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PLANNING COMMITTEE

Thursday 11 September 2014

4 pm

Council House, Plymouth (Next to the Civic Centre)

Members:

Councillor Stevens, Chair

Councillor Tuohy, Vice Chair

Councillors Mrs Bowyer, Darcy, K Foster, Mrs Foster, Jarvis, Morris, Nicholson, Stark, Jon Taylor, Kate 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 14 August 2014.

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 for Strategic Planning and Infrastructure 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 LAND OFF ABERDEEN AVENUE PLYMOUTH 14/00152/OUT (Pages 7 - 42)

Applicant:	Beavertail Ltd
Ward:	Eggbuckland
Recommendation:	Grant Conditionally subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 2 November 2014

6.2 26 LONGBROOK STREET PLYMOUTH 14/01144/FUL (Pages 43 - 52)

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

6.3 26 LONGBROOK STREET PLYMOUTH 14/01145/LBC (Pages 53 - 60)

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

6.4 BEDFORD VILLA AMITY PLACE PLYMOUTH 14/01095/FUL (Pages 61 - 74)

Applicant: BT Developments Ltd
Ward: Drake
Recommendation: Grant Conditionally

6.5 LAND ADJACENT YARDLEY GARDENS ESTOVER PLYMOUTH 14/01317/FUL (Pages 75 - 86)

Applicant: Mr Andrew Mitchelmore
Ward: Moor View
Recommendation: Grant Conditionally

7. OBJECTIONS FROM MR HULCOOP TO TREE PRESERVATION ORDER NO. 500 - 242 ST PANCRAS AVENUE (Pages 87 - 92)

The Strategic Director for Place will submit a report outlining objections received in respect of a Tree Preservation Order application at 242 St Pancras Avenue.

8. PLANNING APPLICATION DECISIONS ISSUED (Pages 93 - 124)

The Assistant Director for Strategic Planning and Infrastructure acting under powers delegated to him by the Council will submit a schedule outlining all decisions issued from 4 to 31 August 2014, 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.

9. APPEAL DECISIONS

(Pages 125 - 126)

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.

10. 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

MEMBERS OF THE PUBLIC TO NOTE

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

NIL.

Planning Committee

Thursday 14 August 2014

PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

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

Apologies for absence: Councillors Darcy, Jarvis and Kate Taylor.

Also in attendance: Matthew Coombe (Urban Designer), Mark Lawrence (Lawyer) and Helen Rickman (Democratic Support Officer).

The meeting started at 4.00 pm and finished at 6.10 pm.

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

22. DECLARATIONS OF INTEREST

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

Name	Minute Number	Reason	Interest
Councillor Ken Foster	26 – Modification Order Application – Lulworth Drive to Tavistock Road, Plymouth, Reference WCA.006	Member of the Local Access Forum (LAF)	Personal
Councillor Wheeler	26 – Modification Order Application – Lulworth Drive to Tavistock Road, Plymouth, Reference WCA.006	Member of the Local Access Forum	Personal

23. **MINUTES**

Agreed the minutes of the meeting held on 17 July 2014 subject to the following changes:

- Minute 18.5 Speedway, Coypool, Plymouth, 14/00932/FUL should read: 'Application minded to GRANT conditionally subject to a section 106 planning obligation with delegated authority to the Assistant Director for Strategic Planning and Infrastructure to determine the application following consideration of any further letters of representation and consultation with the Chair, Vice Chair and lead Conservative representative for Planning matters'.
- Schedule of voting (18.5) Speedway, Coypool, Plymouth 14/00932/ FUL – Vote 1 – voting for the proposal should have read Councillors Mrs Bowyer, Darcy, K Foster, Mrs Foster and Nicholson; voting against Vote 1 proposal should have read Councillors Jarvis, Morris, Stevens, Jon Taylor, Tuohy and Wheeler.

24. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's Urgent Business.

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

There were no questions from members of the public.

26. **MODIFICATION ORDER APPLICATION - LULWORTH DRIVE TO TAVISTOCK ROAD, PLYMOUTH, REFERENCE WCA.006**

The Committee considered the report of the Strategic Director for Place in respect of a Modification Order Application – Lulworth Drive to Tavistock Road, Plymouth Reference WCA. 006.

Agreed that the Committee do not make the Modification Order in relation to Lulworth Drive to Tavistock Road as evidence submitted by the applicant was not robust enough to support the view that public rights subsist or could be reasonably alleged to subsist.

(Councillor Morris' proposal to adopt Lulworth Drive to Tavistock Road as a public right of way was not seconded.)

27. **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 Conservations Areas) Act, 1990.

28. **23 VAPRON ROAD, PLYMOUTH, 14/01133/FUL**

R Homewood

Decision:

Application GRANTED Conditionally.

29. **120 CHURCH HILL, PLYMOUTH, 14/01263/FUL**

Mr and Mrs N Bridgeman

Decision:

Application GRANTED Conditionally.

30. **MANNAMEAD CENTRE, 15 EGGBUCKLAND ROAD, PLYMOUTH, 14/00082/FUL**

Pillar Land Securities Ltd

Decision:

Grant Conditionally subject to S106 obligation.

31. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee noted the report from the Assistant Director for Strategic Planning and Infrastructure on decisions issued for the period 7 July 2014 to 3 August 2014.

32. **APPEAL DECISIONS**

The Committee noted the schedule of appeal decisions made by the Planning Inspectorate.

Under this item Councillor Mrs Bowyer highlighted her disappointment that the installation of 12 solar panels in the curtilage is a listed building at 3 Bowden Farm Church Hill, Plymouth was refused and was pleased that the Inspector had upheld this decision.

33. **EXEMPT BUSINESS**

There were no items of exempt business.

SCHEDULE OF VOTING

PLEASE NOTE

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

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PLANNING COMMITTEE – 14 August 2014

SCHEDULE OF VOTING

Minute number and Application		Voting for	Voting against	Abstained	Absent due to interest declared	Absent
26	Modification Order Application – Lulworth Drive to Tavistock Road, Plymouth, Reference WCA.006	Councillors Stevens, Tuohy, Mrs Bowyer, Nicholson, K Foster, Stark, Mrs Foster, Wheeler, Sam Davey, John Smith.	Councillor Morris	Councillor Jon Taylor		
28	23 Vapron Road, Plymouth, 14/01133/FUL	Unanimous				
29	120 Church Hill, Plymouth, 14/01263/FUL	Unanimous				
30	Mannamead Centre, 15 Eggbuckland Road, Plymouth, 14/00082/FUL	Unanimous				

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PLANNING APPLICATION REPORT



Application Number	14/00152/OUT	Item	01
Date Valid	31/01/2014	Ward	Eggbuckland

Site Address	LAND OFF ABERDEEN AVENUE PLYMOUTH		
Proposal	Outline application with details of access submitted (via St Peters Road) for the erection of up to 86 dwellings with associated public open space, sustainable urban drainage system, car parking and associated works (details of appearance, landscaping, layout and scale reserved for future consideration)		
Applicant	Beavertail Ltd		
Application Type	Outline Application		
Target Date	13/10/2014	Committee Date	Planning Committee: 11 September 2014
Decision Category	Major - more than 5 Letters of Representation received		
Case Officer	Robert Heard		
Recommendation	Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 2 nd November 2014		

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Update

A decision on this application has been deferred at two previous meetings of the Planning Committee, as follows (most recent first):

1. 17th July 2014

This application was deferred for the second time at the planning committee on the 17th July, for the applicant to investigate the feasibility of providing vehicular access to the site from St Peters Road only.

The applicant has subsequently amended the scheme and submitted revised details showing an access from the site onto St Peters Road, with the former vehicular access from Aberdeen Avenue now deleted. The description of the application has been amended to reflect this.

Whilst the applicant does not own the strip of land between the site and the highway (St Peters Road) due to it being in third party ownership, he has served notice on the owner of the land to notify them of the planning application.

A further 18 letters of representation have been received since the amended plans were re-advertised, all in objection to the application. The main grounds for objection raised include:

1. Negative impact upon the Manadon Roundabout junction.
2. Negative impact upon St Peters Road with regards to highway safety and parking.
3. Local services are insufficient to support the new development, in particular schools and doctors.
4. The site should not be developed and should be left as open space.
5. The amendments shouldn't have been submitted in the peak holiday season.
6. Wildlife will be affected and there will be very little space for dog walkers.

Although the application was deferred at the planning committee meeting on the 17th July on highways grounds only, the issues listed above do not raise additional issues to those already considered below in the main report, and do not materially affect the recommendation of approval.

Officers consider that the proposed access amendments are acceptable. The proposed vehicular access from St Peters Road is considered appropriately sited and does not raise any concerns with regards to highway safety.

The only outstanding issue remains the recommendations of the agronomists report, referred to in the update below. The findings of this report, and any actions arising, will be reported to the committee in an addendum.

2. 15th May 2014

Members will recall that this application was deferred at the planning committee on the 15th May. The reasons for deferral were:

1. For Officers to investigate the possibility of an alternative access for vehicles being provided at the site onto St. Peter's Road and the feasibility of traffic lights at the St Peters Road/Manadon Roundabout junction, and for the Police to comment if they wish on safety grounds.
2. For Officers to have further discussions with the applicant into the possibility of negotiating a higher percentage of affordable housing;
3. To allow further consideration of the issues raised by Sport England regarding their objections and for written legal advice from officers regarding the issue of abandonment of the playing pitches
4. For further consideration of the education provision being used for improvements to Manadon Vale Primary School;

Since the meeting Officers have attended a series of meetings with the applicant, his agents and Sport England with regards to the above deferral reasons. With regards to the points above, it can be confirmed that:

1. The applicant has provided details of a plan showing a vehicular access from the site onto St Peters Road that will serve 20 dwellings at the site, the other 66 will still be accessed from Aberdeen Avenue. In principle Officers are satisfied with this proposal. Discussions are ongoing between the Councils Economic Development Service and the applicant with regards to the land deal but in principle this has been agreed and the applicant has served notice on the Council. Comments on the requirement for a signalised junction at St Peters Road and Manadon Roundabout will follow in an addendum report.
2. Officers have met with the applicant to discuss affordable housing provision. The applicant has agreed to make 24% of the overall amount of dwellings available as affordable housing at the site. Details of the exact mix and tenure are not able to be confirmed as this is an outline planning application, but the Section 106 Agreement will secure 24% affordable housing at the site, with mix and tenure to be agreed at the time of a reserved matters submission. This is considered acceptable by Officers.
3. Officers have met with Sport England and, as advised by Sport England, the applicant has agreed to fund an agronomists report into ground conditions at the adjacent cricket pitch, which will identify any improvements required to the drainage and condition of the surface to bring it back into use as a cricket pitch. The report has not yet been finalised but its findings will be addressed in an addendum report.
4. The Councils Education, Learning and Family Support department have confirmed that currently there are no plans to expand the Manadon Primary School site due to its limitations and the fact that it is landlocked, therefore the contributions are required to be spent elsewhere. It is likely therefore that the education contribution in this case will go towards the identified expansion of Pennycross Primary School, as this is within the catchment area of the site.

Further details on points 1 and 3 above will be provided in an addendum report. The report below is the original report presented to committee on the 15th May. Amended plans and documents have been received and advertised taking account of the additional access. Representations received as a result of these changes will be reported in an addendum report.

Please note that the report below is the original report presented to the committee on 15th May 2014.

1. Description of site

The application site comprises of an area of undeveloped land that was formerly part of the Royal Naval Engineering Collage. The college was closed in 1994 and the majority of its campus was redeveloped for residential purposes during the mid and late 1990s. This residential estate is now commonly known as Manadon Park.

