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PLANNING COMMITTEE

Thursday 9 January 2014

4 pm

Council House, Plymouth (Next to the Civic Centre)

Members:

Councillor Stevens, Chair.

Councillor Tuohy, Vice-Chair.

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

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

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

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Tracey Lee

Chief Executive

PLANNING COMMITTEE

AGENDA

PART I – PUBLIC MEETING

1. APOLOGIES

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

2. DECLARATIONS OF INTEREST

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

3. MINUTES

(Pages 1 - 6)

The Committee will be asked to confirm the minutes of the meeting held on 5 December 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 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. 66 - 68 PLYMOUTH ROAD, PLYMOUTH I3/02255/FUL **(Pages 7 - 12)**

Applicant:	A.D Building Developments Ltd
Ward:	Plympton St Mary
Recommendation:	Grant Conditionally

6.2. 5 COLLEGE PARK PLACE, PLYMOUTH 13/01755/FUL (Pages 13 - 18)

Applicant: Miss Liza Barry
Ward: Peverell
Recommendation: Grant Conditionally

6.3. MARINE ACADEMY PLYMOUTH, TREVITHICK ROAD, PLYMOUTH 13/02082/FUL (Pages 19 - 38)

Applicant: Marine Academy Plymouth
Ward: St Budeaux
Recommendation: Grant Conditionally

6.4. ST BONIFACE'S COLLEGE SPORTS GROUND, COYPOOL ROAD, MARSH MILLS, PLYMOUTH 13/01196/FUL (Pages 39 - 50)

Applicant: Peninsula Promotions Limited
Ward: Plympton Erle
Recommendation: Grant Conditionally

7. PLANNING APPLICATION DECISIONS ISSUED (Pages 51 - 90)

The Assistant Director of Planning Services acting under powers delegated to him by the Council will submit a schedule outlining all decisions issued from 26 November to 22 December 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 91 - 94)

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

9. EXEMPT BUSINESS

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

PART II - PRIVATE MEETING

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

that under the law, the Committee 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 5 December 2013

PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

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

Apology for absence: Councillor Nicholson

Also in attendance: Peter Ford (Lead Planning Officer), Mark Lawrence (Lawyer) and Helen Rickman (Democratic Support Officer).

The meeting started at 4.00 pm and finished at 6.35 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.

65. **DECLARATIONS OF INTEREST**

There were no declarations of interest in accordance with the code of conduct.

66. **MINUTES**

Agreed the minutes of the meeting held on 7 November 2013.

67. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

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

There were no questions from members of the public.

69. **PLANNING APPLICATIONS FOR CONSIDERATION**

The Committee considered the following applications, development proposals by local authorities and statutory consultations submitted under the Town and Country Planning Act, 1990, and the Planning (Listed Buildings and Conservation Areas) Act, 1990. Addendum reports were submitted in respect of minute numbers 66, 69.3, 69.4 and 69.5.

69.1 51 GOOSEWELL ROAD, PLYMOUTH 13/02043/FUL

(Mr Paul Mathews)

Decision

Application **GRANTED** conditionally

69.2 139 BLANDFORD ROAD PLYMOUTH 13/01927/FUL

(Miss Claire Rushmere)

Decision

Application **GRANTED** conditionally

**69.3 PUBLIC REALM OUTSIDE BREWHOUSE AND MILLS
BAKERY BUILDINGS ROYAL WILLIAM YARD
PLYMOUTH 13/01663/FUL**

(Urban Splash)

Decision

Application **GRANTED** conditionally

(The Committee heard representations against the application).

69.4 23-51 VICTORIA PLACE PLYMOUTH 13/01688/FUL

(Mr Tim Burke)

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 5 December 2013
in respect of this item).

69.5 18 BROOKINGFIELD CLOSE PLYMOUTH 13/02019/FUL

(Mr Laurie Clear)

Decision

Application **GRANTED** conditionally

(Councillor Darcy's proposal to refuse the application on the
grounds of Core Strategy 34, points 4 and 6, having been seconded
by Councillor Mrs Foster, was put to the vote and declared lost).

(The Committee heard representations against the application).

(A Planning Committee site visit was held on 5 December 2013
in respect of this item).

69.6 24-26 MERAFIELD ROAD PLYMOUTH 13/01922/FUL

Application **WITHDRAWN** from agenda.

69.7 PROPOSED VARIATION TO SECTION 106 RELATING TO PLANNING CONSENT 05/00371/FUL.

The Committee considered the report from the Director for Place in respect of a proposed variation to Section 106 relating to Planning Consent 05/00371/FUL.

Agreed 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 Park and Reservoir.

70. PLANNING APPLICATION DECISIONS ISSUED

The Committee received a report from the Assistant Director for Planning Services on decisions issues for the period 1 October 2013 to 25 November 2013, including -

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

The Lead Planning Officer reported that items 1 and 2 relating to the Sherford New Community Development had been determined; Members were reassured that the decision had stayed true to the Planning Committee decision.

Members noted the planning applications issued.

71. APPEAL DECISIONS

The Lead Planning Officer informed the Committee that the decision to approve applications for satellite dishes to Listed Buildings was made on the individual merit of the application; a precedent had not been set.

Members noted the appeal decisions.

72. EXEMPT BUSINESS

There were no items of exempt business.

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PLANNING COMMITTEE – 5 December 2013

SCHEDULE OF VOTING

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
69.1 51 GOOSEWELL ROAD, PLYMOUTH 13/02043/FUL	Councillors Stevens, Tuohy, Darcy, Sam Davey, K Foster, Mrs Foster, Jarvis, Mrs Nicholson, John Smith, Jon Taylor and Wheeler				Councillor Stark
69.2 139 BLANDFORD ROAD PLYMOUTH 13/01927/FUL	Councillors Stevens, Tuohy, Darcy, Sam Davey, K Foster, Mrs Foster, Jarvis, Mrs Nicholson, John Smith, Jon Taylor and Wheeler				Councillor Stark
69.3 PUBLIC REALM OUTSIDE BREWHOUSE AND MILLS BAKERY BUILDINGS ROYAL WILLIAM YARD PLYMOUTH 13/01663/FUL	Councillors Stevens, Tuohy, Darcy, K Foster, Mrs Foster, Jarvis, Mrs Nicholson, John Smith, Jon Taylor and Wheeler		Councillor Stark		
69.4 23-51 VICTORIA PLACE PLYMOUTH 13/01688/FUL	Unanimous				

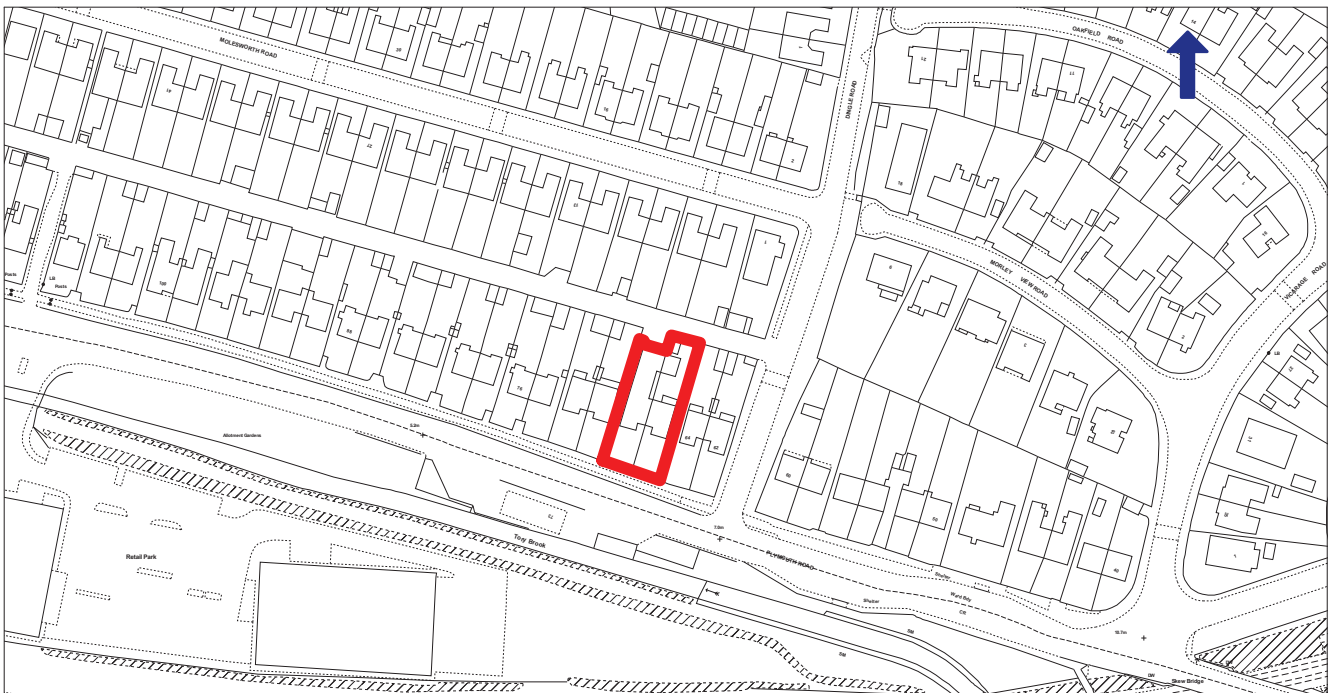
Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
<p>69.5 18 BROOKINGFIELD CLOSE PLYMOUTH 13/02019/FUL</p> <p>Proposal to refuse</p> <p>Officers recommendation</p>	<p>Councillors Darcy, K Foster, Mrs Foster, Mrs Nicholson, Stark</p> <p>Councillors Stevens, Tuohy, Jarvis, John Smith, Wheeler, Stark, Sam Davey</p>	<p>Councillors Stevens, Tuohy, Jarvis, John Smith, Wheeler, Sam Davey, Jon Taylor</p> <p>Councillors Darcy, K Foster, Mrs Foster, Mrs Nicholson</p>	 <p>Councillor Jon Taylor</p>		
<p>69.6 24-26 MERAFIELD ROAD PLYMOUTH 13/01922/FUL</p>	<p>Item withdrawn.</p>				
<p>69.7 PROPOSED VARIATION TO SECTION 106 RELATING TO PLANNING CONSENT 05/00371/FUL.</p>	<p>Unanimous</p>				

PLANNING APPLICATION REPORT



ITEM: 01

Application Number:	13/02255/FUL
Applicant:	A.D. BUILDING DEVELOPMENTS LTD
Description of Application:	Conversion of residential home to two dwellings including demolition of rear wing
Type of Application:	Full Application
Site Address:	66 to 68 PLYMOUTH ROAD PLYMOUTH
Ward:	Plympton St Mary
Valid Date of Application:	28/11/2013
8/13 Week Date:	23/01/2014
Decision Category:	Member/PCC Employee
Case Officer :	Rebecca Boyde
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



This application is being brought to committee as because the applicant is a close relative of a member.

Site Description

66-68 Plymouth Road is a large property located in the Plymstock area of the city. The property is currently a residential care home

Proposal Description

Conversion of residential home to two dwellings including demolition of rear wing

Pre-Application Enquiry

None

Relevant Planning History

82/03492/FUL- Use premises as residential home for the elderly, granted

84/03674/FUL- Alterations and extensions to residential home for the elderly, Granted

Consultation Responses

The consultation period ends 31st December and will follow in addendum report

Representations

The consultation period ends 31st December and will follow in addendum report

Analysis

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

(2)The 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.

(3)The proposal seeks to convert the existing residential home into two separate dwellings. Longview Care Home was last used as a private residential care home for the elderly. It was formed from two semi-detached houses which have been extended at the rear to provide additional bed spaces. The care home has closed and its residents have been relocated. The premises are currently vacant.

(4)The dwellings will be two storeys with an almost identical arrangement of rooms. On the ground floor each dwelling will have separate lounges, kitchen/family rooms; hall and staircase and a w.c. At first floor level there is a landing, family bathroom and 4 bedrooms (number 66) and 3 bedrooms (number 68).

(5) At the rear the site has vehicular access. There is a hard standing, a garage and an outbuilding. The outbuilding will be demolished to provide an additional car parking area for number 68.

(6) Between the rear face of the dwellings and the hard standing there is a large 'L – shaped' building which has been erected as an extension to the original houses to form an additional bedroom wing for the residential care home. This building will be demolished except for a small section behind number 66 where it joins the original house. This will be retained for an additional bedroom above an extended kitchen/family room.

(7) The proposal continues to use existing doors and windows however some windows will be replaced by doors. The existing parking arrangements and garden space will remain. In the rear space which is created there will be private lawned gardens with provision for bins storage.

Standard of accommodation

(8) The property can happily accommodate the proposed layout. The Development Guidelines Supplementary Planning Document states that windows should be large enough to provide adequate daylight to habitable rooms and the proposal complies with this. Once the rear extension has been removed it is considered that the rear amenity space will be adequate and accommodate the needs of the occupiers.

(9) It is not considered that there will be an impact upon privacy as the majority of windows and doors will remain as existing.

(10) Within the site there will be parking spaces for each dwelling. Number 66 will have 3 parking spaces and number 68 will have a garage and two parking spaces. This is above the normal car parking standards for two family dwellings in this location. There is a stepped access from the parking spaces into the rear entrances to the dwellings which is not suitable for wheelchair disabled access. However, the gradients of the site prevent a level or ramped access and it is an established arrangement which has been used by elderly residents whilst it was in use as a residential care home.

Transport comments will follow in addendum

(11) Although the proposal represents a loss in an employment use, given its location outside the city, district or local centre, and within a predominantly residential area, there is no objection. The change of use to two residential properties is considered unlikely to result in any increased noise disturbance compared to the existing use, once works are complete.

(12) The dwellings will revert back to its original use and mimic those on Plymouth Road. The proposal is considered to be in keeping and is not considered to detract from the visual appearance of the surrounding area.

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

The Local Planning Authority has assessed that this development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to its size or nature, under our current charging schedule.

Equalities and Diversities

None

Conclusions

Recommended for approval

Recommendation

In respect of the application dated **28/11/2013** and the submitted drawings Drawing Number: I3025/SP, Drawing Number: I3025/SE, Drawing Number: I3025/03, Drawing Number: I3025/02, Drawing Number: I3025/04, Drawing Number: I3025/01, Drawing Number: I3025/06, Drawing Number: I3025/05, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Number: I3025/SP, Drawing Number: I3025/SE, Drawing Number: I3025/03, Drawing Number: I3025/02, Drawing Number: I3025/04, Drawing Number: I3025/01, Drawing Number: I3025/06, Drawing Number: I3025/05

Reason:

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

INFORMATIVE: (£0 CIL LIABILITY) DEVELOPMENT DOES NOT ATTRACT A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(1)The Local Planning Authority has assessed that this development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to its size or nature, under our current charging schedule. The Levy is subject to change and 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. Index-linking may also apply.

