of use and conversion of single dwellinghouse to five self-contained residential units
Case Officer Kate Saunders

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 14/11/2013
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The inspector agreed that the standard of accommodation of the second floor flat would be poor. In addition he considered overlooking between units would occur and there would be inadequate space to store refuse and cycles. The inspector did not agree that the development would not result in the loss of a small family dwelling. The appeal was dismissed.

Application Number **12/01850/FUL**
Appeal Site **41 STATION ROAD KEYHAM PLYMOUTH**
Appeal Proposal Change of use and conversion from a flat and maisonette to 3 flats
Case Officer Jon Fox

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 14/10/2013
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The Inspector agreed that on-street parking is the issue, but disagreed with the Council that further on-street parking arising from the proposals would result in a risk to highway or public safety, and that local residents would not be inconvenienced to any material extent. The Inspector also considered that the single bus service nearby would be reasonable for this one-bedroom property and that the topography of the area would not necessarily put people off from cycling, especially as ample cycle parking is proposed.

Application Number **12/01934/FUL**

Appeal Site **6 PATNA PLACE PLYMOUTH**

Appeal Proposal
occupation (Class C4) Change of use and conversion of single family dwelling house (Class C3) to a five bedroom house in multiple occupation (Class C4)

Case Officer Chris Watson

Appeal Category

Appeal Type Written Representations

Appeal Decision Dismissed

Appeal Decision Date 22/10/2013

Conditions

Award of Costs Awarded To

Appeal Synopsis

The Planning Inspector agreed with the Council that there is a significant concentration of multiple occupation properties near to the appeal property, and that to allow the proposed

C4 Class house in multiple occupation would worsen the imbalance between these properties and single family dwellings, to the detriment of the locality. The appeal has therefore been dismissed.

The Planning Inspector noted that this property has an unimplemented planning permission for use as two self contained flats, but did not regard this a reason for allowing the appeal given that each of the flats is of a reasonable size and layout, and each is capable of family occupation.

This is the third planning appeal in Plymouth involving proposed Class C4 houses in multiple occupation following the introduction of the C4 Article 4 Direction in September 2012, and in each case the Inspector has supported the Council in opposing these proposed developments.

Application Number **13/00227/FUL**

Appeal Site **8 CLIFTON STREET PLYMOUTH**

Appeal Proposal Change of use from single dwelling house (use class C3) to 5 bed house in multiple occupancy (use class C4)

Case Officer Mike Stone

Appeal Category

Appeal Type Written Representations

Appeal Decision Dismissed

Appeal Decision Date 16/10/2013

Conditions

Award of Costs Awarded To

Appeal Synopsis

This appeal was one of the first against a refusal stemming from the Article 4 Direction that removed permitted development rights to convert single dwellings into HMOS. The

inspector accepted the Council's view that, although data suggested almost 85% of properties within 100 metres of the house were in some form of multiple occupation, the street

had not reached a tipping point. The inspector said that the absence of any HMOS in Clifton Street meant that properties here remained attractive and viable family homes. The

introduction of a HMO would be harmful to the character of the area and prejudice the Council's objective of creating sustainable, well-balanced communities. He added that he did

not feel that the introduction of a management plan condition would be sufficient to out-weigh the harm caused by the loss of a family home.

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