The whole site covers an area of 3.87 hectares and has a gentle gradient that falls from east to west. It is undeveloped and remains as a privately owned green space with no formal public access, although it is used by dog walkers. The site is below the level of Aberdeen Avenue, which bounds the site to the east. Adjacent to the north lies a former cricket pitch which is owned by Plymouth City Council but is not currently in use. There is also a fenced football pitch which is leased by the Council to a local club and an all weather pitch which is Council operated.

The west boundary of the site lies adjacent to a narrow strip of woodland that separates the site from St Peters Road and areas to the west of the site, which are residential and characterised by Local Authority Housing development. The only remarkable landscape feature is a row of mature trees to the north of the site that separate the cricket pitch from the site. To the south of the site exists further residential development.

In terms of amenities, Crownhill Local Centre is located approximately 800 metres to the east of the site, within walking distance. This contains local shopping amenities and a library and provides good public transport links to the wider city via local bus services. There are also numerous bus stops along St Peters Road that provide good access to the city bus network and are closer to the site than Crownhill. The Transit Way shopping Centre which contains a large Tesco store is approximately 500 metres to the north-west of the site.

2. Proposal description

This application is in outline only, with all matters other than access (appearance, landscaping, layout and scale) reserved for future consideration.

The proposal is for a residential development of up to 86 dwellings and includes the provision of public open space and landscaping within the site. The proposed vehicular access is from Aberdeen Avenue, to the east of the site.

The application includes a significant mitigation package that includes the following:

18% affordable housing

Provision of a 4 team changing pavilion with ancillary clubroom to be used in connection with the existing Council owned cricket and football facilities

Education contribution of £125, 000

Greenspace contribution of £33, 000 for children's play space.

Transport contribution of £35, 000

Contribution of £20, 000 for siting and ongoing maintenance of Manadon Spire

Further details of the Heads of Terms are provided below in the Planning Obligations section of this report.

3. Pre-application enquiry

12/01855/MAJ; Pre-app for housing development.

4. Relevant planning history

13/00813/OUT; Outline application with details of access submitted for the erection of up to 90 dwellings with associated public open space, sustainable urban drainage system and associated works. WITHDRAWN.

02/00622/OUT; Outline application to develop private playing field land between St Peters Road and Aberdeen Avenue by creation of new all weather sports pitch and new housing. REFUSED and APPEAL DISMISSED.

5. Consultation responses

Sport England

Recommends refusal on the grounds that the development will lead to the loss of playing fields.

Environment Agency

Consider that the proposal will be acceptable if a condition is included to ensure the construction and maintenance of a sustainable drainage system to control surface water.

Highways officer

Support subject to conditions.

Public Protection Service

Support subject to conditions.

6. Representations

To date there have been 124 letters of representation received, all in objection to the application. Grounds of objection as follows:

Traffic Issues

- Can't afford to have added traffic flow through the main routes in and around Manadon Park.
- Must not be built with ANY access through Manadon Park in the interest of safety.
- The junctions/courtyards are dangerous already without the added input of an estimated 80 cars daily.
- The infrastructure of the area cannot cope with such an influx of cars, people and building works.
- No access to this planned estate whether in or out should be through the existing estate - too dangerous!
- The access must be through St Peters Road for the end product and for the construction phase.
- See no advantage in the plans to open up Frobisher approach for exiting traffic - has been used as a throughway for years since the previous security measures stopped working and wasn't fixed.
- The Frobisher Approach bus gate would be open to existing vehicles only. Should be the other way around.
- Entrance only from St. Peters Rd - Parking around the junction of Tovey Crescent would make this dangerous.
- If there is an accident on Outland Rd, Manadon Roundabout etc. the only way into the estate is at the top at St. Boniface Lane.
- Enabling cars to exit this way will make it into a rat run with drivers avoiding passing the Fire Station on the main Crownhill Road.
- The exit route does not address insufficient access/exit for existing traffic.
- The estate infrastructure is already insufficient to meet current demand at the Boniface Lane junction with the A386.
- Traffic is heavy during the rush hour in and outside term time - already increases risk to cyclists and pedestrians.
- Estate roads are showing signs of deterioration already and more cars/construction traffic will make it worse.
- Have concerns for the safety that increased traffic will have on the bend.
- The Vanguard Close development exists well enough with access to St Peters Road – see no reason why this development cannot do the same.
- Will oppose every application unless it is vehicular independent of Manadon Park.
- Manadon Park is effectively a very large cul-de-sac which already suffers congestion.
- The proposal to exit traffic via Frobisher Approach will just move some of the problems experienced at the Boniface Lane/Tavistock Road (A386) junction on to the St Peter's Road/Crownhill Road junction.
- Those wishing to travel north or south via Tavistock Road will have to join via Budshead Way or onto the Southbound Tavistock Road via Plumer Road. Both junctions are already under excessive pressure with long queues and wait times.

- The Plumer Road junction, which simultaneously merges traffic on and off the A386, is a regular accident black spot.
- Manadon Park cannot be accessed when approaching from the North of the city; anyone wishing to enter Manadon Park is required to pass the entrance to Manadon Park (via Boniface Lane) on the southbound A386 and progress onto the northbound A386 via Manadon Roundabout.
- Why add to current problem when the existing 'pressure' on roads is acknowledged by the developer?
- Will only serve to increase pressure on the St Peter's Road junction on to Manadon Roundabout.
- Other developments already approved in the North of the city will put additional pressure on the already congested Tavistock Road.
- Questions how recent the information used to support the traffic modelling/studies actually is when road names are wrong.
- Additional traffic and congestion is unwelcome when the government has already challenged local councils to work with residents to reduce the city's carbon footprint.
- 90 houses on the site would put unacceptable burden on the existing road network.
- The applicants Transport Assessment Residential Development survey has inaccuracies: The road named as Bladder Lane is called Boniface Lane... Chaucer School no longer exists... Rosemary Gardens should read Ramsey Gardens... This implies the survey was carried out using out-of-date material which brings into question the integrity of the survey.
- This will not bring a great increase in traffic leaving Boniface Lane into Tavistock Road but it will still create extra traffic from Tavistock Road into Boniface Lane which is a major problem.
- When you turn from Tavistock Road into Boniface Lane and people are using the pelican crossing, traffic backs up onto Tavistock Road causing a backlog there.
- Extra traffic going into Boniface Lane could create problems as visibility is greatly reduced at certain times of the day when parents are picking up students from St. Boniface's College and parking on both sides of the road.
- The estate has enough vehicles accessing/exiting the estate and additional houses would increase the number of cars.
- The squares in Temeraire Road do not have any separate pedestrian areas and are now blocked with parked cars reducing visibility.
- The proposed exit from Frobisher Approach is unsatisfactory due to the increased volume of traffic on St Peters Road and Manadon roundabout.
- The applicant has said they MAY build a feed in road - feed in from an already over used road system.
- Having scanned the access document the applicant states the most vehicles seen at the junction with the A386 was at peak times am seven... on a regular basis the queue from the traffic lights reaches the mini roundabout.
- They state that the situation will be changing by 2020 with the 'improved infrastructure and highway development' fine with public funding getting tighter this MAY or MAY NOT happen
- Concerned about the possibility of Heavy Lorries, to be used in the construction of the proposed development, using the narrow and liberally 'bollarded' roads of Manadon Park estate to reach the construction site... Would strongly urge for an alternative access route for the construction lorries.
- They still want the entrance/exit onto Aberdeen Avenue with no provision made for assisting to reduce the volume of traffic at peak times.
- Currently some drivers find the need to use excessive speed on these bends, added with the proposed new entrance/exit many collisions will occur.
- Maybe the developer could use St Peters Road and not Aberdeen Avenue!

- Object to the development on the grounds of access to the Manadon Park estate.
- Traffic will be horrendous as there is only one way in and out of Manadon Park.
- Propose the vehicle access should be from St Peters Road as this would be more practical and would not cause any more traffic flow through Manadon Park itself.
- New residents will discover that Temeraire Road is the most direct route between Boniface Lane/Frobisher Approach Junction to the new development.
- If planning is granted Temeraire Road will be used for site access by construction and delivery vehicles. This must not be allowed as the disruption to residence caused by noise together with dirt and dust pollution would be detrimental to Temeraire Road residents. It would also be impractical and dangerous because of the sharp S-bends at each end of the road.
- Continuous heavy vehicles will damage the road surfaces.
- A large College, with some 1,000 pupils, is directly at the junction with Boniface Lane and the A386 - which must cause great concern with regard to road safety issues.
- Car parking at the end of the school day is horrendous making a huge proportion of Boniface Lane into a single lane.
- The children's play park is extremely well used and this creates a large amount of car parking on the road which is a blind bend and creating single line traffic. Movement of passing traffic is always via the hatched area on the corner which, I believe to be an illegal traffic violation.
- There are 3 'courtyard' areas in Temeraire Road and Aberdeen Avenue which are totally blind bends with only single vehicle access and all are used as car parks making driving hazardous.
- Car parking on pavements is an on-going issue necessitating parents with buggies, children on bicycles and the elderly/handicapped on mobility scooters having to move onto the roads.
- Manadon Park is full and cannot sustain any more vehicles.
- Moving through the traffic lights from Manadon Park onto the A386 at many times of the day is a very long process - vehicles on the main road have priority and block any vehicles from Manadon Park joining the queue of traffic.
- Opposite this proposed development is a brownfield site once used by Chaucer Primary School and a playing field, A proposed pedestrian access marked '8' on the plan is surely an excellent vehicle access point to the whole proposed development with pedestrian pathways linking it to Manadon Park.
- Consideration should be given to existing access points off Frobisher Approach via Tovey Crescent or through Vanguard Close.
- Current road system will not support additional cars.
- The Traffic Survey is not rigorous or transparent.
- According to the Transport Assessment, the survey should take into consideration every other planning development in the area. This has not been adhered to as PCC have accepted an offer for the old Chaucer Way School site for some 120 dwellings. This gives no credence to the transport survey assessment as it is no longer accurate - on this ground alone the application should be refused.
- It is not democratically acceptable for PCC to allow its planning officers to attend meetings with the developer to come to traffic solutions prior to the development as a whole being scrutinised.
- Maybe consideration should be given to making this new part of the estate, separate from Manadon Park. It could have its own entrance and exit on St. Peters Road therefore giving access to Manadon Roundabout, the A38 and Crownhill Road so there will be no disruption to Manadon Park.
- Have real concerns about how construction traffic will enter and leave the building site
- This is the main route for the ambulance service to Derriford and the police from Crownhill, therefore on many occasions it is not possible to exit due to blue light vehicles passing through the junction.

- Parts of the road network are not adopted and are in disrepair.
- The travel plan identifies the bus service on St. Peters but over-estimates the number and availability of bus services.
- The erection of new houses will necessitate continuous streams of trucks, deliveries and construction workers. The impact of the resulting noise, mess, muddy roads, air pollution and continuous traffic is unacceptable for residents.
- Manadon Vale Primary is one of the nearest schools and is already unable to accept new pupils from the local area. Children who are not able to attend this school must attend schools which are further away, requiring the use of transport.