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PLANNING APPLICATION REPORT**ITEM: 02**

Application Number:	13/01755/FUL
Applicant:	Miss Liza Barry
Description of Application:	Retrospective application for single storey rear extension
Type of Application:	Full Application
Site Address:	5 COLLEGE PARK PLACE PLYMOUTH
Ward:	Peverell
Valid Date of Application:	18/09/2013
8/13 Week Date:	13/11/2013
Decision Category:	Member/PCC Employee
Case Officer :	Kate Price
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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This application is before the Planning Committee as the applicant is an employee of Plymouth City Council.

This application was deferred at the 7th November 2013 Planning Committee meeting for further negotiations on modifications to its overall length and height. No consensus was reached at the site meeting although many options discussed. Despite the lack of agreement revised plans have been submitted by the applicant reducing the roof on the boundary with no 4 College Park Place. The plans were re-advertised and the recommendation has changed from refusal to a recommendation for conditional approval as the roof has been altered to lessen the impact on the neighbour. The extension is therefore deemed acceptable with regard to amenity of the neighbour in no 4 College Park Place.

Site Description

5 College Park Place is a two-storey mid-terraced house set within a short terrace of 8 houses located just to the south of the Hyde Park Road area and in the Peverell ward. The road at the front of the property leads to the back-land of other houses in the area. The rear of the property is partially visible in St Gabriel's Avenue.

Proposal description

The application seeks planning permission retrospectively for the retention of a recently constructed rear extension together with proposed amendments to the roof over the kitchen to mitigate overshadowing issues with the neighbour in no 4 College Park Place.

Pre-Application Enquiry

None

Relevant Planning History

13/ 01199/OPR - Erection of rear extension - Compliance case.

Consultation responses

South West Water – No objection.

Representations

One letter of objection had been received on the original application (the owner of no 4 College Park Place)

- concerned about the size of the extension
- design of extension not in keeping
- overshadows own property
- had not been consulted on building against the party wall.

One letter of support has been received on the original application

- similar extensions have been built nearby

No letters of representation have been received to date since the re-advertising of the revised drawings.

I Analysis

- 1.1 The application is considered under the National Planning Framework 2013 and policy CS34 (Planning application considerations) of the City of Plymouth Core Strategy 2006-2021 together with Supplementary Planning Document 'Development Guidelines' First Review 2013.
- 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 and in the form of the Local Development Strategy 2007 and is considered to be compliant with National Planning Policy Framework guidance.
- 1.4 The primary planning considerations are the impact on the amenity of neighbours and the impact on the character and visual appearance of the street-scene.
- 1.5 A site meeting was held on 13th November 2013 between the objector, who is the landlord for no 4, the applicant and the case officer, and various options for reduction of the impact of the extension were discussed. Profiles of these possibilities were outlined on the side of the new extension from the viewpoint of the objector. After this discussion there was no consensus of agreement between the objector and the applicant and the latter submitted revised drawings which were then re-advertised.

2. Character and Appearance

- 2.1 The extension projects 4.06 metres from the main rear wall of the dwelling and, at 2.60 metres wide, fills the gap left between the existing bathroom lean-to extension, which originally mirrored with the next door (no 6) and with the roof pitched west to east. The height of the rear flat part of the extension is approximately 3.50m at the eaves measured from the ground level at the side of the boundary abutting no 4 and has now been reduced on plan to align with the front of the kitchen extension to no 4. The revised proposed pitched roof is now approximately 2.65m to the eaves over the kitchen extension and adjacent to the boundary with no 4 College Park Place- a reduction of approximately 750-800mm. This has been achieved by removing the fanlight over the kitchen door and forming a pitched roof over. The height of the flat roofed part of the new extension has been retained at the original height over the bathroom adjacent to no 6 (width of approximately 2.00m). The impact on no 6 is the same as the original application. The impact on no 4 is now reduced by the proposed reduction of the roof and has lessened both the visual and physical impact.
- 2.2 The materials to the walls and windows are of similar appearance to those used in the construction of the exterior of the existing adjacent dwelling-houses in the terrace. The pitched roof will be in slate.

3. Amenity

- 3.1 The revised flat roof, at its height of approximately 3.50m to the top of the roof, and in line with the extension to the neighbouring dwelling no 4, and lowered to 2.65m to the eaves of the pitched roof, now lessens the impact on no 4.
- 3.2 The ground level on the side of no 4 is at least 0.60m above no 5, the subject of this application, which lessens any residual impact of the revised scheme. It is considered on balance that the extension does now comply with the Council's guidelines for this form of development and it is considered to have a less detrimental impact on the closest adjacent property no 4.
- 3.3 To minimise overlooking into the neighbour's garden, no 4, from the new kitchen the applicant proposes to erect a fence so that the boundary treatment is 2.00m high.
- 3.4 There is no impact on the street-scene at the front and the extension is not readily visible from the rear from the public realm.

4 Other Considerations

- 4.1 The owner of no 4's original objection regarding lack of consultation by their neighbour prior to building work is a civil matter and not a material planning consideration.

Human Rights Act

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 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 also been assessed alongside the wider community interests, as expressed through third party interests /the Development Plan and Central Government Guidance.

Local Finance Considerations

New Homes Bonus- not applicable to this application

Section 106 Obligations

None

Equalities and diversities issues

None

Community Infrastructure levy

Exempt development

Conclusion

The proposed revised rear extension is acceptable in plan form and, with the reduced pitched roof at the boundary with no 4, the extension is now acceptable. For this reason it is recommended that planning permission should be granted.

Recommendation

In respect of the application dated **18/09/2013** and the submitted drawings ,it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMPLETE WITHIN 1 YEAR

(1) The development hereby permitted shall be completed before the expiration of one year beginning from the date of this permission.

Reason:

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

APPROVED PLANS (RETROSPECTIVE)

(2) This permission relates to the following approved plans:

Existing plans. I442-PL-001 Revision A including location plan

Proposed Plans (Variation to as built) I442-PL-002 Revision A including site plan

Reason:

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

INFORMATIVE: (NOT CIL LIABLE) 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.

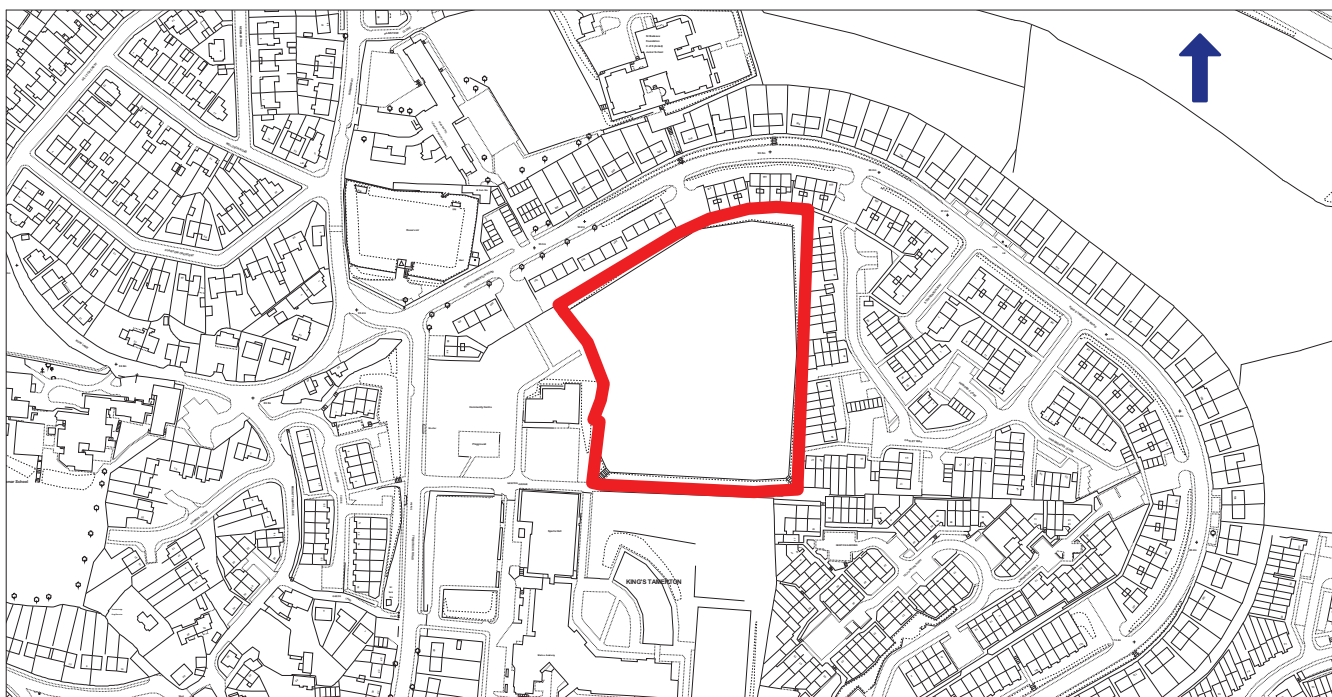
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PLANNING APPLICATION REPORT



ITEM: 03

Application Number:	I3/02082/FUL
Applicant:	Marine Academy Plymouth
Description of Application:	Substitution of two grass football pitches with one artificial multi-purpose pitch, floodlighting and fencing
Type of Application:	Full Application
Site Address:	MARINE ACADEMY PLYMOUTH, TREVITHICK ROAD PLYMOUTH
Ward:	St Budeaux
Valid Date of Application:	05/11/2013
8/13 Week Date:	04/02/2014
Decision Category:	Major - more than 5 Letters of Representation received
Case Officer :	Robert McMillan
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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Site Description

The site is the large Marine Academy Plymouth grass playing field north of Newton Avenue. There is housing to the north and east, the main Marine Academy Plymouth campus to the south and the community centre and open land to the west. It has an area of (1.76) ha and a frontage with Newton Avenue of 125m. There is 3m high chain link fence around the perimeter. It is used as two football pitches with two long jump runs and sand pits in the north east corner and three cricket net surfaces in the north west part. There is container on the western boundary. There are verges outside the fence line on the northern, eastern and southern edges which have trees and vegetation to differing degrees of density being most effective on the western part of the northern boundary and on the southern boundary. There are some trees and vegetation adjoining the western boundary.

The land falls from north to south and it is raised above Newton Avenue and many of the surrounding dwellings particularly in the north east part by up to 2.5 – 3m.

Proposal Description

The proposal is to install an all-weather artificial grass pitch on the site. It would measure 100m by 68m. It would be within a fenced compound measuring 106m by 75m. The steel mesh fencing would be 3m high on all sides except the western part rising to 4.5 behind the goal areas. The western side would be 4.5m high for its full extent. There would be floodlights on eight columns 15m tall, with four on each of the long sides. The playing area would provide one full size football pitch which could also be used as three five/six aside pitches.

The pitch and fencing would be set in from the boundaries so would not interfere with the boundary trees and vegetation.

The long jump runs and pits and cricket net bases and storage units would remain.

Pre-Application Enquiry

The applicant has a meeting with officers following the refusal of the previous application reference 13/01593. This resulted in a change to the hours of operation and the provision of noise attenuation measures

Relevant Planning History

13/01593 – FUL - Substitution of two grass football pitches with one artificial multi-purpose pitch, floodlighting and fencing – REFUSED.

13/00819/FUL - Substitution of two grass football pitches with one artificial multi-purpose pitch, floodlighting and fencing – WITHDRAWN. Following the withdrawal in July the applicant and its agents met with officers and provided more information on: the background to the proposals; the floodlighting details; and the varied the hours of use.

13/00886/FUL - Erection of two single storey buildings for use by Air Training Corps and Army Cadet Force; with associated works – GRANTED.

13/00335 – FULL - Erection of new school building incorporating primary school, children's nursery and sixth form facility. Creation of new playground, including associated hard and soft landscaping, 50 space car park, new pedestrian access routes and external classroom. Demolition of existing music and construction buildings. GRANTED.

13/00594 – FULL - Refurbishment and partial demolition of 1980's block and replacement with new 3 storey extension (revision to planning permission 12/00330/FUL) by the increase in the height of the building by 600mm and change to the roof plant and equipment – PENDING.

12/00330 – FULL - Refurbishment and partial demolition of 1980's block and replacement with a new 3 storey extension – GRANTED.

10/00430 – FULL - Erection of 2.4 metre high security paladin fencing around playing field north of Newton Avenue – GRANTED.

10/00429 – FULL - Erection of 2.4 metre high security paladin fencing around school campus (excluding Newton Avenue playing field) – GRANTED.

09/01075 – FULL - Erection of 2.4 metre high security paladin fencing around school campus (including playing fields) – REFUSED.

02/00781 – FULL - Two storey classroom building between playing field and main school building – GRANTED.

09/00121 – FULL - Single-storey canteen extension GRANTED.

Consultation Responses

Environment Agency

No objection subject to a condition on surface water drainage.

Sport England

No objection as it meets Sport England's Exceptions policy on loss of one playing field given the benefits provided by the artificial grass pitch and subject to the Council exploring opportunities to relocate the cricket pitch and a condition relating to a community use agreement.

Local Highway Authority - Highways

No objections as the access and parking arrangements are satisfactory.

Local Highway Authority – Lighting Control

No objection. Having reviewed the latest lighting design information officers confirm the proposed lighting is acceptable. The design complies with the Institute of Lighting Professionals (ILP) guidance. The source intensity (light which could enter windows) at the window positions is within figures outlined in the ILP document.

Public Protection Service (PPS)

The applicant has provided a noise report and there have been some improvements to the previous scheme to help to alleviate the noise concerns. The proposal for summer and winter hours is welcome. The proposed acoustic barriers at pitch-side will provide a degree of control to the location of the noise source. There will still be some impact on amenity from noise but this is reduced in comparison with the previous applications.

PPS does not object and suggests conditions on: an hours of use; details of the acoustic barrier; code of conduct; and ground contamination;

Representations

There are 50 letters of objection including 38 identical letters with 11 numbered points and six identical letters raising one point. They raise the following matters:

1. Disappointed at this re-submission following the previous unanimous decision by the Planning Committee to refuse the previous similar application;
2. Query the independence and merits of the noise report as it was taken at 7pm with children playing and the background A38 noise does not apply to their gardens;
3. The noise barriers will leave residents with a noise similar to living on a main road;
4. The noise barriers will be ineffective;
5. When the atmosphere is 'heavy' the noise would carry over the barrier;
6. The noise barrier would cut out light;
7. The noise barrier could pose a security risk;
8. The long hours of use and greater intensity of use is unacceptable and will harm the residents' living conditions;
9. The reduction in the hours of use is minimal;
10. Supporters and teams leave up to 45 minutes after the match finishes;
11. The floodlighting will invade their privacy;
12. On lighting has it been taken into account that when there is fine drizzle the droplets act as lenses refracting light in several directions?
13. It will be the closest floodlit pitch of this kind to residents;
14. Will not be able to enjoy their gardens;
15. Will not be able to open their windows;
16. Code of conduct will be ineffective;
17. Loss of an open space used by the local community;
18. The surrounding private car parks for residents are used on match days and if this continues it will cause parking problems for residents;
19. Has the bats issue been taken into account?
20. There should be an ecological survey;
21. The facility should be provided on the southern playing field;
22. Their human rights of right to family and peaceful enjoyment of their properties must be protected;
23. The determination of the application is unfair because the residents cannot afford legal representation compared with the Academy that is represented by an agent;
24. Residents close to the Plymstock AGP are not happy about the noise and floodlighting;

25. The repeated applications causes much stress to residents;
26. Possible damage to the solar panels;
27. Poor consultation exercise by MAP;
28. The letters/cards of support are from people in properties not directly affected;
29. Have been informed by concerned families that children were asked to sign the Marine Academy petition as it would be to their benefit without understanding the full implications.

There are four letters of support from properties in the local area but not directly affected by the proposal. In addition there have been three letters of support from local schools. The points raised are summarised below:

1. Children in the area deserve the best facilities;
2. Will bring a world class facility to an area of deprivation;
3. Will help the community to grow;
4. there will be opportunities for employment and training that will help the area develop
5. There have been very few complaints made by residents to a similar development at Plymstock School
6. The proposals will strengthen partnership working between the Academy and its feeder schools
7. Allow young people and students to develop coaching skills and qualifications;
8. Improve the health and well-being of all stakeholders
9. Would lead to healthier life styles and improve the life chances of local people
10. Help in creating a cohesive community and its transformation.

196 cards of support for the facility have also been submitted

Analysis

The main issues with this application are: the principle of the development; the effect of the greater intensity of use; the impact of the floodlighting on living conditions; and traffic and parking. The main policy considerations are: adopted Core Strategy strategic objectives and policies: SO3 Delivering Sustainable Linked Communities, Policy CS01 Development of Sustainable Linked Communities, SO9 Delivering Educational Improvements, CS14 New Education Facilities, SO11 Delivering a Sustainable Environment, CS18 Plymouth's Green Space, CS19 Wildlife, CS21 Flood Risk, CS22 Pollution, SO14 Delivering Sustainable Transport, Policy CS28 Local Transport Considerations, SO15 Delivering Community Well-being, CS30 Sport, Recreation and Children's Play Facilities and CS34 Planning Application Considerations; National Planning Policy Framework (NPPF); and adopted Supplementary Planning Guidance Development Guidelines.

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 which is considered to be compliant with National Planning Policy Framework guidance.

Introduction

1. This has been a controversial application that has aroused strong local objections mainly from people living in the properties adjoining the site. There has been support too but from a wider area and not from anyone in the affected homes. Members will recall that an application for this proposal was reported to this committee at its meeting on 10 October last year. Officers recommended that permission be granted subject to conditions. Members refused permission for the following reason:

“The noise and disturbance associated with the use of the all-weather sporting facility particularly in the evening would harm the living conditions of the residents in the dwellings adjoining the application site contrary to part a of the third paragraph of policy CS30 and policy CS22 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.”

2. The applicant had a meeting with officers after the decision resulting in some amendments to the proposal, specifically the applicant suggested that noise barriers three metres high could be provided and the hours of use would be reduced in the period 1 April – 31 August to end at 7pm.

3. The applicant has included a statement of community involvement it held from February 2012 to November 2013 outlining the meetings and open evenings it arranged.

This has influenced applicant in the reduction in the hours of use, the provision of noise barriers, the need for more landscaping and the agreement with condition 8 for a community forum.

4. These changes and measures have had little effect on the occupiers of the adjoining properties who continue to maintain their objections.

Principle of development

5. Core Strategy Policy CS14 supports well designed educational development that is easily accessible by sustainable transport and includes where appropriate provision for community use. Paragraph 72 of the NPPF gives great weight to the need to create, expand or alter schools. It also states that local planning authorities should work with the school promoters to identify and resolve the key planning issues before applications are made. The principle of the improved sporting facility for the school and wider community use is supported by local and national policy provided that the living conditions of occupiers of the adjoining properties are not harmed unacceptably. This is the key consideration with the proposal.

Need

6. The Plymouth Sports Facility Strategy identifies a current shortfall of five full size synthetic turf pitches (STP) which include artificial grass pitches in the city with none in the north west area north of the A38(T). The facility provides guaranteed use and is not subject to the vagaries of the weather and encourages participation in football for children and adults for the MAP, Plymouth University, partner schools, local clubs and the community. The applicant has been successful in attracting funding package of £724,000. .

Loss of a natural grass football pitch

7. The site is part of the campus of the Marine Academy Plymouth (MAP) on the north side of Newton Avenue. There will be the provision of one full sized senior all weather pitch that could also be used as three 5 or 6 a side pitches. This results in the loss of one grass football pitch and the grass cricket pitch.

8. Part of policy CS30 states that: “There will be a presumption against any development that involves the loss of a sport recreation or play facility except where it can be demonstrated that there is currently an excess of provision or where alternative facilities of equal or better quality will be provided as part of the development.”

9. The provision of an all-weather multi-purpose pitch compensates for the loss of the natural grass football pitch given its potential for a greater intensity of use. It will enhance the sporting facilities for the Academy and local community to comply with parts of Core Strategy policies CS01 and CS30. Sport England has been consulted and it does not object as the proposal complies with Sport England’s exceptions policy E.5 of its guidance “Policy on planning applications for development on playing fields, 2013”. It recommends that the Local Planning Authority (LPA) explore the possibility of re-provision of cricket on site. There is a similar statement in paragraph 74 of the NPPF. The principle of the loss of the natural grass football pitch and provision of the all-weather facility complies with paragraphs b and c of the third paragraph and last paragraph of Core Strategy policy CS30 and NPPF paragraph 74.

Green Space

10. The land forms part of Greenscape area 23 together with land to the south and west. It performs the three functions of informal recreation, sport and formal recreation and separation/buffer. The first and third functions have neighbourhood importance and the second has district significance. The site measures about 1.7ha. The proposed enclosed artificial grass pitch (AGP) would be about 0.8ha leaving a balance of about 0.9ha. The fencing and lighting columns and floodlighting would create a more urban setting but the land would remain essentially open and improve the sport and formal recreation facility. The land is accessible informally to the public outside of school hours which is likely to remain for the natural grass area that will be un-enclosed. The character of the land would change but the three greenscape functions would remain to comply with policy CS18.

Increased intensity in the use of the land

11. During the week until 5.00pm it will mainly be used by MAP and partner schools. During the evenings and at weekends it will be used by community teams and clubs and Plymouth University. There are 56 dwellings backing on to the site with the distance from the rear walls to the pitch varying from 27m to 59m. There would be more noise and disturbance from such an increase in use. Officers understand residents' concerns as there will be a greater intensity of use. The authorised use of the land is as a school's playing field and a degree of disturbance from sport and recreation use is to be expected. Currently the land can be used during daylight hours which restricts late afternoon and evening use especially during the period October – February.

12. The applicant originally proposed longer hours in the previous application of 9.00am to 10.00pm Monday to Friday and 9.00am to 8.00pm at weekends: a total of 91 hours. Officers sought a reduction in hours of use to finish at 8.00pm Mondays to Fridays, till 7.00pm on Saturdays and 10.00am to 6.00pm on Sundays: a total of 72 hours. The applicant could not agree to such a reduction. This is in part due to the funders requiring 85 hours of use a week with 35 hours of use by the community. The compromise is as stated above in paragraph 11. This is not what the residents want or your officers' preferred option. However it is officers' opinion that this is a reasonable compromise.

13. The applicant has provided a noise impact assessment taking noise findings from the site. They took readings in September when three simultaneous football training sessions took place. There were about 50 children and 10-20 spectators present.

14. The report in 5.1 gives the assessment for the winter stating that:

“Sound transmission calculations have been carried out ... It is anticipated that worst-case noise levels from the proposed development will create levels of internal noise no higher than 26dBA within properties with closed windows. Noise levels that low are typically inaudible in day-to-day life and fall well below typical criteria for internal noise.

It is predicted that a general level of 54dBA will occur in each garden, which falls within the 'good' and 'acceptable' guideline values set out for outside noise by the World Health Organisation (WHO).

In regards to internal noise, it is considered that for a property with all windows closed, both criteria given by WHO and BS 8233 (Sound insulation and noise reduction for buildings. Code of practice) are met comfortably by sound transfer into the building.

However, if a property is to have at least one window open, the level of noise is predicted to be approximately 37dBA. This falls within the 'good' and 'acceptable' criteria for BS 8233 but exceeds WHO criteria by 2dB.

From these calculations, it is seen that sound transmission into buildings from the proposed development will have a minimal effect on the local residents.”

15. For the summer assessment the report states in 5.2 that:

“Spot measurements at position 4 (on the eastern part of the site) indicate that the typical noise level from activity on the pitch is 57dB_{LAeq} at the edge of the field boundary. At 18:00 it is seen that the background noise level is 52dB_{LA90} at the properties, showing that the sports noise is 5dB above background noise. At 19:00, background noise levels are predicted to drop by 2dB to 50dB_{LA90}, in which activity noise will be 7dB above background noise.

To put this change in noise level in relative terms, a noise source that is increased by 10dB will be perceived as twice as loud, while an increase of 1-3dB is not noticeable. Therefore, the activity noise from the existing playing fields is seen as audible above background noise and acceptable, however an increase of +2dB during the extended hours will not be a noticeable change in loudness and the impact from this not be significant.”

16. Part 6 of the report deals with mitigation by the provision of a noise barrier around the compound. It predicts for a 2m high noise barrier there would be a reduction of 3dB and for one 3m high a reduction of 5dB.

17. The report was prepared by a suitably trained and qualified consultant and Public Protection Officers are satisfied with the detail that it supplied. The proposal will increase the intensity of use in comparison to the existing facility and therefore there is still likely to be some impact on amenity due to noise but this is reduced in comparison to the previous applications.

18. Officers suggest two important conditions in relation to the hours of use. These are first that there must be a robust management code of conduct agreement setting out the standards of behaviour that all users of the facility must adhere to with a named contact person residents could contact if problems arose. The applicant states in the design and access statement that it will do this. Second there should be a community forum to deal with issues and concerns arising from the use of the facility. It is suggested that it would comprise representatives for the local residents, local ward member/s, MAP, Plymouth University and the other users of the pitches. Ideally it should meet every two to three months during the first year of operation and then at times to be agreed by the forum.

19. Officers fully understand the strength of feeling of the local residents and accept that there will be a greater disturbance for the occupiers in the surrounding properties. But with the conditions suggested it is the officers' opinion that the living conditions would not be harmed to such an extent to warrant a reason for refusal and that on this matter the application complies with paragraph a of the third paragraph of Core Strategy policy CS30 and Core Strategy policy CS22 and part 17 of the NPPF.

Impact of the floodlighting

20. The other contentious aspect of the application is the erection of the eight floodlights on columns 15m tall. The distance from the floodlights to the back walls of the adjoining dwellings varies from 21m to 59m. The applicant states in the Design and Access Statement that it believes that the lighting is designed to avoid overspill. The lights will be directed downwards at an angle of 66 degrees. There would be a horizontal cut off restricting the light intensity projecting outside of the site, while the upward waste light factor would be zero. The area for lighting purposes is Environmental Zone E3 that is for small town centres and suburban locations. (The Environmental Zones are used by the Institute of Lighting Professionals and are a hierarchy of lighting with E1 being the darkest and E4 the brightest.) For this location the maximum vertical illuminance on the windows of neighbouring properties is 10 lux with a maximum source intensity of 10,000 candelas. (Lux is a standard unit of illuminance and candela is a standard unit of luminous intensity.)

21. The applicant's lighting engineers have designed the system to comply with the stricter standards for Environmental Zone E2. The maximum illumination measured at the windows of adjoining dwellings will not exceed 5 lux with a light source intensity of less than 7,500 candelas. The scheme has been designed to prevent glare going above the horizontal level of the lights directly to the sky. The reflectance from the artificial pitch surface would fall within 5-8%.

22. The Council's lighting engineers have been closely involved with the application and, with the additional information, are now satisfied that the floodlighting would not cause undue harm to the living conditions of the occupiers in the adjoining properties. This is subject to the proviso that the lighting system must be set up strictly in accordance with submitted design criteria. If when tested further control were to be required the floodlights could be fitted with additional louvre/baffle blades to further restrict and control the light spill intensity.

23. The applicant has now provided sufficient evidence to satisfy officers that the living conditions of the residents in the adjoining properties would not be harmed from light pollution. As such the proposal complies with paragraph a of the second paragraph of Core Strategy policy CS30 and Core Strategy policy CS22.

Transport and parking

24. The traffic generation from the proposal outside school hours would be minimal as compared with the traffic generation associated with the day to day school use and is acceptable.

25. Residents have raised concerns that clubs using the facility in the evenings and at weekends would use the car parks off Kings Tamerton Road, as currently occurs on weekend match days. The Local Highway Authority (LHA) does not object to the proposal. The facilities will be ancillary to the Academy. Outside of school hours the existing Academy car park of 68 spaces and proposed new primary school car park for 50 spaces (permitted under planning permission 13/00335/FUL) would be available for use. If permission were to be granted a term could be included in the management agreement instructing users of the facility outside school hours to use the Academy and primary school car parks.

26. For these reasons the transport and parking matters are acceptable and comply with Core Strategy policies CS28 and CS34.

Site selection

27. At the meeting last October the debate considered the site location in comparison with the playing field south of the Academy, west of the new primary school north of Flamsteed Crescent. Officers asked the applicant to consider the southern area. The applicant has discounted the southern site for operational reasons as users would have to move through the school and is the preferred amenity space for pupils to use. If the southern area were selected pupils would have to use the application site during breaks and lunchtimes: the application site is separate from the Academy and has implications for security and staff management. The applicant states that there would need to be substantial groundworks. The site is also close to neighbouring properties with no intervening vegetation. For these reasons the applicant discounted the southern site and is continuing with the current application site.

Other matters

28. The Environment Agency is satisfied that adequate surface water drainage can be achieved subject to a condition to comply with Core Strategy policy CS21.

29. The verges around the site are landscaped with trees and vegetation in differing degrees of intensity with parts sparse especially on the eastern part of the northern boundary. These need to be reinforced with appropriate evergreen and deciduous species to provide greater screening and to soften the impact of the proposal. The applicant was invited to submit a landscape masterplan but declined as the matter can be dealt with by the pre-commencement condition 12.

30. The new fencing will not affect the boundary trees and vegetation as it will be set in to the field away from them. A bat survey was not deemed necessary because floodlighting will be used at lighting-up hours. This means that in summer, use of pitches will be possible without artificial lighting until at least 9pm whilst in winter, bats will be hibernating and hence unaffected by early lighting-up at approximately 4pm. In addition, the area is currently used as playing pitches and therefore has very little ecological value for foraging bats. The pitches are surrounded by urban development including housing, the community centre, the school and roads and associated street lights where there is a general level of lighting.