Other objection reasons raised:

- No amendments from the initial application.
- Worried about the amount of things that 'may' be built i.e. the Cricket Pavilion - a sweetener to get the planners to agree.
- Offers little benefit to the current area of Manadon Park.
- Merely seeks to maximise market appeal by using the location of 'Manadon Park'.
- The abandonment of playing fields - whilst not fit for sport, it remains a well-used open space.
- There are no salt bins on this bend.
- The land is well-used open space and the fact that it was protected as a parliamentary inner city open space was a deciding factor in us having moved our family here.
- The land is well used by dog walkers, runners and estate children; furthermore it reduces the risk of the younger children's play area on Frobisher Approach being soiled by dog mess.
- Object strenuously to our peace, property outlook and children's safety being compromised by this development.
- The news of other developments in the local area puts pressure on the local infrastructure, i.e. schools.
- The council appears to have limited ability to enforce promises which a developer makes to the community to secure planning permission. Therefore the promise of future facilities should not be used to offset the loss of current ones, i.e. the informal facilities
- Do not feel the reduction of 9 houses significantly increases the green space.
- Do not believe that the green street ecological corridor linking the Plymouth Biodiversity Network will be sufficient, safe or practical for the wildlife such as foxes and hedgehogs to use.
- The development can already be described as an informal recreation space without any intervention from the developer.
- Believe some of the responses on the Application Form are incorrect...
- Point 13... answer should be Yes, on the development site, (using bats flying on the proposed site as an example)
- The question around Designated sites... answer should be Yes because the proposed development site forms part of the bats habitat - using it as a hunting ground/food source.
- Point 15... developer has responded no, but there are several small saplings/trees which are flourishing.
- The existing Manadon Park estate has not been fully adopted by the council. The original developer(s) is/are not meeting this responsibility. Maintenance of paths and public areas is extremely poor.
- The council should achieve resolution of the dispute with the original developer(s) so that they can adopt the existing estate... The council should not commit to a planning application which will, in the future, require future budgetary commitments it cannot currently meet.
- There is a very fine line between a wetland area and a soggy bit of wasteland.

- The site is already a wildflower meadow - the developer is not making a genuine offer to bring value to the site.
- Do not believe the council will hold the developer to bird boxes.
- The proposal will cause significant harm to the character and appearance of Manadon Park and this part of Plymouth.
- The Councils previous policy approach adopted for the site was one of leaving the western sector un-developed for landscape benefit and recreational potential.
- A wildlife haven within the city. Hunting bats during summer evenings around the edges of the fields, every year a pair of Buzzards return nest and successfully breed, Kestrels and foxes have been seen and on one occasion a deer. The richly grassed area is inhabited by mice, hedgehogs and other small mammals, birds and insects, providing food for the birds of prey. During the summer months the field bursts into flower and are full of butterflies, and bees.
- The erection of 90 homes, effectively destroying this currently green site is unacceptable.
- The Ecological Mitigation and Enhancement Strategy survey was completed in March 2013, during one of the coldest springs on record. A report of any real accuracy would need to be carried out over a significant period of time to reflect the changing seasons. Failure to do this would have resulted in the inaccurate collection of data, which brings into question the integrity of the report.
- Prefer grassland area over additional houses being built.
- The land was never intended to be used for the construction of housing as per the original covenants applied when the land was originally sold. It had been planned or sold on the grounds that it would be used for employment or recreation purposes and not for dwellings.
- Why is it not possible to force a penalty on these people for wasting public money and time with numerous applications for development of this land?
- Waste of time and public money.
- Will spoil the walks around this area.
- Bought the house because of the walks around the area and now they are trying to take more grass areas away.
- All of the local schools, Shakespeare Primary and All Saints Academy, plus Kitto YMCA leisure centre and even the Life Centre in Central Park would be more easily accessed via St. Peter's Road thereby creating a much greener environment than sending vehicles through an already well-populated and restricted area.
- Land would always be a green belt
- More houses the area doesn't need.
- Saddened that the council may allow more of our green areas to be built on.
- Wildlife will be pushed aside/die.
- Dwellings will be blight and a disruption.
- Plymouth Planning Guide 17 defines open space as all open space of public value. The guidance makes clear that existing open space and land should not be built on unless an assessment has been undertaken which clearly show the open space and land to be surplus to requirements.
- A wildlife haven within the city - I have seen Kestrels, foxes, deer, pheasants and dunnocks are plentiful. This natural resource would be irradiated by the erection of 86 homes on the site.
- The applicants Ecological Mitigation and Enhancement Strategy survey was carried out at a time that would not show an accurate picture of the meadow's wildlife, additionally the applicants own bat survey called for a more in depth survey to be carried out within the active bat season.
- The land to be developed is a wonderful asset to the local communities of Crownhill, Manadon and St. Peters. It is a small green space where children play and people walk. If this space was to go then the nearest space of this quality would be in Whitleigh.

- Increased pollution, noise and disruption
- The creation of new open spaces potentially not being regularly maintained due to reduced council resources
- The reduction from 90 houses to 86 does very little to address the objections which were made last time, as it is hardly a significant reduction.
- It is little comfort that the DandA (page 9) says that the “non-developable” area will be left as green space, as I understood that previous planning decisions had suggested that all of the current greenfield area should be left as “non-developable” green space, but the developers are not respecting that.
- The proposed new and cut back green space is not sufficiently large or well enough positioned to support the even the existing activities which take place on the current green space.
- Will be no increase in green travel - there are already plenty of pedestrian and cycle exits.
- Not sure if there will be sufficient demand for re-establishing a cricket pitch.
- Our local NHS doctors, dentists are already struggling with long waiting times for appointments.
- No provision of new primary schools
- No provision of recreational land
- Adds nothing to enhance the surrounding area, but instead drains the local resources and facilities.
- Planning application is full of false information.
- As the second couple to purchase a house in Temeraire Road we put with two and a half years of building on this estate. Our new home was filthy with the constant flow of Trucks, Diggers and Contractors vehicles using the Road... My wife at the time was working as a special baby care nurse working nights at Derriford, I can firmly state it almost destroyed her professionally as she found it impossible to get sleep due to the constant noise from the building and traffic.
- Maybe a reduction in the amount of houses built could be considered, larger houses with bigger gardens and private drives.
- Narrow mews style streets – in other words cars blocking access and pavements.
- The dated wildlife survey makes no mention of the birds of prey and owl population of Manadon Park. As a graduate biologist, I find the habitat survey to be very limited in both length of data collection and quality of data collection.
- Objections to this development have tangible costs of time and money, and intangible costs such as repeated stress and unnecessary trauma caused to an existing peaceful community.
- The Council should acquire this land and maintain it as the much needed, protected “open lung space” for the local community in and around the area.
- This scrap of rough open ground is situated in a large catchment area of several thousand and as such is much used by local voters as contact with the countryside. There exists no other local park in the area.
- Have been upset to read such derogatory comments within the application about the all-weather pitch, our clubs home (Plymouth Hockey club). This facility is heavily used, both by Plymouth Hockey club and many local football groups and the local school. It was subject to vandalism as individuals who lacked open space were frustrated by their inability to access the area, however since the site is now left unlocked it is treated with respect. This in itself proves the high value of public open space in reducing antisocial behaviour.
- Loss of drainage - During periods of high rainfall the field traps and holds large quantities of rainwater, and run-off from the streets of the estate further up the hill. It releases this gradually into ditch that runs parallel to St Peters Road, swelling it to a sizeable stream. Have concerns that if the majority of the area is covered with roadway and buildings, this water absorption will be lost and there will be an increased risk of flash flooding.

- The plans are not appropriate to the site
- A better designed development, built taller, could perhaps fit 50-60 residential units into less than 50% of the site, leaving far more available space for habitat and amenities - providing a potential compromise between commercial returns and the preservation of the character of the area.

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The National Planning Policy Framework (the Framework) is a weighty material consideration. It replaces the majority of Planning Policy guidance issued at National Government Level. Paragraph 215 of Annex I to the Framework provides that the weight to be afforded to Core Strategy policies will be determined by the degree of consistency of those policies with the Framework.

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
specific policies in the Framework indicate development should be restricted.

In addition to the Framework, the following Adopted Supplementary Planning Documents are also material considerations to the determination of the application: Development Guidelines SPD and Planning Obligations and Affordable Housing SPD.

8. Analysis

- I. 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, the Adopted Developments Guidelines SPD and the adopted Planning Obligations and Affordable Housing SPD and is considered to be compliant with National Planning Policy Framework guidance. Specific local policies that are relevant to this application include CS01, CS02, CS15, CS16, CS18, CS19, CS20, CS21, CS22, CS28, CS30, CS32, CS33 and CS34.

2. The application raises a number of important planning issues, including the principle of development and highways issues. These and the other main planning issues are considered below

3. **The Principle of Development**

4. Greenspace. The site was designated a Greenscape Area within the Greenscape Assessment of 2004. Policy CS18 (Plymouths Green Space) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) seeks to protect such areas and states that ‘*Development on or adjacent to a Greenscape Area will not be permitted where it result in unacceptable conflict with the function(s) or characteristics of that area*’ and that development proposals will be required to ‘*improve the quality and quantity of accessible green space, where appropriate.*’ The site was know as ‘Land east of Chaucer Primary School’ and included the application site and all of the sports facilities to the north.
5. Greenscape Areas can perform a number of functions and are recognised for having value in the following eight areas; 1 Informal Recreation; 2 Sport and Formal Recreation; 3 Habitats and Species; 4 Visual Amenity; 5 Separation Buffer; 6 Access Corridors; 7 Historical/Cultural and 8 Countryside/Food Growing.
6. These 8 functions are evaluated and given a scale of importance to determine their value. The scale of importance ranges from Neighbourhood to International Value and the full scale is as follows:
 7. Neighbourhood (least value)
 8. District
 9. City
 10. Regional
 11. National
 12. International (highest value)
13. In the Greenscape Assessment of 2004 the site was considered to have City Value for Sport and Formal Recreation and as an Access Corridor, District Value for Habitats and Species and Neighbourhood Value for Visual Amenity, Informal Recreation and as a Separation Buffer. With regards to Sport and Recreation, there is a recognised shortage throughout the city of sports pitches, as stated in the Plymouth Playing Pitch Strategy.
14. The site is of city wide importance for Sport and Formal Recreation and any redevelopment of the site must therefore provide adequate mitigation for the loss of any sport and formal recreation opportunities in the city. However, none of the existing sports facilities within this greenspace area are being lost. The football pitch (currently leased to a local club), the artificial surface and cricket pitch are all outside of the site and retained. In fact, access to sports facilities at the site is being improved as the application will deliver a changing pavilion in order to bring the cricket surface (which will also provide 2 junior football pitches during the winter) back in to use.
15. The sites value at City level as an access corridor is not affected, as part of it is retained as more formal green open space that will link the surrounding areas to the sports facilities

adjacent to the north, therefore its role in providing pedestrian access to these areas is protected.

16. The site is valued at District level for habitats and species. The application is accompanied by an Ecology Report including Bat Surveys. An Ecological Enhancement and Mitigation Strategy has also been submitted. The application is considered to enhance ecology at the site through implementation of the applicants Ecological Mitigation and Enhancement Strategy. Officers consider that the proposed development maintains and improves the sites value for habitats and species and ensures that its biodiversity features are also enhanced.
17. As stated, the site has been considered to be of neighbourhood value for informal recreation, visual amenity and as a separation buffer. It was considered to have made a contribution to the overall greenspace in this area. However, the site has never been in public ownership, despite the owner not restricting informal use of the site by nearby residents for dog walking. The proposed development retains a significant amount of the site as informal greenspace, which will link into the surrounding network of greenspaces in this part of Plymouth. The site will therefore still be available for use by dog walkers and children for informal games. The proposed informal area of greenspace will help to fulfil the role the site plays as a separation buffer to the surrounding residential area, and aid visual amenity.
18. The proposed development is considered to improve the functionality of the existing green space, through the provision of a reduced but publicly accessible greenspace with enhanced landscaping and biodiversity features. The ecological enhancements proposed and provision of formal access and public open space linking with the adjacent sports hub ensure adequate mitigation for the loss of a site that is of low value for habitats and species and not publicly accessible. The proposed development is therefore considered to be in accordance with policies CS18 (Plymouths Green Space) and CS19 (Wildlife) of the Core Strategy and with NPPF paragraph 14 which states a 'presumption in favour of sustainable development'.
19. Principle of Development (Sports Facilities). When the site was in the ownership of the Royal Naval College it formed part of a larger area that contained playing pitches. However, since the redevelopment of the former Naval College site was undertaken in the mid 1990s the site has remained undeveloped and has not therefore been used as formal playing pitches for a period in excess of 20 years.
20. Despite the site being vacant, as it has previously been used as playing pitches (despite the significant amount of time that has passed since it was last used as playing pitches) officers believe it necessary to consider the application in relation to Policy CS30 (Sport, Recreation and Children's Play Facilities) of the Core Strategy. This states that development proposals for new sport, recreation and children's play facilities, will be permitted providing that:
 - a. There is no demonstrable harm from noise, lighting, transport or environmental impacts;
 - b. The development contributes to meeting identified shortfalls in provision or to enhancing the quality of sport/leisure facilities;
 - c. The development is accessible by sustainable transport modes;
 - d. Where appropriate, the development contributes to wider open space initiatives.

21. It also states that:

- a. 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.
22. Officers consider that, with regards to Policy CS30, the former sports facilities are not being lost as a direct result of the development proposal. The site has not been used for any sporting activity for almost 20 years and the playing pitches that were previously at the site do not exist in their previous form and are considered by the applicant to have been abandoned.
23. The former playing pitches at the site have never been in public ownership and have never been managed by the Council. They have thus never been part of the Council's stock of playing pitches and it is recognised by officers that it is extremely unlikely that a leisure based development proposal will come forward at the site.
24. By providing a new changing pavilion, it is considered by Officers that adequate mitigation is being provided for the loss of any former playing pitches, and that the development proposal is providing access to sports facilities that are not currently operational at the site and under provided in the city. The development will provide a net gain in the Council's stock of publicly available sports pitches and is considered to be in accordance with Policy CS30 of the Core Strategy and the aims and aspirations of the National Planning Policy Framework.
25. Sport England Comments. Sport England has submitted a robust letter of representation, raising concerns over the loss of the site as a sports facility, particularly in regards to what they consider to be a net loss in playing pitches at the site. The letter, which is summarised above in the representations section of this report, states that Sport England objects to the application.
26. Whilst Sport England's comments are considered below, members should be aware that in this case Sport England are not a statutory consultee. When a playing pitch has not been used for a period in excess of 5 years the Local Planning Authority does not have a statutory obligation to consult them or seek their views with regards to development proposals that affect sites previously containing playing pitches. Sport England cannot therefore refer this application to the Secretary of State should a decision be made that is contrary to their views. This is confirmed in their letter which states *that 'Sport England accepts that it is not a statutory consultation on this application as the five year time limit regarding consultations has expired'*. However, the loss of sports pitches at the site is an important issue and is analysed below, along with the views of Sport England, as reported in their letter dated 10th March 2014.
27. Sport England refer to an appeal at the site which is reference above in the planning history section of this report (reference APPN1160/A/02/1096110) that was dismissed in 2003 for five reasons, the third of which referred to the loss of the site as open space with recreational potential and insufficient mitigation (an artificial or grass pitch). Whilst this is a material consideration, the appeal is now more than 10 years old and planning legislation has changed significantly in this time. The set of Planning Policy Guidance Notes that the appeal referred to (in this case PPG17) have been replaced by the NPPF which places greater

emphasis on growth and viability. The current application also proposes a different mitigation solution that, in your Officers opinions, is acceptable to mitigate the loss of this site as part of a former playing field.

28. Sport England also argue that the previous use of the site as playing pitches has not been abandoned. They refer to the legal test as to *whether a reasonable man with knowledge of all relevant circumstances would regard the use as abandoned*. They state that based on the following factors, the use has not been abandoned:
 29. The physical condition of the site
 30. The length of the period of non use
 31. Any intervening uses
 32. Evidence regarding the owners intentions
33. Sport England say that there is no physical evidence of the use being abandoned, although they accept that no pitches are marked out at the site and that works would be required to make the land useable as playing fields again. Officers disagree with this point, significant works and capital would be required to bring the site back into use as playing pitches. This includes some remodelling and drainage, clearance and planting. The physical condition of the site therefore prevents it from being used as a playing pitch in its current form.
34. Sport England contest that the length of non-use does not constitute abandonment, although they recognise that it has not been used for formal sport since 1994, which is a period of 20 years. The site is not a current sports venue and does not contribute to the city's overall stock of playing pitches. Officers no longer consider this site as being suitable for use as formal playing pitches and the period since it was last used as such is sufficient to ensure that the proposals do not directly result in the loss of sports pitches to the city.
35. Sport England are not satisfied that there have been any intervening uses since 1994 and state that a material change of use has not occurred. However, Sport England accepts that no formal sports activity has taken place at the site since 1994. Whilst no formal planning application for a change of use has been permitted at the site, it has not been used as formal playing pitches for 20 years and due to the owner not preventing public access it has been used informally by dog walkers. This is materially different to being used for formal sport and officers consider that being used informally for recreation is significantly different to being used for formal sports activity, which Sport England accept that the site has not for 20 years.
36. Sport England state that they have seen no evidence that the owner has intended for the site not to be used as playing pitches since 1994 and that there have been no attempts by the owner to prevent use of the site for formal sport as sports pitches. Officers consider that if the land owner intended the site to be used for sport then they would have allowed the former use to continue post 1994. It is considered that the none use of the site for formal sport is evidence of the owners desire for the sports pitch use to cease at the site. It is considered by officers that *no reasonable man*, knowing all of the facts, and applying the four criteria set out above, would regard the pitches as anything other than abandoned.
37. With regards to the mitigation proposals, Sport England considers that the mitigation package is inadequate. Officers disagree with this conclusion. If granted, this development will deliver a changing pavilion that would allow the existing cricket pitch to be brought back into use. It will also allow the Council to provide 2 junior sports pitches at the site as the Councils

Street Services Department intend to use the space for junior football during the winter months when cricket is not played. The application also provides informal open space within the site which will link into the existing network of informal green space in the area and provide a contribution to provide local children's play facilities. Officers thus consider that the community benefits that this application will provide adequately mitigates the impacts arising from the development of the site for residential purposes.

38. Sport England consider that the proposals will result in a loss of playing pitches in the city. It considers the development to be contrary to its own policy, CS30 of the Core Strategy and the National Planning Policy Framework. The application has already been assessed against Policy CS30 of the Core Strategy and officers consider the application to be in accordance with this policy, for the reasons stated above.
39. Paragraph 74 of the National Planning Policy Framework (NPPF) is the most relevant with regards to developments that affect sports facilities. It states that:
 40. *Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*
 41. *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 42. *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 43. *The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*
44. Officers consider that the proposal will help to bring back into use sports pitches at the site that have not been used for many years. The proposals accord with paragraph 74, in that they provide and deliver sport and recreation benefits above what currently exist, making a contribution to well being.
45. Whilst the site is not currently a sports venue and therefore does not contribute to the City's overall stock of playing pitches (it is not recorded within the Playing Pitch Strategy as being currently available), the application does ensure that it retains a significant sport and recreation element, and that the sports pavilion proposed as part of the mitigation package, will bring back into use publicly accessible sports pitches, providing adequate mitigation for the loss of former facilities that were not publicly available or safeguarded.
46. In summary, the Local Planning Authority does not agree with the comments made by Sport England in its letter. The proposals do not directly result in a loss of sports pitches at the site, which were abandoned 20 years ago, with the site remaining unused and unavailable for formal sport. When delivered, the proposed sports pavilion will result in a net gain in sports pitch provision within the city (the site is not recognised as currently available in the Councils Playing Pitch Strategy) and this (together with the other community benefits provided) is considered by Officers to adequately mitigate the loss of this former playing pitch site.
47. **Layout and Density.** Whilst layout is a matter reserved for future consideration, the applicant has provided an indicative layout showing how the site could be developed.

48. Concerning issues of density, the broad brush reference to a density of 30 – 50 dwellings per hectare (dph) within PPS3 has been superseded by guidance within the NPPF which states that LPAs should set out their own approach to housing density to reflect local circumstances. Strategic Objective 10.2 aims to promote the highest density compatible with the creation of an attractive living environment. Core Strategy policy CS01.2 states that development must be delivered at the appropriate type form, scale, mix and density in relation to its location relative to the neighbourhood's centre.
49. Proposed density levels at the site are lower with the density levels in the immediate vicinity. The proposed development will provide a density level of circa 35 dph, which is considered acceptable and is lower than average dph levels in the surrounding area. Officers consider that this density level is suitable and appropriate for the site.
50. A significant amount of the site has been safeguarded for public open space and the proposed dph allows for the provision of a range of dwellings which will have different sized curtilages depending on their size. Given the sustainable location of the site, which is close to 2 local centres (Transit Way and Crownhill) and the lack of demonstrable harm associated with the amount of development proposed, the proposed density is considered acceptable and in compliance with Strategic Objective 10.2 and Core Strategy policy CS01.2. It is considered that the proposal make sufficient provision for sustainability in terms of both the NPPF and the Council's own policies.
51. The indicative layout has been discussed previously with officers and is considered to be an acceptable layout as submitted, subject to some minor amendments. However, as the application reserves the layout any reserved matters applications at the site will be required to address this issue and finalise a layout. An informative is thus attached to make it clear that the proposed layout is indicative only and not approved under this outline planning application.
52. Is the design acceptable? The application reserves all issues concerning design for future consideration and it is thus no details of scale, design or appearance have been submitted.
53. Residential Amenity. It is important that all new residential development should be designed to ensure that the degree of privacy enjoyed by existing nearby properties is not unacceptably reduced and that new problems of overlooking are not created. It is also imperative that the relationship between the new dwellings proposed is acceptable and that each property has an adequate level of privacy and natural light.
54. The layout of the site has been arranged in order to minimise impact on the surrounding properties. None of the existing dwellings closest to the site (on Aberdeen Avenue) are close enough to be affected by the development with regards to residential amenity standards. It is thus considered that there will be no significant residential amenity conflict created between the existing dwellings and proposed development and the application is therefore considered compliant with Policies CS14 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2007).
55. Highways and Transport issues. The application proposes a single vehicular access to the site from Aberdeen Avenue. The whole of the Manadon Park estate is accessed via a signal controlled junction at the junction of Bladder Lane and Tavistock Road. This application proposes that a new 2 way junction is provided at Frobisher Approach/St Peters Road, which

is on the northern boundary of the Manadon Park estate, adjacent to the existing artificial playing surface. This junction was formerly a bus only access point but has not been in use for a few years now due to the Manadon Park bus service being cancelled due to under use.

56. The following comments are the views of the Councils Highways Officer:

57. Trip Generation

58. It is acknowledged by the Highway Authority that the existing signal controlled junction of Bladder Lane with the A386 currently operates beyond its' theoretical capacity during the peak hours with the am peak hour being particularly problematic with lengthy delays for traffic trying to exit from Bladder Lane.

59. The capacity issues are exacerbated during the morning peak as a result of movements being made to and from St Boniface School and the use of the signal controlled crossing by pupils. Whilst the proposed development of 86 units would only generate around 43 trips during each of the peak traffic hours (14 arrivals and 29 departures during the am and 28 arrivals and 15 departures during the pm), traffic modelling work undertaken by the applicant's traffic consultant has revealed that any increase in traffic movements (however small) at the Bladder Lane/A386 junction would have a significant impact upon its' operation.

60. During pre-application discussions it was recommended that the applicant should consider creating a vehicular access to the proposed area of development direct from St Peters Road itself rather than through Manadon Park. However this suggestion could not be pursued due to issues mainly relating to land ownership and ecology.

61. The traffic generated by the wider Manadon Park development is prevented from either entering or exiting the development onto St Peters Road through the installation of a bus gate on Frobisher Approach. Whilst the rising bollard at the bus gate is no longer operational and the bus service that previously served the Manadon Park estate was withdrawn a number of years back, the associated Traffic Regulation Order is still in place.