31. Residents claimed that they have “rights” to use the land and that it should be a “village green” under the Commons Act 2006. The matter of public rights of access to the land was examined in the 2010 application to fence the field 10/00/430/FUL. At that time there was no evidence that such rights existed: no fresh evidence has been supplied to suggest that there are such rights. The Act has been amended by the Growth and Infrastructure Act 2013. This introduces “trigger events” which exclude the right to apply to register land as a green. This applies in this case as one of the trigger events is the publication of the planning application which occurred on 3 September.

32. Officers put up 12 sites notices on in the streets surrounding the site where the affected properties are located.

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 – Protection of property and Article 8 – Right to respect for private and family life 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. In the House of Commons Library Document Human Rights and Planning SN/SC/1295, 2010 it states that:

“Courts seem to feel that the whole process of planning decisions should not be overturned just because of the effects of particular decisions on householders who already have rights to make representations to a democratic body within the planning system.”

Local financial considerations

Section 106 Obligations

None required

Community Infrastructure Levy

Not required

New Homes Bonus

Not applicable.

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

Equalities & Diversities issues

The facility could be used by all minority groups and officers believe that this includes people with disabilities.

Conclusions

This is the third recent application for this proposal that has understandably aroused strong objections from the occupiers of the adjoining properties. There are also letters and cards of support but these are from people, apart from one, who, in the main, do not live close the site. Officers fully appreciate the concerns people have from the likely increase in noise and disturbance arising from the greater intensity of use of the proposed artificial grass pitch and the possibility of light pollution from the proposed floodlighting. Against these concerns are the benefits of the proposal of the improved sporting facility for the Academy providing a modern synthetic turf pitch for which there is a need particularly in this part of the city. This will benefit the Academy, Plymouth University, partner schools, sports clubs and the local community in improving the health, well-being and self-esteem with the increased participation in sport.

Ideally the affected residents and officers would have preferred a location further away from people's homes. However the night time and weekend hours have been reduced from the first and second applications. The applicant has provided a noise impact assessment and will provide noise barriers to mitigate the noise from the more intensive use of the site. Officers are satisfied with the methodology and findings in the report. There would be a management code of conduct agreement to ensure that the users of the facility would adopt an appropriate standard of behaviour and a community forum would be formed so that residents, MAP and the other users could deal with issues as they arose, especially when the pitch is first used when there could be teething problems. Members may feel that the differences from the previous application are not sufficient to change their previous decision to refuse permission. Officers however consider that the likely increase in disturbance, given the safeguarding measures and conditions, would not be of sufficient weight to justify recommending a reason for refusal.

Officers are satisfied that, with the additional lighting information provided by the applicant, the floodlighting system would be designed so as not to cause undue light pollution.

It is considered that the application complies with Core Strategy policies CS01, CS18, CS22, and CS30 and the NPPF and for these reasons the application is recommended for approval.

Recommendation

In respect of the application dated **05/11/2013** and the submitted drawings 31619P(0-)201 Rev E, 31619_LP(90)011 Rev F, 31619_LP(90)010 Rev A, 5940/SITE/01 Rev A, 5940/ELE/01, 5940/GA/01 Rev B, Zaun Fencing Bay General Arrangement, Zaun Duo Sports Specification, Planning, Design and Access Statement, Flood Risk Assessment, Land Quality Phase I Desk Study Report, Lighting details and Champion Set details, Noise Impact Assessment, and statement of community involvement, 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: 31619P(0-)201 Rev E, 31619_LP(90)011 Rev F, 31619_LP(90)010 Rev A, 5940/SITE/01 Rev A, 5940/ELE/01, 5940/GA/01 Rev B, Zaun Fencing Bay General Arrangement, Zaun Duo Sports Specification,

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.

SURFACE WATER DRAINAGE

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

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

Reason:

To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development to comply with policy CS21 of the adopted City of Plymouth Core Strategy Development Plan Document 2007 and paragraphs 103 - 104 of the National Planning Policy Framework 2012.

CONTAMINATED LAND

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

Section 1. Site Characterisation

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

- (i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
- adjoining land
- groundwaters and surface waters
- ecological systems
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

Section 2. Submission of Remediation Scheme

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

Section 3. Implementation of Approved Remediation Scheme

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

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

Section 4. Reporting of Unexpected Contamination

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

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraphs 121 - 122 of the National Planning Policy Framework 2012.

CODE OF PRACTICE DURING CONSTRUCTION

(5) 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 17 and 123 of the National Planning Policy Framework 2012.

HOURS OF USE

(6) The development hereby permitted shall not be used outside the hours of 08.00 to 21.00 Mondays to Fridays from 1 September to 31 March, 08.00 to 19.00 from 1 April to 31 August, 09.00 to 19.00 on Saturdays and 10.00 to 18.00 on Sundays, Bank holidays and public holidays and it shall not be used at any times on Christmas Day and Easter Sunday.

Reason:

To protect the living conditions of the occupiers of the adjoining properties to comply with policies CS30 and CS22 of the adopted City of Plymouth Core Strategy Development Plan Document 2007 and paragraphs 17 and 123 of the National Planning Policy Framework 2012.

MANAGEMENT AGREEMENT AND CODE OF CONDUCT

(7) The applicant /developer shall submit details of a management agreement for the operation of the development and code of conduct for the users of the facility to be approved in writing by the local planning authority prior to the commencement of the use of the development hereby permitted. The development at all times shall be operated in accordance with the agreed management agreement and code of conduct.

Reason:

To ensure that the facility is managed in an appropriate manner to avoid harm to the living conditions of adjoining properties to comply with policies CS30 and CS22 of the adopted City of Plymouth Core Strategy Development Plan Document 2007 and paragraphs 17 and 123 of the National Planning Policy Framework 2012.

COMMUNITY FORUM

(8) The applicant /developer shall submit details of a community forum to be approved in writing by the local planning authority prior to the commencement of the use of the development hereby permitted. The details shall include: the terms of reference; its composition including representatives for the local residents, ward member/s, Marine Academy Plymouth and other stakeholders; and the frequency of meetings.

Reason:

To ensure that the facility is managed in an appropriate manner to avoid harm to the living conditions of adjoining properties to comply with policies CS30 and CS22 of the adopted City of Plymouth Core Strategy Development Plan Document 2007 and paragraph 17 of the National Planning Policy Framework 2012.

ACOUSTIC BARRIER

(9) A suitable acoustic barrier shall be erected on the perimeter of the playing area/spectator as recommended within the applicant's noise impact assessment. The barrier shall be 3m high. Prior to commencement of development details of the barrier, including its density and construction, shall be submitted to and approved in writing by the local planning authority. The acoustic barrier shall be installed in accordance with the approved details before the development hereby permitted is used and retained permanently.

Reason:

To protect the amenity of the local area in relation to both noise and lighting as per CS22 & CS34 of the adopted City of Plymouth Core Strategy development plan document 2007 and paragraphs 17 and 123 of the National Planning Policy Framework 2012.

FLOODLIGHTING

(10) The floodlighting system shall be installed in strict accordance with the submitted lighting details, Champion Set details and design and access statement. Before the use of the development hereby permitted is commenced the applicant shall carry out pre-use testing to ensure that the floodlighting system complies with the approved details and submit details of the test results to be approved in writing by the local planning authority. The development shall be operated at all times in accordance with the approved and tested floodlighting system.

Reason:

To ensure that the living conditions of adjoining properties are not harmed by undue light pollution to comply with policies CS30 and CS22 of the adopted City of Plymouth Core Strategy Development Plan Document 2007 and paragraph 17 of the National Planning Policy Framework 2012.

EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

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

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

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

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

Reason:

To ensure that trees or hedgerows retained in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 are protected during construction work and thereafter are properly maintained, if necessary by replacement and paragraph 17 of the National Planning Policy Framework 2012.

LANDSCAPING

(12) Details of the landscaping and re-inforcement planting of the verges surrounding the site shall be submitted to and approved in writing by the local planning authority before development is commenced. These details shall include planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraphs 17 and 58 of the National Planning Policy Framework 2012.

LANDSCAPE WORKS IMPLEMENTATION

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

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012 and paragraphs 17 and 58 of the National Planning Policy Framework 2012.

MAINTENANCE SCHEDULE

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

Reason:

To ensure that satisfactory landscaping works carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012 and paragraphs 17 and 58 of the National Planning Policy Framework 2012.

CHANGING FACILITIES

(15) Details of the changing arrangements shall be submitted to and approved in writing by the local planning authority before the development hereby permitted is brought first used.

Reason:

To ensure that there are satisfactory changing facilities for the users of the development and that users do not change in surrounding streets and private parking areas to comply with policies CS30 and CS34 of the adopted City of Plymouth Core Strategy development plan document 2007 and paragraphs 17 and 73 - 74 of the National Planning Policy Framework 2012.

COMMUNITY USE AGREEMENT

(16) Prior to the commencement of the use a Community Use Agreement shall be submitted to and approved in writing by the Local Planning Authority. The Agreement shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The development shall not be used at any other time than in strict compliance with the approved agreement.

Reason:

To secure well managed safe community access to the sports facility and to ensure sufficient benefit to the development of sport and to accord with policies CS14 and CS30 of the adopted City of Plymouth Core Strategy development plan document 2007 and paragraphs 73 and 74 of the National Planning Policy Framework 2012.

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

(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: CODE OF PRACTICE

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

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

INFORMATIVE: RELOCATION OF THE CRICKET PITCH

(4) The applicant is advised to give strong consideration to relocating the cricket pitch to the applicant's playing fields on the southern part of the site

INFORMATIVE: SURFACE WATER DRAINAGE

(5) This site is located within the Plymouth Critical Drainage Area. The information provided with the application indicates how an appropriate surface water drainage scheme could be achieved on site using infiltration drainage. To discharge the recommended condition the Environment Agency will be seeking details of the drainage during the construction stage as well as the final scheme. To ensure the scheme is constructed in accordance with the submitted details a construction quality control procedure should be followed which demonstrates the works have been built to an appropriate standard.

INFORMATIVE: COMMUNITY USE AGREEMENT

(6) Guidance on preparing Community Use Agreements is available from Sport England www.sportengland.org

PLANNING APPLICATION REPORT

ITEM: 04

Application Number: 13/01196/FUL

Applicant: Peninsula Promotions Limited

Description of Application: Continue use of part of land as motor cycle speedway track, with ancillary accommodation and facilities on a permanent basis, and including variations to existing terms/methods of operation with revision of conditions 4a & 4c of Approval 07/00547 to allow an alternative to main race night of Friday of EITHER Thursday or Saturday or Bank Holiday Monday (with only one meeting in any weekend) and to allow revisions to meeting timing allowing engine warm-up at 1845 (1730 on a Bank Holiday) and racing to commence at 1915 (1800 on a Bank Holiday) and complete meeting by 2145 (2030 on a Bank Holiday)

Type of Application: Full Application

Site Address: ST BONIFACE'S COLLEGE SPORTS GROUND COYPOOL ROAD MARSH MILLS PLYMOUTH

Ward: Plympton Erle

Valid Date of Application: 14/11/2013

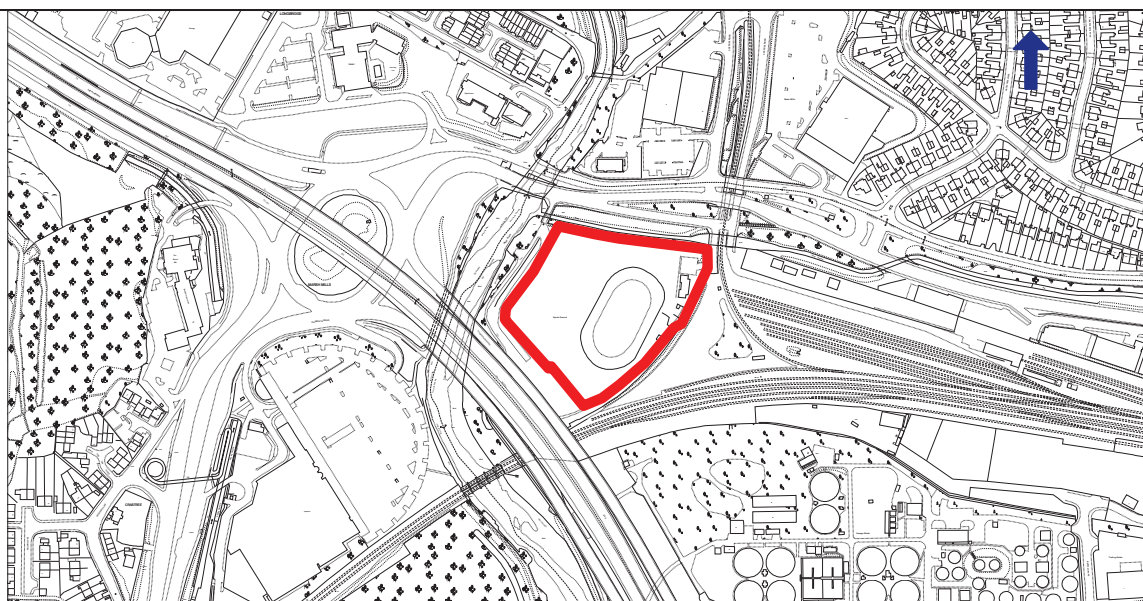
8/13 Week Date: 13/02/2014

Decision Category: Member Referral

Case Officer : Jon Fox

Recommendation: Grant Conditionally

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



This application has been referred to Planning Committee by Councillor Patrick Nicholson

Site Description

The site is approximately 1.2 hectares in area and comprises over one half of the former St. Boniface's sports ground, on its eastern side. The site is accessed via Coypool Road, on the northern side of the site, as it passes under, and runs up to, the main Plymouth Road. A rough footpath runs around the western, southern and eastern sides of the sports ground. The western boundary also abuts a site of local importance for nature conservation, which includes the River Plym as it joins the Laira. The main A38 trunk road runs beyond and above the site's southern boundary. The sports ground is thus situated on low lying ground and is within Flood Zone 3 of the Environment Agency's indicative floodplain map. The site has for approximately six years been used as a speedway circuit and accommodates associated infrastructure such as spectator stands, officials' building and covered motorcycle enclosures.

Proposal Description

Continue use of part of land as motor cycle speedway track, with ancillary accommodation and facilities on a permanent basis, and including variations to existing terms/methods of operation with revision of conditions 4a & 4c of Approval 07/00547 to allow an alternative to main race night of Friday of EITHER Thursday or Saturday or Bank Holiday Monday (with only one meeting in any weekend) and to allow revisions to meeting timing allowing engine warm-up at 1845 (1730 on a Bank Holiday) and racing to commence at 1915 (1800 on a Bank Holiday) and complete meeting by 2145 (2030 on a Bank Holiday)

The submitted plans and documents include: 1:2500 scale location plan, JRR/PDS/064/02/05 (site plan and elevations), Birmingham Noise Test, Neighbourhood Noise Survey, Original Flood Risk Assessment, Submission Statement dated 07/10/13, Transport Statement and accompanying Original Design and Access Statement.