62. In order to help improve the current capacity issues at the Bladder Lane junction in addition to accommodating the proposed traffic movements generated by the proposed development, the applicants traffic consultant has undertaken a further assessment looking at the potential traffic impacts associated with the removal of the bus gate and allowing traffic to both exit and enter the Manadon Park estate from St Peters Road.

63. Based upon the creation of a gravity model using existing Census Data, the assessment work undertaken reveals that opening up the exit/entrance onto St Peters Road results in an additional 37 outbound and 11 inbound trips along St Peters Road during the am peak along with 35 inbound and 15 outbound during the pm peak (this includes existing Manadon Park trips in addition to those generated by the development). During the am peak this equates to less than 1 vehicle per minute.

64. A traffic survey was also undertaken by the applicant at the junction of St Peters Road with Manadon Roundabout which revealed traffic flows of just 3-4 vehicles per minute along St Peters Road between the hours of 0730 and 0900 and a maximum queue of just 7 vehicles (recorded across 2 lanes) at the stop lines of the junction at the start of the survey (this number reduces down to 3 vehicles across 2 lanes for the remainder of the survey period).

The additional vehicular movements generated along St Peters Road as a result of opening the bus gate during the am peak (37 trips) will not lead to a significant increase in traffic queuing at this junction.

65. Clearly the removal of the bus gate and creation of a 2-way access onto St Peters Road will lead to an improvement in operating conditions at the Bladder Lane signals which will benefit existing Manadon Park residents.
66. Furthermore as right turn movements are restricted at the Bladder Lane junction, the removal of the bus gate provides a significant benefit to trips to and from the north of the City (Derriford, Southway etc) as vehicles travelling southbound along the A386 would be able to access Manadon Park via Crownhill Road and St Peters Road rather than having to u-turn around Manadon Roundabout thereby leading to a reduction in trips on this part of the highway network.
67. On the basis of the above I have no objections in respect of the trip generation aspects of the proposal. However this is subject to the alterations being carried out in order to remove the existing bus gate (which will require a Section 278 Agreement). I would recommend that this be covered by way of a grampian condition.
68. Car Parking. As this application is for outline consent with the layout being one of the matters that is reserved for future consideration, I am only able to comment on the overall car parking provision. The applicant has confirmed that a total of 172 spaces will be provided (33 of which would be garages) which equates to an overall standard of 2 spaces per unit which is in accordance with the current standards and therefore considered to be acceptable. In addition to car parking, the applicant has also confirmed that cycle parking will be provided on the basis of the minimum standards as outlined within the Development Guidelines SPD.
69. Layout. Whilst concerns have been raised by some local residents regarding the provision of accessing the proposed area of development through the Manadon Park estate, having visited the site on a number of occasions at different times I do not share these concerns with adequate vehicular access routes existing through the development.
70. The illustrative master plan indicates the provision of a pedestrian/cycle link in the south western corner of the site out onto St Peters Road (which will facilitate access to the existing bus services that run along this route). In addition I would like to see a further pedestrian/cycle link provided out onto St Peters Road just to the north of the junction of Chaucer Way with St Peters Road (this link would run through the area identified as part of the Plymouth Biodiversity Network).
71. Further comments relating to the internal layout of the site will be addressed at the Reserved Matters stage with the intention that the roads serving the development will be adopted by way of a Section 38 Agreement.
72. Travel Plan. The applicant has submitted details of the framework of a Residential Travel Plan which is welcomed. Some concerns remain regarding who would be responsible for the day-to-day operation of the Travel Plan and this needs to be addressed before such a document is considered acceptable.

73. In order to assist in the delivery of modal shift targets (yet to be decided) within the TP it is recommended that a financial contribution of £30k be secured from the applicant through a Section 106 Agreement to be used for either of the following:-
74. (a) Provision of a 6 month Citybus Zone 1 & 2 bus pass for each residential unit or
75. (b) Voucher for the purchase of a bicycle.
76. Either of these measures would assist in encouraging the use of sustainable modes of travel (either through increased cycling or public transport use). It is recommended that such a financial contribution would be deposited in a dedicated Travel Plan Account.
77. Construction Traffic Management Plan. During the construction phase of the works it has been recommended to (and agreed in principle by the applicant) that a temporary vehicular access for use by construction traffic will be created onto St Peters Road. This would then prevent construction traffic from having to access the site through the residential streets within Manadon Park. It is recommended that the requirement for such be secured through a condition relating to the Construction Traffic Management Plan.
78. Section 106 Agreement. In addition to the sum of £30k for Travel Plan measures (as mentioned above), it is recommended that a further sum of £5k be secured from the development in order to fund the installation of a bus boarder at the outbound bus stop on St Peters Road. To conclude I would not wish to raise any highway objections to this application although I would recommend that conditions be attached to any grant of consent.
79. **Affordable Housing.** The delivery of affordable housing development is one of the top Corporate
80. Priorities for Plymouth City Council. The policy context for its provision and delivery is set out in paras.10.17-10.24 of the Core Strategy and policy CS15 (Overall Housing Provision). With such high levels of Affordable Housing need consistent delivery of affordable housing units can cumulatively make a big difference to catering for the City's overall housing need.
81. The need for the delivery of affordable housing in the city is greater than total annual housing provision. Plymouth's Housing Register of those in proven housing need stands at 10,466 in April 2014. With such high levels of affordable housing need, consistent delivery of affordable housing can cumulatively make a big difference to catering for the City's overall housing need.
82. The application proposes an affordable housing offer of 18%, which equates to 16 units if the total number of dwellings provided is 86. As the application is in outline only, details of the affordable housing provision requirements will be set out within the S106, making clear requirements for any reserved matters application. The percentage of affordable housing will be secured within the S106 attached to this application.
83. The application has been subject to a robust viability assessment. In the light of this viability testing, Officers advise that the 18% Affordable housing figure is the best that can be achieved if Affordable Housing policy guidance payments (outlined in the spd) are made to the developer. However discussions are on-going between the developer, the partner Housing Association and the Housing Delivery team to see if enhanced affordable housing provision can be provided with enhanced payments based on the government's new Affordable Rent model. Initial profiling suggests that enhanced payments could deliver more than 22% Affordable housing but this is still subject to negotiation. An update will be provided to the committee. The affordable housing negotiations take into account the significant financial

impact of replacing sports changing rooms at the site, and the effect this has on the viability of the development.

84. Taking into account these circumstances, officers have accepted that the affordable housing offer will be compromised by the development viability. However negotiations are still on-going in order to limit the extent of compromise in affordable housing provision. Officers acknowledge the role the application has in supporting the City's wider aspiration to increase and accelerate housing delivery to support Plymouth's growth agenda. It is recognised that the provision of a range of dwelling sizes including two bed units will make a contribution to meeting the City's housing need.
85. Tenure - A mix of tenures will be incorporated into the s106 with rent (social and affordable) and shared ownership (intermediate) at a ratio of 60:40, to be specified in the s106 clauses.
86. Representative mix – The s106 will secure the requirement for affordable housing provision which is representative of the overall housing mix – delivered on a formulaic basis dependent on the finally agreed percentage of affordable housing provision.
87. Locations of affordable housing proposed will need to be reasonably well dispersed – although small clusters of affordable housing is likely to be acceptable.
88. **Renewable Energy.**
89. Policy CS20 (Sustainable Resource Use) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) requires all new residential developments of 10 units or more to incorporate onsite renewable energy production equipment to off set at least 15% of predicted carbon emissions for the period 2010 – 2016.
90. In order to meet the requirement of Policy CS20 it is proposed to have Photovoltaic Panels installed on the roofs of the proposed dwellings. These will be almost flush with the roofline and will only have a minimal visual impact. Photovoltaic Panels generate electricity from light and their energy source is therefore sunlight, meaning that they do not require fuel to operate and produce no air pollution or hazardous waste. The use of Photovoltaic Panels is more than adequate to meet the 15% energy saving and the application is therefore compliant with Policy CS20 and Paragraph 96 of the NPPF. It is considered that the proposal makes sufficient provision for climate change in terms of both the NPPF and the Council's own policies.

9. 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.

10. Local Finance Considerations

Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended section 70 of the Town and Country Planning Act 1990. This development will generate a total of approximately £710, 250 in New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in the determination of this application.

CIL

The provisional Community Infrastructure Levy liability (CIL) for this development will not be finalised until the reserved matters stage but based on 86 units is circa £250, 000 including any potentially qualifying demolished floorspace. This information is based on the CIL information form submitted with the application and is based on current rates.

10a. Planning Obligations

A planning obligation is required to mitigate the impacts of the proposal. Draft Heads of Terms have been agreed with the applicant to mitigate the loss of former sports pitches at the site and include:

- Provision of a 4 team changing pavilion with ancillary clubroom at a final location to be agreed at land north of the site on the adjacent Cricket Pitch, to be used in connection with the existing Council owned cricket and football facilities. Details to be agreed and approved by the Local Planning Authority and shall conform to Sport England guidance.

Agreement has also been reached with regards to the provision of Affordable Housing at the site and the applicant has agreed to provide the following:

- Minimum of 18% (exact percentage to be confirmed) of total number of dwellings to be provided as affordable homes to be sold to be managed by an RSL and occupied by local people in housing need.

Other contributions agreed to mitigate the impacts of the development include the following:

- Education contribution of £125, 000 towards the identified expansion of Pennycross Primary School.
- Greenspace contribution of £33, 000 for children's play space towards improvements to the Bladder Meadow play space.

- Transport contribution of £35, 000 for identified Travel Plan measures and the funding of installation of a bus boarder at the outbound bus stop on St Peters Road.
- Contribution of £20, 000 for siting and ongoing maintenance of Manadon Spire

The application has been subject to a robust viability assessment and the provision of sports facilities and affordable housing at the site have been prioritised. Lengthy negotiations with the applicant have concluded and revealed that the development is not capable of supporting any additional contributions to those listed above.

It is considered that the facilities and contributions negotiated and listed above comply with the requirements of policy CS33 (Community Benefits/Planning Obligations) of the Core Strategy.

11. Equalities and Diversities

The application proposes up to 86 new residential units. A percentage of these are being provided as affordable housing and will be available to people on the Council's Housing Register through a Registered Social Landlord and the rest will be offered for sale on the open market and therefore will be available to people from all backgrounds to purchase. No negative impact to any equality group is anticipated. A condition is attached to ensure that 20% of the development will be made available as Lifetime Homes.

12. Conclusions

To summarise, this application will provide up to 86 new dwellings with community benefits including a new sports pavilion, public open space and improvements to the local highway network.

It is considered that residential development in this location is acceptable and that any future residential development at the site would not impact significantly upon nearby properties residential amenities due to separation distances in the area and would not harm the surrounding highway network, providing adequate levels of off street car parking.

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with both local policy and national planning guidance.

The application is therefore recommended for approval, subject to conditions and the satisfactory completion of a S106 legal agreement, with delegated authority sought to refuse the application if the Section 106 Agreement is not signed by the 1st July 2014.

13. Recommendation

In respect of the application dated **31/01/2014** and the submitted drawings Amended description and revised layout to accommodate single vehicular access to site from St Peters Road, revised Design and Access Statement and additional Traffic Technical Note.,it is recommended to: **Grant**

Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 2nd November 2014

14. Conditions

APPROVAL OF RESERVED MATTERS

(1) Approval of the details of appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason:

Application was made in outline only under Section 92 of the Town and Country Planning Act and approval of the details specified is still required.

SUBMISSION OF RESERVED MATTERS

(2) Plans and particulars of the reserved matters referred to in condition (1) above, relating to the appearance, landscaping, layout and scale, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason:

Application was made in outline only under Section 92 of the Town and Country Planning Act and approval of the details specified is still required.