Condition 4 of planning decision notice 07/00547 states:

(4) The development shall be carried out strictly in accordance with the following details:

a) Speedway motorcycle racing will take place on Fridays only between 15 March and 31 October and at these times no other form of motorised sport or activity shall be carried on at the site. In the event that speedway motorcycle racing is cancelled and does not take place on Friday the speedway event may take place on the following day (Saturday) strictly in accordance with parts b) and c) of this condition and the other conditions of this decision notice.

b) There shall be no more than 20 races per meeting except for Championship events and British finals when 24 races is permitted.

c) Races shall take place between 19.30 and 21.30 hours only and engine warm-up shall take place only between 1900 hours and 1915 hours.

Reason:

To preserve the amenities of nearby residents, in accordance with policy CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

Pre-Application Enquiry

None.

Relevant Planning History

07/00547 - Continue use of part of land as motor cycle speedway track, with ancillary accommodation and facilities on a permanent basis, and including variations to existing terms/methods of operation.

05/01452 - Develop part of site by provision of motorcycle speedway track and ancillary accommodation and facilities. Granted temporarily.

Consultation Responses

Local Highway Authority (HA)

The site has been in use since 2006, without giving rise to any significant transport impacts, and the traffic impact and parking element of the use had been previously carefully considered as part of the previous planning applications (05/01452/FUL & 07/00547/FUL). The traffic impact generated by the speedway use would fall well within the capacity of the local road network, and car parking is further facilitated at the Coypool Park & Ride site across the road from the application site.

It is understood that the racing season is from the 15th March to the 31st October. The proposed changes to the hours and days of use for the speedway operations (revision of Planning Conditions 4 of the extant permission) to provide more flexibility, are from the Transport perspective considered relatively minor and unlikely to give rise to any significant transport impacts.

Public Protection Service (PPS)

PPS has in the past had many complaints relating to noise coming from the Speedway and investigating these complaints has taken a lot of resources. It was for this reason that a noise impact assessment was required in order to assess any potential impact from the change of hours that is proposed. Having reviewed the noise impact assessment it would appear that there will be a negligible additional impact from these new operating times. This coupled with the infrequency of the event at these times should mean that noise impacts should not be of significance.

Environment Agency (EA)

The EA considers that the continued use of this land for speedway will be acceptable provided that the site's flood evacuation plan is maintained (and updated if necessary) and there will be no increase in the footprint of built development.

Representations

As of 20/12/13

48 letters of representation were received; these include 11 letters of objection and 34 letters of support. Three observations were also received.

Objections, including some observations

1. Noise from practice sessions on Saturdays or Sundays.
2. This type of recreation should be exercised on the outskirts of the city not in the suburbs, is there not another venue and definitely should not be enlarged.
3. Noise from bikes and tannoy.
4. Fumes from bikes.
5. Meetings have been held on Good Friday, which is wrong.
6. There have been fireworks at the site without any warning.
7. Despite the neighbourhood noise survey, the noise from the speedway is extremely loud and disruptive, especially in the summer months when we want to spend time outside.
8. Enabling race nights to take place on a night when the children have school is extremely inconsiderate and disrupts children's sleep.
9. Is only one meeting allowed over the days specified as there is no mention of Sunday and there is often noise of engines on Sunday afternoons?
10. Do these cut off times include the ancillary noise of tannoy and fireworks?
11. The noise from the A38 and Marsh Mills, and the Speedway has made life in Woodford unpleasant.
12. By giving the Speedway so many more options when to hold meetings, we have no confidence that they will keep to the proposals and hold only one meeting a week, when they have already held more than one meeting a week.
13. It is an inappropriate site as it suffers from flooding. Also, the state of the site has been at best untidy and very little money has been spent by the speedway organisation to improve the ambience of the site.
14. A second speedway team would mean residents having to put up with noise every weekend.
15. Disagree with submitted noise report. One of the tested days was a Memorial Trophy Evening where mostly young riders (teenagers) ride.
16. Racing takes place on a Saturday to accommodate fixtures and not owing to bad weather.
17. What motorbike silencers are being used?
18. A weekend is Saturday and Sunday so does this mean if they race Saturday they could still race or have use of one of the other days as well?
19. The proposed longer duration of speedway will exacerbate the noise problem and the consequent intrusion into the lives of those living in the vicinity.
20. Planning conditions are already being broken in respect of engine running.
21. Loud music is played between races.
22. A permanent metal-wood terracing has been installed.
23. Three hours is too long for 15 one-minute races.
24. Light pollution from floodlights without planning permission.

Support

1. This proposed change is welcomed.
2. This will allow some leeway with meetings.
3. It is important to promote all types of motorsport in the UK.
4. There needs to be time to see new younger riders practicing.
5. This would encourage more youngsters into the sport and finishing at 21.45 would give them more time to practice.
6. Everything must be done to keep this sport in Plymouth.

7. Whilst it does not increase the number of meetings allows variations to accommodate fixtures affected by weather and other factors.
8. There are times when proceedings get interrupted through injury/treatment to riders, heat recalls, rain showers, etc.- all things usually of an essential safety nature. Such delays have meant that because the curfew time is called, the match deciding heats have not had time to run.
9. Less experienced riders can practice in the spare minutes before curfew.
10. The noise from the Speedway including the tannoy is less than from the traffic on the A38.
11. The majority of speedway tracks in the UK have finishing times later than Plymouth.
12. As most meetings are concluded before 9.30pm and only rain affected meetings could be finished in the extra time and save matches from being abandoned and having to be rerun at a later date.
13. Visiting teams often have to travel long distances and should be allowed to complete their meetings.
14. The extension to the time would have no effect on the surrounding area.
15. Its location is out of the way. Night club and hotels have functions until after midnight with music 3 or 4 times louder than Speedway and they operate a lot closer to residential houses.
16. Plymouth have an excellent facility but limited with it time, all other tracks have a 10.00 finish time, this would be far better in an ideal world.
17. The Speedway contributes to the economy of Plymouth.
18. Television cameras will come to the Speedway and there needs to be enough time for races to be completed.
19. Alternative race nights are required to ensure the local talent of the younger riders is nurtured. All clubs in speedway have one.
20. Experience has shown that the anticipated nuisance and noise has been considerably less than was originally expected, especially with the new silencers which have considerably and further reduced noise levels.
21. This is the only sizeable spectator sport in the east of Plymouth. There is no sport stadium planned for Sherford.

I. Analysis

1.1 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.

1.2 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.

2. Human Rights

2.1 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.

2.2 The application turns on policies CS22 (Pollution) and CS34 (Planning Application Considerations) of the Core Strategy of Plymouth's Local Development Framework 2007, the Development Guidelines Supplementary Planning Document (SPD) and the National Planning Policy Framework. The main issues are considered to be the impact of the proposed altered operations on the amenities of neighbours.

3. Noise and residential amenity

3.1 This application relates only to a proposed variation in the days and times at which speedway racing takes place. In this respect it is important to note that the principle of speedway racing has long been established.

3.2 The proposal seeks to introduce greater flexibility into the days of the week when speedway racing can take place. Currently racing can take place on Fridays only, but with an alternative race night of Saturday if necessary. The proposal is for Thursdays and Bank Holiday Mondays to be included as alternative options.

3.3 On balance, and taking account of the fact that letters of representation object on the grounds that Thursdays and Mondays are 'school nights', and that children's sleep would be disturbed, it is considered that the likely infrequent use of these weekdays (there is only one Bank Holiday Monday 'school night' in the speedway season allowed by the consent) would not be demonstrably harmful to the amenities of residents in the area. In this respect the Public Protection Service has not raised an objection and given the long established use of the Speedway site it is considered by officers that the proposed racing days are acceptable.

3.4 The applicants have stated that only one race meeting would take place each weekend. Bearing in mind that Mondays and Thursdays are not part of the weekend, it is important that any grant of permission includes a suitably worded condition to prevent too many race nights occurring.

3.5 This would include: no more than one speedway meeting per weekend; if a speedway meeting takes place on a Thursday there shall be no speedway meeting in the following six days inclusive; if a speedway meeting takes place on a Bank Holiday Monday there shall be no more than one speedway meeting in the following nine days inclusive.

3.6 With regard to rider training, which currently is allowed to take place every Saturday, the applicant's submission statement offers to restrict such training to alternate Saturdays only and to avoid rider training on Saturdays that are race nights. This measure is welcomed as a means of reducing the overall impact of the motorised sport use of the site. These amendments could be built in to an amended version of condition 9.

3.7 With regard to times of operation, part c) of existing condition 4 states that races shall take place between 19.30 and 21.30 hours only and engine warm-up shall take place only between 1900 hours and 1915 hours. The new proposal is to allow engine warm-up at 1845 (1730 on a Bank Holiday) and racing to commence at 1915 (1800 on a Bank Holiday) and complete meeting by 2145 (2030 on a Bank Holiday). This means that engine warm up would take place 15 minutes earlier than it does now and that racing would last 2.5 hours instead of two hours (i.e. by adding 15 minutes at the beginning and 15 minutes at the end of current events).

3.8 On balance it is considered by officers that the proposed increase in the duration of events would not be demonstrably harmful to neighbours.

4. Other considerations

4.1 Reference has been made in the letters of representations to the often heard noise of engines on Sunday afternoons. Neither the existing permission nor the proposed amendments to it allow motorcycles to be used on the site on Sundays. This is an issue that would need to be dealt with separately should a complaint be received by the Council.

4.2 Other representations infer that the proposed cut off times should include the noise of the tannoy and fireworks. As far as the tannoy is concerned it is not considered necessary to tie the use of the tannoy down to specific times as its use might be necessary for health and safety announcements following the cessation of racing and is likely to be of short duration. The letting off of fireworks is considered to be outside of the remit of the Local Planning Authority to control.

4.3 A number of representations refer to the use of the site for practice riding/racing after the main event. As it stands part of condition 4 restricts the number of races to 20 (24 races on Championship occasions). However, informal practicing and racing is not covered by this condition. The apparent use of the site for these purposes, at the end of the meeting, unfortunately prolongs the noise impact on neighbours. Although the noise levels per se have not been considered demonstrably harmful officers consider this practice should be avoided, especially as there is an alternative training period allowed on Saturdays (condition 9 of approval 07/00547).

5. Transport Considerations

5.1 The existing access and parking arrangements are not affected by the proposed change to the times and days of operation.

Local Finance Considerations

None.

Community Infrastructure Levy (CIL)

The CIL is not relevant to this application.

Equalities and Diversities

The proposals do not raise any equality or diversity issues.

Conclusions

The proposed changes to condition 4 of permission 07/00547 are not considered by officers to result in demonstrable harm to residents and it is therefore recommended that permission be granted and condition 4 amended to minimise the impact on local residents.

Recommendation

In respect of the application dated **14/11/2013** and the submitted drawings ,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.

DETAILS OF SURFACING AND SPECTATOR AREAS

(2) The construction and surfacing of all spectator areas around the speedway track shall accord with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of visual amenity and to assess the potential impact on drainage of surface water and the flood storage capacity of the site, in accordance with policies CS21 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 103 of the National Planning Policy Framework and paragraphs 58 and 109 of the National Planning Policy Framework.

DETAILS OF DRAINAGE

(3) The site shall be drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority before development commences.

Reason:

To minimise the potential for surface water run-off that might increase the risk of flooding, in accordance with policy CS21 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 10 to 104 of the National Planning Policy Framework.

TIME AND OPERATION OF SPEEDWAY MEETINGS

(4) The development shall be carried out strictly in accordance with the following details:

- a) Speedway motorcycle racing will take place only between 15 March and 31 October and at these times no other form of motorised sport or activity shall be carried on at the site.
- b) Speedway motorcycle racing shall take place on Fridays with an alternative of either Thursday or Saturday or Bank Holiday Monday.
- c) If a speedway meeting takes place on a Thursday there shall be no speedway meeting in the following six days inclusive.
- d) If a speedway meeting takes place on a Monday there shall be no more than one speedway meeting in the following nine days inclusive.
- e) There shall be no more than one speedway meeting per weekend.
- f) There shall be no more than 20 races per meeting except for Championship events and British finals when 24 races are permitted. There shall be no use of the site for motorcycle training or any other motorised activity on race days.
- g) Races shall take place between 19.15 (1800 on a bank Holiday) and 21.45 hours (2030 on a Bank Holiday) only and engine warm-up shall take place only between 1845 hours and 1915 hours (1730 to 1800 hours on a Bank Holiday).

Reason:

To preserve the amenities of nearby residents, in accordance with policy CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 109 and 123 of the National Planning Policy Framework.

DETAILS OF TANOY SPEAKERS

(5) The number, times of operation, orientation and noise levels of the tannoy speakers used at the site shall accord with details that previously were submitted to and approved in writing by the Local Planning Authority. The operation of the tannoy speakers shall at all times accord with the approved details.

Reason:

To preserve the amenities of nearby residents, in accordance with policy CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 109 and 123 of the National Planning Policy Framework.

DETAILS OF LIGHTING

(6) The use of the lighting columns on the site shall accord with the previously submitted and approved details of:

- a) Their number, height and orientation.
- b) Their power output and spread of illumination.
- c) Precise times of operation.

Reason:

To prevent the potential for light pollution and to preserve the amenities of nearby residents, in accordance with policy CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraph 125 of the National Planning Policy Framework.

PROVISION OF TRAINING PITCH

(7) The training pitch within the perimeter of the speedway track constructed and laid out in accordance with details that were submitted to and approved in writing by the Local Planning Authority shall be retained in its approved condition.

Reason:

To provide sports facilities that are necessary in lieu of the playing field area taken up by the speedway track and associated works, in accordance with policy CS30 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraph 74 of the National Planning Policy Framework.

NO OTHER MOTORISED SPORT OR ACTIVITY

(8) When not in use for approved speedway events the site of the speedway track shall not be used for any other form of motorised sport or activity, except for rider training and use by fully silenced mini-motorbikes strictly in accordance with condition 9 of this decision notice.

Reason:

To protect the amenities of nearby residents and the general amenity of the area, in accordance with policy CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 109 and 123 of the National Planning Policy Framework.

DETAILS OF MINI-MOTOS OPERATION

(9) The use of the speedway site for rider training and mini-motorbikes is permitted between 1300 hours and 1600 hours on alternate Saturdays only between 15 March and 31 October in any calendar year and no such rider training or mini-motorbike use shall take place on the same day as a race night. The said permitted use shall at all times accord with details of the number of motorised vehicles in use at any one time that shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of nearby residents and the general amenity of the area, in accordance with policy CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 109 and 123 of the National Planning Policy Framework.

ENVIRONMENTAL MANAGEMENT PLAN

(10) The speedway operation shall be conducted in accordance with the environmental management plan that has been submitted to and approved in writing by the Local Planning Authority.

Reason:

in accordance with policies CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 74, 109, 123 and 125 of the National Planning Policy Framework.

SITE EVACUATION

(11) Details of the means of evacuating the speedway site in the event of the site becoming flooded shall be submitted to and approved in writing by the Local Planning Authority before the first use of the speedway track.

Reason:

To ensure that spectators and officials are afforded safe and convenient escape from the site, in accordance with policy CS21 of the Core Strategy of Plymouth's Local Development Framework 2007 and paragraphs 100 to 104 of the National Planning Policy Framework.

INFORMATIVE: (NOT CIL LIABLE) 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: UNCONDITIONAL APPROVAL (APART FROM TIME LIMIT AND APPROVED PLANS)

(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 granted planning permission.

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PLANNING COMMITTEE

Decisions issued for the following period: 26 November 2013 to 22 December 2013

Note - This list includes:

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

Item No 1

Application Number: 12/02027/OUT **Applicant:** KDR (Forder Valley) Ltd

Application Type: Outline Application

Description of Development: Outline application (all matters reserved) for a residential led mix of uses on 32.07 hectares of land including up to 873 dwellings (2, 3, 4 bedroom houses, 1, 2 bedroom flats); 8,000 sq m of business space (use class B1); 1000 sq m of non-residential institutions (use class D1); 2,000 sq m of commercial floor space to include a mix of shops (use class A1), financial and professional services (use class A2), restaurants, cafes (use class A3), drinking establishments (use class A4) hot food takeaways (use class A5) construction of a new link road and bridge across Forder Valley; Combined with a full application for the change of use of 38.67 hectares of agricultural land to public open space.

Site Address LAND AT SEATON NEIGHBOURHOOD PLYMOUTH

Case Officer: Mark Evans

Decision Date: 20/12/2013

Decision: Grant Subject to S106 Obligation - Full

Item No **2**

Application Number: 12/02320/FUL **Applicant:** Development Securities (Marsh

Application Type: Full Application

Description of Development: Full planning application for demolition of the existing hotel and development of a maximum of 7,900 square metres of A1 retail floorspace and a maximum 712 square metres of A3 Restaurant/café floorspace, with access parking, landscaping and associated works. Re-advertised due to re-siting of the development by 10 metres to enable the existing tree boundary on the north of the site to be retained.

Site Address LEGACY PLYMOUTH INTERNATIONAL HOTEL, 270
PLYMOUTH ROAD PLYMOUTH

Case Officer: Mark Evans

Decision Date: 10/12/2013

Decision: Grant Subject to S106 Obligation - Full

Item No **3**

Application Number: 13/00643/FUL **Applicant:** Mr A Lane

Application Type: Full Application

Description of Development: First and second floor extension to existing flat (above Chinese takeaway) including new roofs and metal extract duct for the takeaway

Site Address 111 VAUXHALL STREET PLYMOUTH

Case Officer: Jon Fox

Decision Date: 02/12/2013

Decision: Grant Conditionally

Item No **4**

Application Number: 13/00905/FUL **Applicant:** Barratt Homes

Application Type: Full Application

Description of Development: Redevelopment of site by the erection of 347 new mixed tenure homes in the form of 60 flats and 287 houses with associated parking and improvements to Cookworthy Green: Variation of condition 2 of 12/01304/UL to allow for changes to ground levels and finished floor levels

Site Address WOODVILLE ROAD PLYMOUTH

Case Officer: Robert McMillan

Decision Date: 20/12/2013

Decision: Grant Subject to S106 Obligation - Full

Item No 5

Application Number: 13/00941/REM **Applicant:** Persimmon Homes / Charles Ch
Application Type: Reserved Matters
Description of Development: Reserved matters application for 240 dwellings with associated roads, garaging and landscaping as part of the Morley Park Phase 1 development at Plymstock Quarry, The Ride, Plymstock
Site Address PLYMSTOCK QUARRY, BROXTON DRIVE PLYMSTOCK PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 10/12/2013
Decision: Grant Conditionally

Item No 6

Application Number: 13/01253/FUL **Applicant:** Flying Start Nurseries (SW) Limi
Application Type: Full Application
Description of Development: Erection of a children's nursery and associated facilities
Site Address COLLEGE OF ST MARK AND ST JOHN, PLYMBRIDGE LANE PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 04/12/2013
Decision: Refuse

Item No 7

Application Number: 13/01346/FUL **Applicant:** Taylor Wimpey Exeter
Application Type: Full Application
Description of Development: Erection of 16 detached dwellings with new access from Springfield Close, associated access road and public open space, including demolition of 27 Springfield Close (revision to previously approved scheme)
Site Address 27 SPRINGFIELD CLOSE AND LAND TO REAR PLYMOUTH
Case Officer: Robert Heard
Decision Date: 26/11/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 8

Application Number: 13/01610/FUL **Applicant:** Western Power Distribution
Application Type: Full Application
Description of Development: Construction of four three-bed houses with creation of new access and landscaping
Site Address STRODE ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 11/12/2013
Decision: Refuse

Item No 9

Application Number: 13/01638/ADV **Applicant:** Plymouth Arts Centre
Application Type: Advertisement
Description of Development: Temporary banner signage attached to west elevation
Site Address PLYMOUTH ARTS CENTRE, 38 LOOE STREET
PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 29/11/2013
Decision: Grant Conditionally

Item No 10

Application Number: 13/01639/LBC **Applicant:** Plymouth Arts Centre
Application Type: Listed Building
Description of Development: Temporary banner signage attached to west elevation
Site Address PLYMOUTH ARTS CENTRE, 38 LOOE STREET
PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 29/11/2013
Decision: Grant Conditionally

Item No 11

Application Number: 13/01663/FUL **Applicant:** Urban Splash
Application Type: Full Application
Description of Development: 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'.
Site Address PUBLIC REALM OUTSIDE BREWHOUSE AND MILLS BAKERY BUILDINGS ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 09/12/2013
Decision: Grant Conditionally

Item No 12

Application Number: 13/01688/FUL **Applicant:** Devcor Properties Ltd
Application Type: Full Application
Description of Development: 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)
Site Address 23-51 VICTORIA PLACE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 10/12/2013
Decision: Grant Conditionally

Item No 13

Application Number: 13/01692/FUL **Applicant:** Mr David Scantlebury
Application Type: Full Application
Description of Development: Conversion of ground floor offices to two flats
Site Address 9-11 DURNFORD STREET PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 09/12/2013
Decision: Refuse

Item No 14

Application Number: 13/01702/FUL **Applicant:** Astor House (Plymouth) Ltd
Application Type: Full Application
Description of Development: Conversion of vacant hotel to 13 no. apartments and 1 no. townhouse including demolition, alterations, new terraces to rear and parking
Site Address ASTOR HOTEL,14 ELLIOT STREET PLYMOUTH
Case Officer: Katherine Graham
Decision Date: 06/12/2013
Decision: Grant Conditionally

Item No 15

Application Number: 13/01719/FUL **Applicant:** Mr John Fearnley
Application Type: Full Application
Description of Development: Installation of roof lights and alterations to stud partition walls
Site Address FLAT 14, PALACE VAULTS, 33 NEW STREET PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 28/11/2013
Decision: Grant Conditionally

Item No 16

Application Number: 13/01720/LBC **Applicant:** Mr John Fearnley
Application Type: Listed Building
Description of Development: Installation of roof lights and alterations to stud partition walls
Site Address FLAT 14, PALACE VAULTS, 33 NEW STREET PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 28/11/2013
Decision: Grant Conditionally

Item No 17

Application Number: 13/01733/FUL **Applicant:** Mr Alec Macleod
Application Type: Full Application
Description of Development: Proposed dwelling, detached garage and access track
Site Address LAND ADJACENT MILL COTTAGE, STATION ROAD
TAMERTON FOLIOT PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 17/12/2013
Decision: Refuse

Item No 18

Application Number: 13/01770/FUL **Applicant:** Mr C Gibson
Application Type: Full Application
Description of Development: Single storey rear extension and porch to front
Site Address 5 FINCHES CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 13/12/2013
Decision: Grant Conditionally

Item No 19

Application Number: 13/01773/FUL **Applicant:** GMR Building Services Limited
Application Type: Full Application
Description of Development: Proposed extension over existing single storey building to
create one office and additional storage areas
Site Address 82 TO 84 HIGHER COMPTON ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 26/11/2013
Decision: Refuse

Item No 20

Application Number: 13/01781/FUL **Applicant:** Mr Nolan Plant
Application Type: Full Application
Description of Development: Proposed pitched roof to existing garage to provide storage area
Site Address 63 ORCHARD AVENUE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 19/12/2013
Decision: Grant Conditionally

Item No 21

Application Number: 13/01783/FUL **Applicant:** Plymouth Hospital NHS Trust
Application Type: Full Application
Description of Development: Installation of a new 1,500kw combined heat and power unit located in the existing boiler and associated roof mounted plant (existing redundant plant to be removed)
Site Address DERRIFORD HOSPITAL DERRIFORD ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 12/12/2013
Decision: Grant Conditionally

Item No 22

Application Number: 13/01786/FUL **Applicant:** Spectrum Premier Homes Limit
Application Type: Full Application
Description of Development: Residential development comprising 50 houses and associated site access from a public highway and related infrastructure connections
Site Address FORMER PLYM VIEW PRIMARY SCHOOL, BLANDFORD ROAD EFFORD PLYMOUTH
Case Officer: Thomas Westrope
Decision Date: 18/12/2013
Decision: Grant Subject to S106 Obligation - Full

Item No 23

Application Number: 13/01799/FUL **Applicant:** Mr J Moriss
Application Type: Full Application
Description of Development: Erection of 'eco' dwelling and associated garage
Site Address LAND ADJOINING 76 DOWNHAM GARDENS TAMERTON
FOLIOT PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 18/12/2013
Decision: Application Withdrawn

Item No 24

Application Number: 13/01801/FUL **Applicant:** Truscotts Barnstaple Limited
Application Type: Full Application
Description of Development: Erection of a detached industrial unit (use classes B1 (b) and (c), B2, and B8) subdivided into three units, together with associated forecourt and car parking. Revision to previously approved scheme 01/01524/FUL
Site Address UNIT 18 FORRESTERS BUSINESS PARK, ESTOVER
CLOSE PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 26/11/2013
Decision: Grant Conditionally

Item No 25

Application Number: 13/01815/FUL **Applicant:** Friary Mill Bakery
Application Type: Full Application
Description of Development: Single storey extension to west elevation
Site Address 8 OAKFIELD PLACE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 18/12/2013
Decision: Grant Conditionally

Item No 26

Application Number: 13/01820/PRDE **Applicant:** Mr M Clarke
Application Type: LDC Proposed Develop
Description of Development: Roof dormer enlargement
Site Address 3 CORINGDEAN CLOSE PLYMOUTH
Case Officer: Kate Price
Decision Date: 29/11/2013
Decision: Issue Certificate - Lawful Use

Item No 27

Application Number: 13/01821/FUL **Applicant:** Secretary of State for Defence
Application Type: Full Application
Description of Development: Retention of excavated material mound (arising from Devonport Landing Craft Co-Location Project)
Site Address LAND AT WESTON MILL LAKE, HMNB DEVONPORT PLYMOUTH
Case Officer: Alan Hartridge
Decision Date: 26/11/2013
Decision: Grant Conditionally

Item No 28

Application Number: 13/01830/FUL **Applicant:** Mr Paul Evans
Application Type: Full Application
Description of Development: Erection of two-storey dwellinghouse with integral garage and additional parking space (amended application following withdrawal of application 13/01053/FUL)
Site Address LAND TO REAR OF ERME HOUSE, STATION ROAD PLYMPTON PLYMOUTH
Case Officer: Jon Fox
Decision Date: 02/12/2013
Decision: Grant Conditionally

Item No 29

Application Number: 13/01838/TPO **Applicant:** Dr Michael Stratford
Application Type: Tree Preservation
Description of Development: Copper Beach - fell
Oak - rear garden - fell
Oak & Ash on rear boundary - removal of deadwood & some reduction
Site Address 9 BEATTY CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 03/12/2013
Decision: Grant Conditionally

Item No 30

Application Number: 13/01859/FUL **Applicant:** Plymouth Leisure Ltd
Application Type: Full Application
Description of Development: Provision of external flue and retention of air conditioning unit associated with planning permission 12/01779/FUL
Site Address 76 EMBANKMENT ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 06/12/2013
Decision: Grant Conditionally

Item No 31

Application Number: 13/01863/PRDE **Applicant:** Mrs Christine Crocker
Application Type: LDC Proposed Develop
Description of Development: Demolition of existing garage and erection of detached garage at end of garden
Site Address 166 CHURCH WAY PLYMOUTH
Case Officer: Niamh Boyle
Decision Date: 28/11/2013
Decision: Issue Certificate - Lawful Use

Item No 32

Application Number: 13/01871/FUL **Applicant:** Staunch Ltd
Application Type: Full Application
Description of Development: Demolition of existing buildings and erection of 6 detached dwellings with access and associated works
Site Address 119 LOOSELEIGH LANE PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 10/12/2013
Decision: Application Withdrawn

Item No 33

Application Number: 13/01873/FUL **Applicant:** Mrs Kelly Lamble
Application Type: Full Application
Description of Development: Raised front hardstanding
Site Address 22 WYTHBURN GARDENS PLYMOUTH
Case Officer: Liz Wells
Decision Date: 04/12/2013
Decision: Grant Conditionally

Item No 34

Application Number: 13/01882/FUL **Applicant:** Plymouth Hebrew Congregation
Application Type: Full Application
Description of Development: Erection of free-standing gates across alleyway and change of use of alleyway to private drive
Site Address SYNAGOGUE CHAMBERS, CATHERINE STREET
PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 18/12/2013
Decision: Grant Conditionally

Item No 35

Application Number: 13/01883/FUL **Applicant:** Wolferstans Solicitors
Application Type: Full Application
Description of Development: Installation of new shop front
Site Address 7 RADFORD PARK ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 04/12/2013
Decision: Grant Conditionally

Item No 36

Application Number: 13/01889/FUL **Applicant:** The Harbour Centre
Application Type: Full Application
Description of Development: External lift and lobby area
Site Address HYDE PARK HOUSE, MUTLEY PLAIN PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 26/11/2013
Decision: Grant Conditionally

Item No 37

Application Number: 13/01899/FUL **Applicant:** Mrs A Crocker
Application Type: Full Application
Description of Development: Demolition of existing workshop and construction of dwelling
Site Address 45 EMMA PLACE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 29/11/2013
Decision: Refuse

Item No 38

Application Number: 13/01907/FUL **Applicant:** Mr Downey Andrew
Application Type: Full Application
Description of Development: First floor rear extension (over existing flat roof) and new side and rear doors
Site Address 318 FORT AUSTIN AVENUE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 09/12/2013
Decision: Grant Conditionally