TIME LIMIT FOR SUBMISSION

(3) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990.

TIME LIMIT FOR COMMENCEMENT

(4) The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004.

APPROVED PLANS

(5) The development hereby permitted shall be carried out in accordance with the following approved plans: I2705 SK 14 01 15 (Illustrative Layout).

Reason:

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

Pre-commencement Conditions

PROVISION OF DRAINAGE WORKS

(6) No development shall take place until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that satisfactory infrastructure works are provided in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 94 and 100-103 of the National Planning Policy Framework 2012

SURFACE WATER DRAINAGE

(7) No development approved by this permission shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- details of the drainage during the construction phase;
- details of the final drainage scheme;
- provision for exceedance pathways and overland flow routes;
- a timetable for construction;
- a construction quality control procedure;
- a plan for the future maintenance and management of the system and overland flow routes.

Prior to occupation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in managed and 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.

STREET DETAILS

(8) No development shall take place until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

ACCESS

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

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

DETAILS OF NEW JUNCTION

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

Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

PROVISION OF SIGHT LINES

(11) No development shall take place until details of the sight lines to be provided at the junction between the means of access and the highway have been submitted to and approved in writing by the Local Planning Authority. The approved sight lines shall be provided before the development is first brought into use.

Reason:

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

CONSTRUCTION TRAFFIC MANAGEMENT PLAN

(12) The construction of the development hereby proposed shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a Construction Traffic Management Plan (CTMP). The said CTMP shall be submitted no less than 3 months prior to the start of construction works on-site and shall include details of access routes to and from the site; details of the construction vehicle movements including number, type and size of vehicles; construction operation hours and contractors car parking arrangements. The construction of the development hereby permitted shall be carried out strictly in accordance with the approved CTMP.

Reason:-

To ensure that the traffic impacts associated with the construction phase of the development does not impact upon the residential amenity of residents within the existing Manadon Park estate and that the associated construction traffic movements do not lead to adverse impacts upon the operation of the Local Road Network in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CODE OF PRACTICE DURING CONSTRUCTION

(13) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 -123 of the National Planning Policy Framework 2012 .

CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

(14) No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall set out the arrangements for managing all environmental effects of the development during the construction period including but not limited to noise, working hours, piling operations (if undertaken) artificial site illumination. The agreed CEMP shall be implemented in full throughout the duration of the construction works, unless a variation is agreed in writing by the Local Planning Authority, in advance.

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.

NOISE ASSESSMENT

(15) Prior to commencement of the development hereby approved a noise assessment shall be submitted to and approved in writing by the Local Planning Authority. The noise assessment shall assess the impact of noise from nearby roads and sports pitches and shall be carried out in accordance with best practice guidance.

Reason: To ensure that risks from future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors; and to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DETAILS OF BOUNDARY TREATMENT

(16) No development shall take place past damp proof course level until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is first occupied. Development shall be carried out in accordance with the approved details.

Reason:

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

LANDSCAPE DESIGN PROPOSALS

(17) No development shall take place past damp proof course level until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); retained historic landscape features and proposals for restoration, where relevant; planting plans including the location of all proposed plants their species, numbers, densities, type (i.e. bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

Reason:

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

MAINTENANCE SCHEDULE

(18) 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.

EXTERNAL MATERIALS

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

Reason:

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

SUSTAINABLE RESOURCE USE

(20) Notwithstanding the Energy Statement submitted by Energy Compliance Ltd (dated 24th May 2013), prior to development being undertaken past damp proof course level, the applicant shall provide to the Local Planning Authority a full report for approval in writing identifying how a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by on-site renewable energy production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

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

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the period 2010-2016 in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2

LIFETIME HOMES

(21) No development shall commence on site past damp proof course level until details showing how 20% of all dwellings at the site shall be constructed to Lifetime Homes standards have been submitted to and approved in writing by the Local Planning Authority.. The layout of the floor plans approved shall be permanently retained for so long as the development remains in existence, unless a further permission is granted for the layout of these units to change.

Reason:

In order to provide 20% Lifetime Homes at the site, in accordance with Policy CS15 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

CONTAMINATED LAND

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

Section 1. Site Characterisation

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

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

(ii) an assessment of the potential risks to:

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

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

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

Section 2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared, and is subject to the approval in writing of the Local

Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Section 3. Implementation of Approved Remediation Scheme

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

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

Section 4. Reporting of Unexpected Contamination

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

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

Reason:

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

Pre-occupation Conditions

COMMUNAL CAR PARKING PROVISION

(23) No dwelling shall be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority] for a maximum of 172 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.

Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

TRAVEL PLAN

(24) The development hereby permitted shall not be occupied until a Residential Travel Plan (RTP) has been submitted to and approved in writing by the Local Planning Authority. The said RTP shall seek to encourage residents and visitors to use modes of transport other than the private car to get to and from the site. It shall also include details of the measures/initiatives that will be implemented in order to secure the modal shift targets, arrangements for monitoring the use of provisions available through the operation of the Travel Plan; and the name, position and contact telephone number of the person responsible for its implementation. From the date of occupation the developer shall operate the approved Residential Travel Plan.

Reason:

The Local Planning Authority considers that such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 32 and 34 of the National Planning Policy Framework 2012. The applicant should contact Plymouth Transport and Infrastructure for site-specific advice prior to preparing the Travel Plan.

REMOVAL OF BUS GATE

(25) None of the residential units hereby proposed shall be occupied until the existing bus gate and Traffic Regulation Order on Frobisher Approach have been removed in order to allow traffic to both enter and exit the Manadon Park development from St Peters Road.

Reason:- In order to provide an alternative point of vehicular entry and exit to the Manadon Park development and thereby reduce traffic queuing and delays at the existing signal controlled junction of Bladder Lane with the A386 Tavistock Road in the interests of highway safety and capacity.

Other Conditions

SOFT LANDSCAPE WORKS

(26) Soft landscape works shall include planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

Reason:

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

LANDSCAPE WORKS IMPLEMENTATION

(27) 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.

LANDSCAPE MANAGEMENT PLAN

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

Reason:

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

BIODIVERSITY

(29) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy (dated March 2013) hereby approved for the site.

Reason:

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

Informatives

INFORMATIVE: ILLUSTRATIVE DETAILS

(1) In granting this outline planning permission, the Local Planning Authority has had regard to the details shown for illustrative purpose on the submitted plans and drawings, and would expect the

principles shown to be reflected in any subsequent application for the approval of reserved matters, including the details submitted in connection with the proposed public open space.

INFORMATIVE: PUBLIC HIGHWAY ENGINEERING DETAILS

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

INFORMATIVE: TRAVEL PLAN

(3) The document required in connection with the Travel Plan should be based upon the Council's guidance for Travel Plans published on the Council's website and should, where possible, be created using iTRACE, an online travel plan management tool available through Plymouth Transport and Infrastructure. The applicant is advised to contact Plymouth Transport and Infrastructure prior to preparation of this document for site-specific advice on the requirements for the Travel Plan, which are likely to include:

- (a) appointment and contact details of a Travel Plan Coordinator
- (b) recommendation of the use of iTRACE
- (c) site specific targets, measures and management/monitoring plan.

INFORMATIVE: (4) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

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

INFORMATIVE: CONDITIONAL APPROVAL (5)

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

INFORMATIVE: CODE OF PRACTICE

(6) 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.

PLANNING APPLICATION REPORT



Application Number 14/01144/FUL

Date Valid 25/07/2014

Item 03

Ward Plympton Erle

Site Address 26 LONGBROOK STREET PLYMOUTH

Proposal Single storey side extension and extension to existing outbuilding

Applicant Mr Steve Vitali

Application Type Full Application

Target Date

19/09/2014

Committee Date

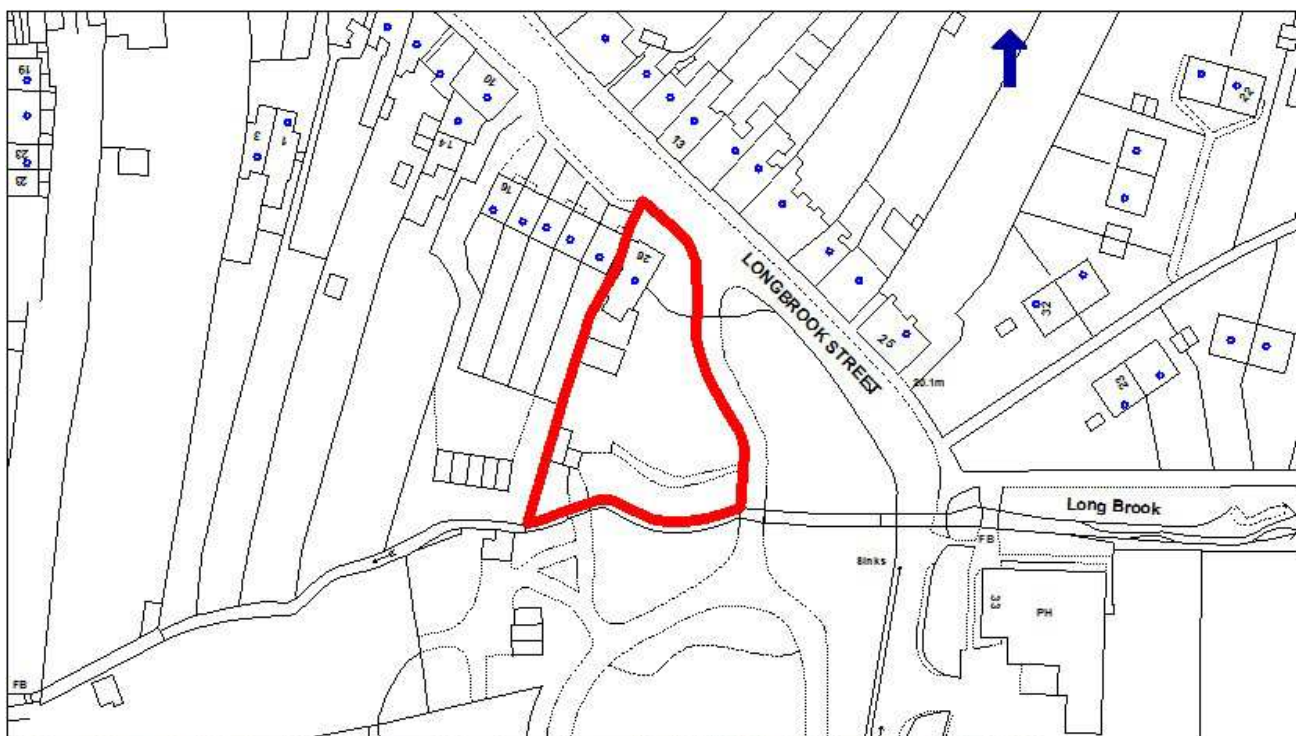
**Planning Committee: 11
September 2014**

Decision Category Member Referral

Case Officer Liz Wells

Recommendation Grant Conditionally

Click for documents www.plymouth.gov.uk



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

1. Description of site

26 Longbrook Street is a detached residential property. It is a grade II listed building. The listing description describes it as a house or farmhouse, probably dating back to the 17th Century, remodelled as a cottage ornée in the 19th Century. It is likely it was extended when it was remodelled as a 'cottage ornée' or decorated cottage, around the same time as the adjacent St Elizabeth's House was built (also Grade II). In more recent years, 26 Longbrook Street has been interpreted by some as a lodge to St Elizabeth's although historic maps would not support this. Both buildings lie within the Plympton St Maurice Conservation Area.

2. Proposal description

Single storey side extension and extension to existing outbuilding

The proposal comprises the replacement of the existing flat roofed side extension (existing kitchen) with a larger contemporary flat roofed side extension within the existing courtyard wall. This extension links the house to the existing outbuilding which it is proposed to convert and extend to the east side. The proposal is to create additional living accommodation for the property.

3. Pre-application enquiry

The proposal follows a number of pre-application discussions relating to two storey extensions to the house and a much larger single storey extension – refused by two previous applications - and a proposal for a more contemporary extension to the outbuilding. Officers did not support these schemes due to their scale and bulk fundamentally changing the character of the listed building and its setting.

4. Relevant planning history

- 13/01284/FUL - Single storey side extension including link to existing outbuilding - REFUSED
- 13/01286/LBC - Demolition of existing flat roof kitchen, conversion of outbuilding, extension to link house and outbuilding to form additional accommodation - REFUSED
- 12/00847/FUL – Two storey extension and single storey conservatory/dining room (existing outbuilding and kitchen removed)
- 12/00848/LBC - Demolition of outbuilding, two storey extension and associated internal alterations to listed building

Tree works application:

- 11/01868/TPO, conditionally APPROVED the removal of three trees and pruning of one. Some trees protected by Conservation Area status and some by Tree Preservation Order.

5. Consultation responses

South West Water (SWW) –the applicant/agent is advised to contact SWW if they are unable to comply with the requirements set out in their letter. South West Water will need to know about any building work over or within 3 metres of a public sewer or lateral drain. They will discuss with the applicant/agent whether their proposals will be affected by the presence of SWW apparatus and the best way of dealing with any issues as you will need permission from South West Water to proceed.

Public Protection Unit – overall recommendation for approval subject to conditions requiring a Phase I Land Quality assessment prior to commencement of development and a hours of construction.

6. Representations

Two letters of representation have been received from nearby residents. One letter is in full support, and the other commenting about the proportions of the lodge house and raising concern with the problems of flooding in Longbrook Street still not fully been addressed and querying whether soakaways adequately deal with the loss of natural drainage.

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The National Planning Policy Framework (the Framework) is a weighty material consideration. It replaces the majority of Planning Policy guidance issued at National Government Level. Paragraph 215 of Annex I to the Framework provides that the weight to be afforded to Core Strategy policies will be determined by the degree of consistency of those policies with the Framework.

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- specific policies in the Framework indicate development should be restricted.

In addition to the Framework, the following Adopted Supplementary Planning Documents (SPDs) are also material considerations to the determination of the application:

- Development Guidelines SPD First Review 2013

8. Analysis

1. Policy context / Main considerations

1.1 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, Development Guidelines SPD and is considered to be compliant with National Planning Policy Framework guidance.

1.2 The main considerations in assessing the planning application are the impact on the neighbouring properties' amenities, the impact on the building itself in terms of design, and the impact on the streetscene and conservation area in which it lies. The most relevant policies of the Core Strategy are CS34, CS02, CS03, CS19 and CS28.

1.3 The previous application was refused on the basis of being out of character with the existing buildings and this part of the conservations area by virtue of its scale, design, position and orientation. Consideration needs to include whether the previous reason for refusal has been overcome with this revised application.

2. Design/impact on building/Conservation Area

2.1 The proposal has been much reduced in scale compared to previous schemes and significant work has been carried out to improve the understanding of the existing outbuilding and to address the principal concerns that officers previously had relating to overdevelopment and disproportionate scale. Officers consider that the current proposal overcomes the previous reason for refusal and has an acceptable impact on the existing buildings and the conservation area.

2.2 The flat roof extension within the existing courtyard is proposed to have a glazed section along its front edge, referred to as a chlerestory, with the rest being a membrane roof with two low profile skylights. A glazed door is proposed in an existing gap in the wall and window inserted into this wall will give visible indicators of its residential use, without altering its form. The existing wall will be repointed. The use of glass in the glazed up stand will give a transparent separation between the existing wall and proposed roof, and the set back of the roof will reduce the visual impact of this proposed extension.

2.3 The proposal includes replacing the roof of the existing outbuilding which is currently corrugated sheets, with a slate roof, at the same level. The extension to the east side of this outbuilding projects forward of the front elevation of the main house but is separated from it, and the proposed stone finish will match with the outbuilding and distinguish it from the main cottage. This extension may be visible from the street if the hedge that currently screen the majority of the garden were to be removed or die but is clearly subordinate to the main house and Officers consider it is in keeping with the Conservation Area. A condition securing details of materials is recommended.

2.4 The proposal also includes converting the rear store to form an en-suite to include the insertion of a rooflight; the insertion of two rooflights in the rear roofslope of the main house and the insertion of rooflights in the rear roofslope of the existing outbuilding and the replacement of the existing windows facing the garden. These alterations would not be readily visible from outside the site but a condition to secure further details for approval will be recommended as part of the accompanying Listed Building Consent to ensure the quality and appearance of materials.

3. Impact on neighbouring properties amenities

3.1 The proposal is not considered to result in any unreasonable impact on neighbouring properties amenities. The boundary wall with the neighbouring property, 24 Longbrook Street, is proposed to be retained and the projection of the flat roof above the existing wall is small – of the order of 0.5m. Proposed rear rooflights will be high level and not result in any unreasonable loss of privacy.

4. Trees

4.1 Many of the trees on site are protected either by virtue of the Conservation Area or by a Tree Preservation Order. The proposed extension will come closer to existing trees and hedge in the garden although officers do not consider the proposal itself will result in any harm to existing trees

4.2 Of more concern is the potential impact of the construction traffic, materials storage, location of a site office etc. due to the limited site area on other trees in the grounds. At the moment the access to the site is quite informal and provides parking for 1-2 cars. If heavy plant and materials are going to be used on site then there will need to be put in place robust ground protection carried out in accordance with BS:5837 Section 6.2.3 and trees to be retained must be fenced off and robustly protected during construction to avoid damage to roots or canopy. This could be secured by condition for an Arboricultural Method Statement and plan to provide details of how the trees on the site will be protected should be required prior to commencement.

5. Wildlife and Biodiversity

5.1 An updated bat and barn owl survey of the outbuilding to be converted and re-roofed undertaken in July 2014 shows no signs of bats or barn owls so with respect to these species the development can go ahead unmitigated. Recommendations have been provided within the report (dated July 2014) to enhance the building for bats and Officers would support this recommendation in accordance with policy CS19. There is also an opportunity to install bird boxes to further enhance biodiversity. A condition is recommended to secure these recommendations.

6. Land Quality

6.1 The Public Protection Service recommend that considering the scale and scope of the proposed development and the level of uncertainty over previous use of existing historic outbuildings to be incorporated into the extension, a condition is included to support provision of a full phase I desk study risk assessment, plus any other intrusive investigation, remediation and in situ validation work that may subsequently be required. This should be submitted for approval prior to commencement.

7. Flooding / Drainage

7.1 Concern has been raised in a letter of representation about flooding. The house and proposed extension lie outside the area flood zones defined by the Environment Agency, and in this instance, no flood risk assessment is required. However, it is noted that the flood zone is close by and the developer has submitted a Flood Mitigation Letter to support the application which details. The proposed construction will drain into soakaways and Officers do not consider this will result in any increase in flooding. However, Officers recommend a condition for further details of the proposed position of soakaways to ensure they do not to cause damage to nearby trees, to be included in the Arboricultural Method Statement to be submitted for approval prior to commencement.

8. Parking and Local Highways Considerations

8.1 The proposal will provide for further accommodation in association with the existing dwelling but officers do not consider it will result in a significant increase in parking demand or traffic generation and no changes are proposed to the parking arrangement.

9. 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.

10. Local Finance Considerations

None relevant for this application. The proposal does not attract a Community Infrastructure Levy under the current charging schedule.

11. Planning Obligations

Not relevant for this application.

12. Equalities and Diversities

None.

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and specifically has overcome the refusal reason of the previous proposal, will preserve and enhance this part of the Conservation Area and will not result in any unreasonable impact on the neighbouring properties amenities. The proposal is therefore recommended for approval subject to conditions as detailed above.

13. Recommendation

In respect of the application dated **25/07/2014** and the submitted drawings LO1, LO2,LO2R, LO3, EX01, EX02, EX03, GA1, GA2, GA2R, GA3, GA4, GA5 and accompanying photomontages GA6, GA7, GA8, design and access statement, historical evolution report, heritage statement, bat survey, flood mitigation letter, parking statement and land registry document,it is recommended to: **Grant Conditionally**

14. Conditions

CONDITION: 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.

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: LO1, LO2,LO2R, LO3, EX01, EX02, EX03, GA1, GA2, GA2R, GA3, GA4, GA5 and accompanying photomontages GA6, GA7, GA8.

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.

Pre-commencement Conditions

PRE-COMMENCEMENT: EXTERNAL MATERIALS

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

Reason:

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

PRE-COMMENCEMENT: ARBORICULTURAL METHOD STATEMENT

(4) No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall detail how trees are to be protected during construction. It shall include measures for protection in the form of barriers to provide a 'construction exclusion zone', areas to be used for storage of materials during construction, proposed location of soakaways and ground protection in accordance with Section 6.1 of BS: 5837:2012 Trees in relation to Design, Demolition and Construction - Recommendations. The measures contained in the approved statement shall be fully implemented and shall remain in place until construction work has ceased.

Reason:

To ensure that the trees on site are protected during construction work in accordance with Policy CS18 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: CONTAMINATED LAND

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

Section 1. Site Characterisation

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

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

(ii) an assessment of the potential risks to:

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

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

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

Section 2. Submission of Remediation Scheme

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

Section 3. Implementation of Approved Remediation Scheme

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

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

Section 4. Reporting of Unexpected Contamination

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

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

Reason:

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

Other Conditions

BIODIVERSITY ENHANCEMENT

(6) The development shall be completed in accordance with the recommendations of the bat and barn owl survey submitted in support of the application. There is also an opportunity to install bird boxes to further enhance biodiversity.

Reason:

To ensure the development achieves a net gain in biodiversity on the site in accordance with policy CS19 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

HOURS OF DEMOLITION AND CONSTRUCTION

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

Reason:

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

INFORMATIVE

INFORMATIVE: CONDITIONAL APPROVAL

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

INFORMATIVE: (2) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

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

PLANNING APPLICATION REPORT



Application Number 14/01145/LBC

Date Valid 25/07/2014

Item 03

Ward Plympton Erle

Site Address 26 LONGBROOK STREET PLYMOUTH

Proposal

Demolish C20 kitchen extension. Alterations and renovation of cottage and outbuilding. Infill extension behind existing rubble walls and extension of outbuilding