Item No 39

Application Number: 13/01908/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: The widening of Marjon Link Road (to facilitate the two-way operation of buses and provide a segregated footway at cycle path) including alterations to sports hall car park and provision of new bus shelter
Site Address MARJON, PLYMBRIDGE LANE PLYMOUTH
Case Officer: Alan Hartridge
Decision Date: 06/12/2013
Decision: Grant Conditionally

Item No 40

Application Number: 13/01915/FUL **Applicant:** Mr Steven Wheeler
Application Type: Full Application
Description of Development: Two-storey rear extension with raised decking area
Site Address 101 UNDERLANE PLYMSTOCK PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/12/2013
Decision: Grant Conditionally

Item No 41

Application Number: 13/01921/FUL **Applicant:** Mr Robert Fisher
Application Type: Full Application
Description of Development: Single storey front extension
Site Address 28 BICTON CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 16/12/2013
Decision: Grant Conditionally

Item No 42

Application Number: 13/01926/FUL **Applicant:** Mr Malcolm Pryor
Application Type: Full Application
Description of Development: Ground floor single storey extension
Site Address 304 SOUTHWAY DRIVE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 29/11/2013
Decision: Grant Conditionally

Item No 43

Application Number: 13/01927/FUL **Applicant:** Miss Claire Rushmere
Application Type: Full Application
Description of Development: Widening access onto classified road
Site Address 139 BLANDFORD ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 06/12/2013
Decision: Grant Conditionally

Item No 44

Application Number: 13/01935/FUL **Applicant:** Elliot Design and Build Ltd
Application Type: Full Application
Description of Development: Demolition of existing office/store and erection of three storey building for use as 2 flats with integral garages
Site Address 23 COLLEGE LANE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 19/12/2013
Decision: Refuse

Item No 45

Application Number: 13/01948/TPO **Applicant:** Mr David Atrill
Application Type: Tree Preservation
Description of Development: Oak - Reduce 4 side branches next to house by 2-3m and prune branches above by 1m
Site Address 90 MEADOW WAY PLYMOUTH
Case Officer: Jane Turner
Decision Date: 27/11/2013
Decision: Grant Conditionally

Item No 46

Application Number: 13/01949/FUL **Applicant:** Mrs Maureen Lawley
Application Type: Full Application
Description of Development: Outline application to develop parts of garden by erection of two dwellings, with improvements to existing vehicular access and provision of new footpaths on both sides of Underwood Road (planning approval number 10/01814), with removal of conditions 5, 6 and 13 (relating to street details, completion of roads and footways and upper storey accommodation in roof space)
Site Address DORSMOUTH, DRUNKEN BRIDGE HILL PLYMOUTH
Case Officer: Jon Fox
Decision Date: 20/12/2013
Decision: Refuse

Item No 47

Application Number: 13/01953/FUL **Applicant:** Mrs Maureen Lawley
Application Type: Full Application
Description of Development: Erection of two-storey dwelling with parking and site access improvements including formation of refuge on Underwood Road
Site Address DORSMOUTH, DRUNKEN BRIDGE HILL PLYMOUTH
Case Officer: Jon Fox
Decision Date: 12/12/2013
Decision: Refuse

Item No 48

Application Number: 13/01956/FUL **Applicant:** Plymouth Ford Spares
Application Type: Full Application
Description of Development: Change of use from B1 and B2 to vehicle storage, depollution and dismantling facility (Sui Generis)
Site Address DUBBS ON THE ROCKS, 10 HAXTER CLOSE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 29/11/2013
Decision: Grant Conditionally

Item No 49

Application Number: 13/01959/TPO **Applicant:** Mr Martin Carter
Application Type: Tree Preservation
Description of Development: Ash - Crown lift to 5m above ground and reduce crown by 2m
Site Address STRATHMORE,46 ROCKY PARK ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 27/11/2013
Decision: Grant Conditionally

Item No 50

Application Number: 13/01961/FUL **Applicant:** Plymouth City Council Economi
Application Type: Full Application
Description of Development: Proposed change of use from Sui Generis to B1. B2 and B8 for use as storage and distribution
Site Address 4 HAXTER CLOSE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 28/11/2013
Decision: Grant Conditionally

Item No 51

Application Number: 13/01967/EXUS **Applicant:** Westcountry Funeral Services
Application Type: LDC Existing Use
Description of Development: Establish existing use as a florist under use class A1
Site Address THE OLD SMITHY, HAYE ROAD SOUTH PLYMOUTH
Case Officer: Jody Leigh
Decision Date: 16/12/2013
Decision: Issue Certificate - Lawful Use

Item No 52

Application Number: 13/01976/GPD **Applicant:** M7 Real Estate LLP
Application Type: GPDO Request
Description of Development: Change of use from B1 office(s) to C3 residential - 33 flats
Site Address ST ANDREWS COURT, 12 ST ANDREW STREET
PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 28/11/2013
Decision: Prior approval required

Item No 53

Application Number: 13/01985/FUL **Applicant:** Mrmetals Ltd
Application Type: Full Application
Description of Development: Storage and sorting of non-ferrous metals (B1 and B8 uses)
within industrial premises
Site Address 1 LAIRA BATTERY, MILITARY ROAD EFFORD PLYMOUTH
Case Officer: Alan Hartridge
Decision Date: 19/12/2013
Decision: Grant Conditionally

Item No 54

Application Number: 13/01986/FUL **Applicant:** Urban Splash
Application Type: Full Application
Description of Development: Change of use and internal and external alterations to existing storage arches to form cycle hire facility and associated works
Site Address FIRESTONE TUNNEL ARCHES EAST, ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 02/12/2013
Decision: Grant Conditionally

Item No 55

Application Number: 13/01987/LBC **Applicant:** Urban Splash
Application Type: Listed Building
Description of Development: Internal and external alterations to existing storage arches to form cycle hire facility and associated works
Site Address FIRESTONE TUNNEL ARCHES EAST, ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 02/12/2013
Decision: Grant Conditionally

Item No 56

Application Number: 13/01990/FUL **Applicant:** Mr and Mrs Smith
Application Type: Full Application
Description of Development: Conversion of lower ground floor to studio flat
Site Address 25 WARLEIGH AVENUE PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 10/12/2013
Decision: Refuse

Item No 57

Application Number: 13/01991/FUL **Applicant:** Mrs P Thompson
Application Type: Full Application
Description of Development: Change of use of public house and residential accommodation above to dog grooming service on ground floor and two flats above including alterations and demolition of balcony, toilets and rear wall and provision of car parking
Site Address PEAR TREE INN, 7 DEVONPORT ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 18/12/2013
Decision: Application Withdrawn

Item No 58

Application Number: 13/01993/TPO **Applicant:** Westcountry Housing Associatio
Application Type: Tree Preservation
Description of Development: Groups of sycamore - crown lift up to 7m above ground level over garden area
Site Address 12 AND 22 COLUMBUS CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 04/12/2013
Decision: Grant Conditionally

Item No 59

Application Number: 13/01994/TPO **Applicant:** Ms Lisa Taylor
Application Type: Tree Preservation
Description of Development: Lime - Various minor pruning to clear outbuildings and BT cable
Site Address CARASTON HALL, 80 MILEHOUSE ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 27/11/2013
Decision: Grant Conditionally

Item No 60

Application Number: 13/02000/FUL **Applicant:** Mr John Manners
Application Type: Full Application
Description of Development: Ground and first floor rear extension
Site Address 133 FORT AUSTIN AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 28/11/2013
Decision: Grant Conditionally

Item No 61

Application Number: 13/02004/TPO **Applicant:** Mr Peter Haddon
Application Type: Tree Preservation
Description of Development: Sycamore - Remove 2-3 lower minor braches (and major dead wood)
Site Address WOODSIDE, WOODSIDE COURT, UNDERWOOD ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 27/11/2013
Decision: Grant Conditionally

Item No 62

Application Number: 13/02007/FUL **Applicant:** DDRC Healthcare
Application Type: Full Application
Description of Development: Build conservatory on south face of building for use by patients as a quiet area
Site Address DIVING DISEASES RESEARCH CENTRE, HYPERBARIC MEDICAL CENTRE, 8 RESEARCH WAY PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/12/2013
Decision: Grant Conditionally

Item No 63

Application Number: 13/02008/FUL **Applicant:** Mr & Mrs Nixon
Application Type: Full Application
Description of Development: Change of use of hotel to single family dwelling and associated works, including roof terrace to 1st floor
Site Address RIVIERA, 8 ELLIOT STREET PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 03/12/2013
Decision: Grant Conditionally

Item No 64

Application Number: 13/02010/FUL **Applicant:** Mr Richard Smith
Application Type: Full Application
Description of Development: 2no. rear dormer windows and 2no. Front roof lights
Site Address 7 ASHLEY PLACE, ARUNDEL CRESCENT PLYMOUTH
Case Officer: Liz Wells
Decision Date: 03/12/2013
Decision: Grant Conditionally

Item No 65

Application Number: 13/02011/FUL **Applicant:** Mr Alec Herbert
Application Type: Full Application
Description of Development: Two storey rear extension
Site Address 176 BEACON PARK ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/12/2013
Decision: Application Withdrawn

Item No 66

Application Number: 13/02012/FUL **Applicant:** Mr N Robertson
Application Type: Full Application
Description of Development: Single-storey front extension and conversion of existing garage
Site Address 9 BRADFORD CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 09/12/2013
Decision: Grant Conditionally

Item No 67

Application Number: 13/02013/FUL **Applicant:** Mr M Bell
Application Type: Full Application
Description of Development: Front porch extension
Site Address 14 WESTMOOR CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 28/11/2013
Decision: Grant Conditionally

Item No 68

Application Number: 13/02014/TPO **Applicant:** Mrs Janet Liddicoat
Application Type: Tree Preservation
Description of Development: Pruning works: Beech trees and one Douglas Fir
Site Address 19 WOODFORD ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 29/11/2013
Decision: Grant Conditionally

Item No 69

Application Number: 13/02019/FUL **Applicant:** Mr Laurie Clear
Application Type: Full Application
Description of Development: 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)
Site Address 18 BROOKINGFIELD CLOSE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 10/12/2013
Decision: Grant Conditionally

Item No 70

Application Number: 13/02020/FUL **Applicant:** Mr W Dawes
Application Type: Full Application
Description of Development: First floor rear extension
Site Address 41 PENNYCROSS PARK ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 02/12/2013
Decision: Grant Conditionally

Item No 71

Application Number: 13/02024/FUL **Applicant:** Stride Treglown
Application Type: Full Application
Description of Development: Installation of air conditioning unit at below ground level on west elevation
Site Address NORBURY COURT,10 CRAIGIE DRIVE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 20/12/2013
Decision: Grant Conditionally

Item No 72

Application Number: 13/02025/LBC **Applicant:** Stride Treglown
Application Type: Listed Building
Description of Development: Installation of air conditioning unit (1no. internal and 1no. external)
Site Address NORBURY COURT,10 CRAIGIE DRIVE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 20/12/2013
Decision: Grant Conditionally

Item No 73

Application Number: 13/02026/FUL **Applicant:** Mr Tony Wooler
Application Type: Full Application
Description of Development: Proposed change of use from C4 (HMO) to two apartments
Site Address 74 ALEXANDRA ROAD MUTLEY PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 29/11/2013
Decision: Grant Conditionally

Item No 74

Application Number: 13/02031/LBC **Applicant:** Mr Essy Kamaie
Application Type: Listed Building
Description of Development: Amendments to previous Listed Building Consent 12/02153/LBC to include a new lift, changes to openings and partitions, installation of new pod structures and glazing, automatic door openers and repositioning of kitchen and extraction equipment
Site Address HM REVENUE AND CUSTOMS, CUSTOMS HOUSE, THE PARADE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 19/12/2013
Decision: Grant Conditionally

Item No 75

Application Number: 13/02032/FUL **Applicant:** Mr Lee Pringle
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 22 HIGHCLERE GARDENS PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 16/12/2013
Decision: Grant Conditionally

Item No 76

Application Number: 13/02033/FUL **Applicant:** Dr Mairi Knight
Application Type: Full Application
Description of Development: First floor extension and raised landing/access to courtyard
Site Address 77 HOTHAM PLACE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 28/11/2013
Decision: Grant Conditionally

Item No 77

Application Number: 13/02034/FUL **Applicant:** Mr Steven Wood
Application Type: Full Application
Description of Development: Resubmission of 13/01294/FUL with the addition of a rear dormer in lieu of a velux window, replacement of existing conservatory with a garden room and revision of front porch layout
Site Address 62 COMPTON AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 28/11/2013
Decision: Grant Conditionally

Item No 78

Application Number: 13/02035/TPO **Applicant:** Kawasaki Industries (UK)
Application Type: Tree Preservation
Description of Development: 2 Beech - Fell
Site Address 11 VENN COURT PLYMOUTH
Case Officer: Jane Turner
Decision Date: 09/12/2013
Decision: Grant Conditionally

Item No 79

Application Number: 13/02038/FUL **Applicant:** The Town House (Plymouth) Ltd
Application Type: Full Application
Description of Development: Two-storey side extension with ground floor undercroft, providing additional cluster flat with 6 student bedrooms
Site Address TOWN HOUSE, 32 HARWELL STREET PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 20/12/2013
Decision: Application Withdrawn

Item No 80

Application Number: 13/02041/FUL **Applicant:** Universities Superannuation Sch
Application Type: Full Application
Description of Development: Change of use of land and erection of A3 coffee shop, landscaping and external seating
Site Address LAND AT MARSH MILLS RETAIL PARK, LONGBRIDGE ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 20/12/2013
Decision: Grant Conditionally

Item No 81

Application Number: 13/02043/FUL **Applicant:** Mr Paul Mathews
Application Type: Full Application
Description of Development: Single storey side extension
Site Address 51 GOOSEWELL ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 06/12/2013
Decision: Grant Conditionally

Item No 82

Application Number: 13/02044/FUL **Applicant:** Mrs Deborah Anderson
Application Type: Full Application
Description of Development: Conversion of integral front garage to a living area, garage door replaced with brick wall and windows to match rest of house
Site Address 31 SPENCER ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/12/2013
Decision: Grant Conditionally

Item No 83

Application Number: 13/02054/GPD **Applicant:** Gary Dixon
Application Type: GPDO Request
Description of Development: Change of use from B1 office to C3 residential (1 flat)
Site Address 51B NORTH DOWN ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 03/12/2013
Decision: Prior approval required

Item No 84

Application Number: 13/02056/FUL **Applicant:** Mr Barry Kingdom
Application Type: Full Application
Description of Development: Extension of dormer at front and rear
Site Address 30 BUENA VISTA DRIVE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 09/12/2013
Decision: Grant Conditionally

Item No 85

Application Number: 13/02057/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Vehicle access onto classified road (in connection with existing vehicle hardstanding)
Site Address 171 MOUNT GOULD ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 06/12/2013
Decision: Refuse

Item No 86

Application Number: 13/02058/EXUS **Applicant:** Graham Steen Architect
Application Type: LDC Existing Use
Description of Development: Lawful development certificate for existing use as C4 HMO
Site Address 20 BEDFORD PARK PLYMOUTH
Case Officer: Kate Price
Decision Date: 20/12/2013
Decision: Issue Certificate - Lawful Use

Item No 87

Application Number: 13/02060/TPO **Applicant:** Mrs Pam Tracey
Application Type: Tree Preservation
Description of Development: Oak - Remove branch over garden
Site Address 37 BOUNDARY PLACE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 17/12/2013
Decision: Grant Conditionally

Item No 88

Application Number: 13/02061/ADV **Applicant:** Plymouth University
Application Type: Advertisement
Description of Development: Replacement and additional signage on building and at entrance
Site Address GOSW MAST HOUSE,24 SUTTON ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 04/12/2013
Decision: Grant Conditionally

Item No 89

Application Number: 13/02062/FUL **Applicant:** Mrs A Murray
Application Type: Full Application
Description of Development: Loft conversion with rooflights to south elevation and side dormer to north elevation and hip to gable roof conversion to rear elevation.
Site Address 2 BRYNMOOR PARK PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 09/12/2013
Decision: Grant Conditionally

Item No 90

Application Number: 13/02068/FUL **Applicant:** Mr Oliver Munday
Application Type: Full Application
Description of Development: Retrospective application for change of use from single dwellinghouse to 7 bedroom house in multiple occupation
Site Address 15 ELM ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 12/12/2013
Decision: Refuse

Item No 91

Application Number: 13/02069/FUL **Applicant:** Pixieland Day Nursery
Application Type: Full Application
Description of Development: Erection of indoor play area on part of existing playground and erection of raised single-storey administration building on part of existing car park with parking of 5 cars, with variation of Condition 2 of planning permission 12/02183/FUL to alter the roof and internal layout of the indoor play area
Site Address PIXIELAND NURSERY, 10 SPRINGFIELD DRIVE
PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 20/12/2013
Decision: Grant Conditionally

Item No 92

Application Number: 13/02072/PRDE **Applicant:** Mr Andrew Eastwood
Application Type: LDC Proposed Develop
Description of Development: Rear conservatory
Site Address 25 HILL CLOSE PLYMOUTH
Case Officer: Niamh Boyle
Decision Date: 03/12/2013
Decision: Issue Certificate - Lawful Use

Item No 93

Application Number: 13/02074/FUL **Applicant:** Mrs Lynne Turfrey
Application Type: Full Application
Description of Development: Proposed raising and enlarging of roof to form new rooms in roof
Site Address 5 WIDEY LANE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 20/12/2013
Decision: Refuse

Item No 94

Application Number: 13/02078/TPO **Applicant:** Mr Selwyn Green
Application Type: Tree Preservation
Description of Development: 4 Beech - Reduce by 2-3m and thin 10-15%
Beech - Remove lower limb
Beech - Beech - Remove 5 lowest branches
Site Address 30 COLESDOWN HILL PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 11/12/2013
Decision: Grant Conditionally

Item No 95

Application Number: 13/02079/TPO **Applicant:** Deltabird Ltd
Application Type: Tree Preservation
Description of Development: Robinia, Sycamore, Holm Oak and Beech - Crown lift to 3m
above ground level and reduce back from development to give
2m clearance from wall
Site Address THE CHASE, HAWKERS LANE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 29/11/2013
Decision: Grant Conditionally

Item No 96

Application Number: 13/02080/FUL **Applicant:** Mr Gilbert Snook
Application Type: Full Application
Description of Development: Change of use from non-residential training centre (use class
D1) to industrial unit (use classes B1, B2 and B8)
Site Address CITY COLLEGE PLYMOUTH, TRAINING CENTRE
ESTOVER ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 20/12/2013
Decision: Grant Conditionally

Item No 97

Application Number: 13/02083/FUL **Applicant:** Mr and Mrs Adam Biggs
Application Type: Full Application
Description of Development: Single-storey rear extension with raised patio and hip roof to gable end loft conversion with rear dormer and balcony
Site Address 10 LOWER SALTRAM PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/12/2013
Decision: Grant Conditionally

Item No 98

Application Number: 13/02089/PRDE **Applicant:** Mrs M Ball
Application Type: LDC Proposed Develop
Description of Development: Single storey rear extension
Site Address 29 ASHLEIGH CLOSE TAMERTON FOLIOT PLYMOUTH
Case Officer: Jody Leigh
Decision Date: 18/12/2013
Decision: Issue Certificate - Lawful Use

Item No 99

Application Number: 13/02090/FUL **Applicant:** Mr and Mrs D Turton
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 2 WOLRIGE WAY PLYMPTON PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 16/12/2013
Decision: Grant Conditionally

Item No 100

Application Number: 13/02091/FUL **Applicant:** Mr & Mrs RA Jones
Application Type: Full Application
Description of Development: Conversion of garage to bedroom with pitched roof and addition of front porch
Site Address 477 CROWNHILL ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 19/12/2013
Decision: Grant Conditionally

Item No 101

Application Number: 13/02102/TPO **Applicant:** Mrs Grittiths
Application Type: Tree Preservation
Description of Development: Oak - Reduce by 1-2m on house side and raise over road by 2m
Site Address 37 HOLTWOOD ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 17/12/2013
Decision: Grant Conditionally

Item No 102

Application Number: 13/02103/TPO **Applicant:** Mr Sudhakar
Application Type: Tree Preservation
Description of Development: 2 Leylandii - Fell
Plane - Crown raise by 2m over garden
Plane - Crown raise by 2m over garden and reduce limb by 2-3m
Site Address 19 JELLICOE ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 18/12/2013
Decision: Grant Conditionally

Item No 103

Application Number: 13/02104/TPO **Applicant:** Mr Graham Foale
Application Type: Tree Preservation
Description of Development: 3 Sweet Chestnut - Reduce one by 2m and 2 by 1m
Site Address 8 BLUE HAZE CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 17/12/2013
Decision: Grant Conditionally

Item No 104

Application Number: 13/02105/LBC **Applicant:** Rapleys LLP
Application Type: Listed Building
Description of Development: Formation of internal stud walls, two ventilation grills to rear and two grills within first floor to front window
Site Address THE CRESCENT SPECIALIST DENTAL CENTRE, 2 THE CRESCENT PLYMOUTH
Case Officer: Liz Wells
Decision Date: 13/12/2013
Decision: Grant Conditionally

Item No 105

Application Number: 13/02111/GPD **Applicant:** Mr T Towers
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 3.15m, has a maximum height of 3.7m, and has an eaves height of 2.35m
Site Address 36 SOUTHWELL ROAD PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 09/12/2013
Decision: Prior approval not req

Item No 106

Application Number: 13/02112/TPO **Applicant:** Mrs Bennet
Application Type: Tree Preservation
Description of Development: Lime - Reduce crown by 3m to previous pruning
Site Address 29 ALBION DRIVE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 17/12/2013
Decision: Grant Conditionally

Item No 107

Application Number: 13/02113/TCO **Applicant:** Mrs Caroline Theyer
Application Type: Trees in Cons Area
Description of Development: Holm Oak - Remove
Site Address 8 ALBEMARLE VILLAS PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 29/11/2013
Decision: Grant Conditionally

Item No 108

Application Number: 13/02120/EXDE **Applicant:** Mr Jon Richardson
Application Type: LDC Existing Develop
Description of Development: Double garage for hobby, workshop and storage in rear garden
Site Address SUMMER HAYES, LINKADELLS PLYMOUTH
Case Officer: Niamh Boyle
Decision Date: 20/12/2013
Decision: Refuse to Issue Cert - (Ex)

Item No 109

Application Number: 13/02123/FUL **Applicant:** Plymouth College
Application Type: Full Application
Description of Development: To install new path to roundell building and reconfigure parking spaces
Site Address PLYMOUTH COLLEGE PREPARATORY SCHOOL,99
CRAIGIE DRIVE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 20/12/2013
Decision: Grant Conditionally

Item No 110

Application Number: 13/02126/TPO **Applicant:** Mr Richard Thuell
Application Type: Tree Preservation
Description of Development: Beech - Thin by 10% and reduce by 1m
Site Address 32 RESERVOIR ROAD PLYMSTOCK PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 29/11/2013
Decision: Grant Conditionally

Item No 111

Application Number: 13/02129/FUL **Applicant:** Mr Esmond Downer
Application Type: Full Application
Description of Development: Two storey side extension incorporating existing garage and single storey rear extension
Site Address 31 KINGSTON DRIVE PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 20/12/2013
Decision: Grant Conditionally

Item No 112

Application Number: 13/02132/FUL **Applicant:** Mr and Mrs Newberry
Application Type: Full Application
Description of Development: Remodelling and extension including raising roof and eaves level, gabled dormer to north, two storey extension to rear and new double garage (single garage to be replaced)
Site Address 19 WESTWOOD AVENUE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 19/12/2013
Decision: Grant Conditionally

Item No 113

Application Number: 13/02149/FUL **Applicant:** Mr & Mrs M Waterman
Application Type: Full Application
Description of Development: Demolition of existing garage and erection of front and side extension
Site Address 105 UNDERLANE PLYMPTON PLYMOUTH
Case Officer: Rebecca Exell
Decision Date: 18/12/2013
Decision: Grant Conditionally

Item No 114

Application Number: 13/02155/FUL **Applicant:** Mr Jonathan Hamley
Application Type: Full Application
Description of Development: Retrospective application for new block built facility
Site Address 111 FURZEHATT ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 20/12/2013
Decision: Grant Conditionally

Item No 115

Application Number: 13/02157/FUL **Applicant:** Mr Paul and Mrs Sarah Miller
Application Type: Full Application
Description of Development: Extension to infill existing external balcony, increasing driveway area and construction of car port and other internal alterations
Site Address 1 WELLSBOURNE PARK PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 20/12/2013
Decision: Grant Conditionally

Item No 116

Application Number: 13/02166/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Replacement boundary wall
Site Address 1 - 15 HORNCHURCH ROAD PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 19/12/2013
Decision: Grant Conditionally

Item No 117

Application Number: 13/02173/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 3.3m, has a maximum height of 3.9m, and has an eaves height of 2.55m
Site Address 111 HEMERDON HEIGHTS PLYMOUTH
Case Officer: Louis Dulling
Decision Date: 17/12/2013
Decision: Prior approval required

Item No 118

Application Number: 13/02180/FUL **Applicant:** Mr and Mrs Simon Millmore
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 3 PARK CRESCENT PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 20/12/2013
Decision: Grant Conditionally

Item No 119

Application Number: 13/02195/TCO **Applicant:** Plymouth Community Homes
Application Type: Trees in Cons Area
Description of Development: Reduce cherry by 15%
Fell one Sycamore (suppressed)
Reduce 2 Sycamore and 1 Norway Maple by 20%
Site Address 89-99 DEVONPORT ROAD, BELMONT PLACE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 20/12/2013
Decision: Grant Conditionally

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 REF
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 **12/01150/FUL**
Appeal Site **KUMARA, STATION ROAD TAMERTON FOLIOT PLYMOUTH**
Appeal Proposal Develop part of rear garden by erection of detached two-storey dwellinghouse with rooms in the roofspace and alterations to stone boundary wall to form vehicular access from Old Warleigh Lane to associated parking area to be created in rear garden of Chrikama

Case Officer Robert McMillan

Appeal Category REF
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 02/09/2013
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The appeal was against the refusal of permission for a house in part of the back gardens of Kumara and Chikamara, Station Road, Tamerton Foliot with access from Old Warleigh Lane. The proposal is for a two storey house with dormer windows sunken into the garden.

The Inspector decided that the proposal would not harm the setting of listed buildings or the character or appearance of the conservation area or the outlook from surrounding properties. But there would be a significant loss of privacy to Kumara and Chikamara and overlooking to Milford Cottage harmful to the living conditions of these properties. As such it was contrary to Core Strategy policies CS15 and CS34 and a core principle of the NPPF and he dismissed the appeal.

Application Number **12/01786/FUL**
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 **12/01934/FUL**
Appeal Site **6 PATNA PLACE PLYMOUTH**
Appeal Proposal 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 **12/02107/FUL**
 Appeal Site **KUMARA, STATION ROAD TAMERTON FOLIOT PLYMOUTH**
 Appeal Proposal Develop part of garden by erection of detached two-storey dwellinghouse, alterations to stone boundary wall to form vehicular access from Old Warleigh Lane and site landscaping works
 Case Officer Robert McMillan

Appeal Category REF
 Appeal Type Written Representations
 Appeal Decision Allowed
 Appeal Decision Date 02/09/2013
 Conditions
 Award of Costs

Awarded To

Appeal Synopsis

The appeal was against the refusal of permission for a house in part of the back gardens of Kumara and Chikamara, Station Road, Tamerton Foliot with access from Old Warleigh Lane. The proposal is for a two storey house sunken into the garden.

The Inspector decided that the proposal would not harm the setting of listed buildings or the character or appearance of the conservation area or the outlook from surrounding properties. Although the overlooking distances did not comply with the Council's guidelines he could not detect any loss of privacy to Kumara or Chikamara. As such, in his opinion, it did not conflict with Core Strategy policies CS15 and CS34 and he allowed the appeal.

Application Number **13/00053/FUL**
 Appeal Site **FORMER BLUE MONKEY SITE, 538 CROWNHILL ROAD PLYMOUTH**
 Appeal Proposal Development of site by erection of 4 terraced dwellinghouses with 4 off street parking spaces and new footpath
 Case Officer Olivia Wilson

Appeal Category
 Appeal Type Written Representations
 Appeal Decision Dismissed
 Appeal Decision Date 06/12/2013
 Conditions
 Award of Costs

Awarded To

Appeal Synopsis

While the Inspector considers that a number of concerns about design raised with a previous application have been addressed, the height and bulk of the proposed development remains considerable, particularly in relation to the moderate sized dwellings to the north of The Green. The staggered footprint of the building is insufficient to relieve the overall massing and the shallow depth of the site precludes the buildings from being set back from The Green. The Inspector considers that the development would have an unduly dominant and overpowering effect on the setting of The Green, which in turn detracts from the setting of the listed church, contrary to policies CS02, CS03 and CS34. The NPPF also places great importance to the design of the built environment.

Application Number **13/01429/FUL** Page 94
Appeal Site **61 BICTON CLOSE PLYMOUTH**
Appeal Proposal Erection of small conservatory to front of house
Case Officer Rebecca Exell

Appeal Category REF
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 06/12/2013

Conditions
Award of Costs Awarded To

Appeal Synopsis

The proposal was for the erection of a conservatory to the front of the dwelling for a disabled child. The inspector agreed with the Local Authority and stated that the structure would appear dominant and fails to respect the existing building line.

The inspector stated that whilst there would be no impact upon the neighbouring properties the proposal would be detrimental to the character and appearance of the area and would appear incongruous within the street scene.

The appeal was dismissed