Applicant

Mr Steve Vitali

Application Type

Listed Building

Target Date

19/09/2014

Committee Date

**Planning Committee: 11
September 2014**

Decision Category

Member Referral

Case Officer

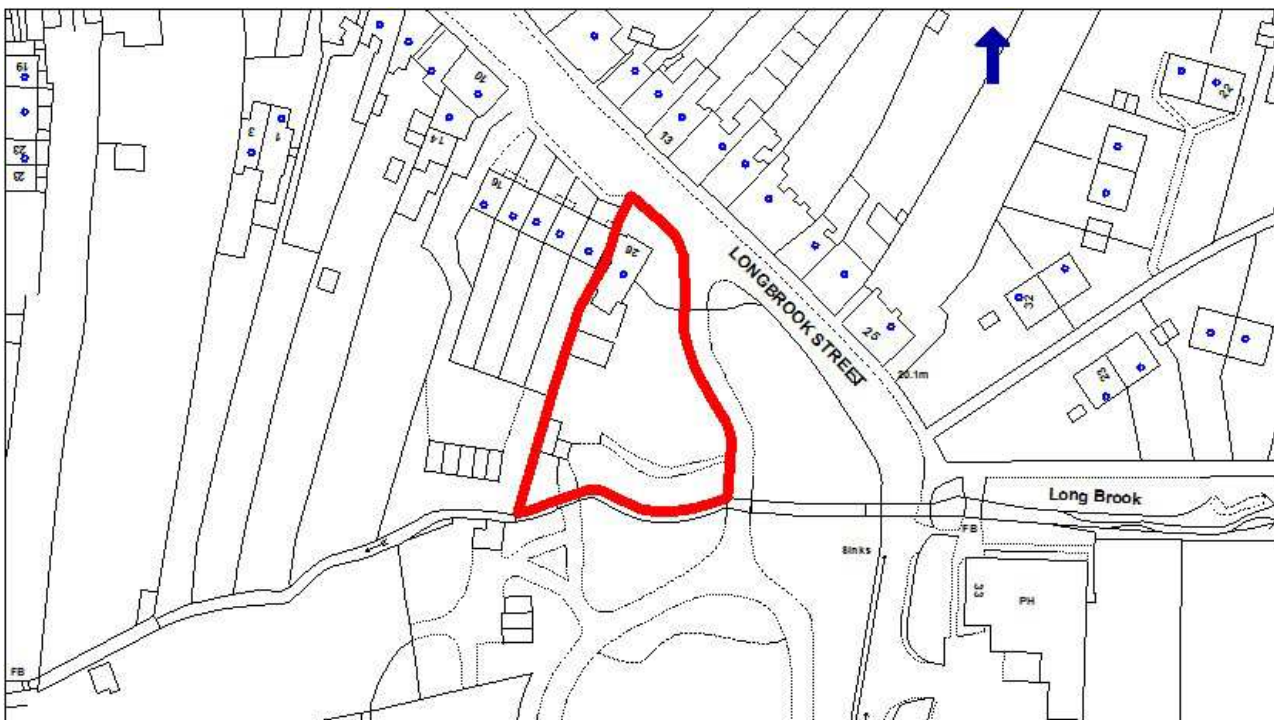
Liz Wells

Recommendation

Grant Conditionally

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This report should be read in conjunction with the application for planning permission, reference 14/01144/FUL.

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

1. Description of site

26 Longbrook Street is a detached residential property. It is a grade II listed building. The listing description describes it as a house or farmhouse, probably dating back to the 17th Century, remodelled as a cottage ornée in the 19th Century. It is likely it was extended when it was remodelled as a 'cottage ornée' or decorated cottage, around the same time as the adjacent St Elizabeth's House was built (also Grade II). In more recent years, 26 Longbrook Street has been interpreted by some as a lodge to St Elizabeth's although historic maps would not support this. Both buildings lie within the Plympton St Maurice Conservation Area.

2. Proposal description

Demolish 20th Century kitchen extension. Alterations and renovation of cottage and outbuilding. Infill extension behind existing rubble walls and extension of outbuilding.

The proposed extensions are detailed in the report 14/01144/FUL.

Changes to the main house proposed include reinstating two former openings in the rear of the cottage and the insertion of two rooflights in the rear roofslope of the main roof. To the existing outbuilding the proposal includes re-roofing in slate with rooflights in the front (facing the garden) roofslope, the insertion of a new access to the rear (house side), the insertion of and the replacement of the existing windows facing the garden and removal of internal shelving units.

3. Pre-application enquiry

The proposal follows a number of pre-application discussions relating to two storey extensions to the house and a much larger single storey extension – refused by two previous applications - and a proposal for a more contemporary extension to the outbuilding. Officers did not support these schemes due to their scale and bulk fundamentally changing the character of the listed building and its setting.

4. Relevant planning history

- 13/01284/FUL - Single storey side extension including link to existing outbuilding - REFUSED
- 13/01286/LBC - Demolition of existing flat roof kitchen, conversion of outbuilding, extension to link house and outbuilding to form additional accommodation - REFUSED
- 12/00847/FUL – Two storey extension and single storey conservatory/dining room (existing outbuilding and kitchen removed)
- 12/00848/LBC - Demolition of outbuilding, two storey extension and associated internal alterations to listed building

Tree works application:

- 11/01868/TPO, conditionally APPROVED the removal of three trees and pruning of one. Some trees protected by Conservation Area status and some by Tree Preservation Order.

5. Consultation responses

English Heritage – do not wish to offer any comment on this occasion.

6. Representations

Three letters of representation have been received from nearby residents. Two letters is in full support, and the other commenting about the proportions of the lodge house.

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The National Planning Policy Framework (the Framework) is a weighty material consideration. It replaces the majority of Planning Policy guidance issued at National Government Level. Paragraph 215 of Annex 1 to the Framework provides that the weight to be afforded to Core Strategy policies will be determined by the degree of consistency of those policies with the Framework.

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- specific policies in the Framework indicate development should be restricted.

8. Analysis

1. Policy context / Main considerations

1.1 The application turns on policy CS03 of the adopted Core Strategy and on the National Planning Policy Framework. The main consideration in assessing this application is the impact on the listed building (a designated heritage asset). Other issues relate to the planning application, 14/01144/FUL.

1.2 The previous application was refused on the basis of the significant and detrimental impact on the character of the listed building and its setting area by virtue of its scale, design, position and orientation. The outbuilding is curtilage listed by association to the main house. The refusal reason detailed that the proposal fails to preserve or enhance the character of the listed building, which it is that of a small cottage/lodge, and the character of the outbuilding, which is that of a vernacular, ancillary building of unclear function, contrary to local and national policies. Consideration needs to include whether the previous reason for refusal has been overcome with this revised application.

2. Design/impact on building

2.1 The proposal has been much reduced in scale compared to previous schemes and significant work has been carried out to improve the understanding of the existing outbuilding and to address the principal concerns that officers previously had relating to overdevelopment and disproportionate scale. Officers consider that the current proposal overcomes the previous reason for refusal and has an acceptable impact on the existing buildings in principal. However, to ensure the details and quality of materials are appropriate to preserve the quality of the listed building, Officers recommend appropriate conditions to require further details for approval relating to the following aspects of the proposal:

- i. proposed flat roof details.
- ii. proposed replacement roof of outbuilding, sample of slates to be used.
- iii. all new and replacement/restored joinery details, including windows doors and roof lights.
- iv. proposed repair of 'wall linings' in the existing house.

2.2 In connection with the recommended conditions Officers note:

- i. Officers would favour greater use of glass on this than is proposed in order to make it as transparent and unobtrusive as possible. For the same reason the visible support members for the roof, especially along the 'clerestory', should be as slim as possible.
- ii. no works are proposed to the existing roof structure of the outbuilding. The proposed rooflights in the southern 'outbuilding' appear to be set horizontally. Officers consider vertical set would be less disruptive. If any structural element needs replacing this must be on a strictly 'like for like' basis or a further LBC will be needed.
- iii. 'conservation' rooflights are proposed but details required to ensure their appearance is acceptable.
- iv. wall linings should be on an 'as existing' or restored basis.

9. 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.

10. Local Finance Considerations

Not applicable to this application.

11. Planning Obligations

Not applicable to this application.

12. Equalities and Diversities

None.

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and specifically preserves and enhances the listed building. The proposal is therefore recommended for approval subject to conditions for further details and materials to be submitted for approval.

13. Recommendation

In respect of the application dated **25/07/2014** and the submitted drawings LO1, LO2, LO2R, LO3, EX01, EX02, EX03, GA1, GA2, GA2R, GA3, GA4, GA5 and accompanying photomontages GA6, GA7, GA8, design and access statement, historical evolution report, heritage statement, bat survey, flood mitigation letter, parking statement and land registry document, it is recommended to: **Grant Conditionally**

14. Conditions

CONDITION: TIME LIMIT FOR COMMENCEMENT (1)

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

Reason:

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

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: LO1, LO2, LO2R, LO3, EX01, EX02, EX03, GA1, GA2, GA2R, GA3, GA4, and GA5 and accompanying 'Schedule of Works' listed in part 7 of the Heritage Statement.

Reason:

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

Pre-commencement Conditions

PRE-COMMENCEMENT: FLAT ROOF DETAILS

(3) No works shall take place until further details of the flat roof including the clerestorey glazing bars and integral roof lights (with cross sections at 1:5 scale and 1:1 moulding details) have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT CONDITION: USE OF NATURAL SLATE

(4) The roof shall be clad using natural slate, fixed with nails, not clips. A sample of the slate shall be submitted to and approved in writing by the Local Planning Authority before any works commence.

Reason:

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: ROOFLIGHTS

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

Reason:

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: JOINERY DETAILS

(6) No works shall take place until a schedule of all external/internal joinery details (with cross sections at 1:5 scale and 1:1 moulding details) have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: DOOR DETAILS

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

Reason:

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: MORTARS, PLASTERS AND RENDERS

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

Reason:

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: TRIAL AREA FOR WALL FINISH

(9) With regards to the stone wall extension to the existing outbuilding, no works shall take place until a trial area of not more than 1 square metres has been prepared in a previously agreed location and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with that approved trial area.

Reason:

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

INFORMATIVE

INFORMATIVE: CONDITIONAL APPROVAL (1)

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

INFORMATIVE: (2) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE
LEVY CONTRIBUTION

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

PLANNING APPLICATION REPORT



Application Number 14/01095/FUL

Item 04

Date Valid 07/07/2014

Ward Drake

Site Address BEDFORD VILLA, AMITY PLACE PLYMOUTH

Proposal Erection of 6 bed house in multiple occupation

Applicant BT Developments Ltd

Application Type Full Application

Target Date

01/09/2014

Committee Date

**Planning Committee: 11
September 2014**

Decision Category Member Referral

Case Officer Simon Osborne

Recommendation Grant Conditionally

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This application has been referred to committee by Councillor Ricketts.

1. Description of site

The site forms part of the curtilage of Bedford Villas a substantial two storey period property. The site is currently hard surfaced and is accessed from Amity Place.

The surrounding area is predominantly residential in character. Bedford Terrace is a set of four storey town houses built on higher ground to the north.. These properties have fairly generous front gardens, which at the eastern end of the terrace, contain mature and semi mature trees including a copper beech in the garden of No.10 which is the subject of a Tree Preservation Order (TPO – No. 457). No. 9 is a grade II listed building.

Amity Place is also residential in character, but different in scale. It contains smaller three storey terraced houses on its eastern side and 'The Friendship Inn' public house, on the corner of Amity Place and Armada Street

The western side contains a modern three storey block (Nos. 20-27) on the corner of Amada Street and Amity Place and a row of older, terraced, houses Nos. 5-17) Armada Street to the south.

The site is located close to Plymouth University and the character of the surrounding area is influenced by the student community.

2. Proposal description

The proposal is for the erection of a new six bed house in multiple occupation.

3. Pre-application enquiry

Pre-application discussions have taken place, concerns were raised regarding the protected tree and the design. The present proposal has attempted to address these concerns.

4. Relevant planning history

13/02396/FUL - Erection of two four-bedroomed houses in multiple occupation - withdrawn

09/00146/FUL - Redevelopment to provide 30 student study bedrooms in one three-storey block together with 5 parking spaces and associated landscaping – Granted.

08/01289/FUL -Redevelopment to provide 45 student study bedrooms in two blocks (4 storey block containing 40 study bedrooms and 3 storey block containing 5 study bedrooms) together with 3 parking spaces and associated landscaping- Refused

07/00966/FUL- Change of use from offices to single family dwelling – Granted.

5. Consultation responses

Local Highway Authority – No objections subject to conditions

Public Protection Service – No objections subject to conditions

6. Representations

4 letters of objection have been received regarding this application. A further 40 copies of a generic letter of objection have also been received.

The issues raised are:

1. Impact on the protected Copper Beech Tree – No tree survey
2. Not consistent with the Article 4 direction. – Too many HMOs
3. The design is out of character and will have a negative impact on the listed building
4. Parking issues
5. Noise and mess associated with students
6. No Design and Access Statement
7. Bedford Villa is already an HMO.

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The National Planning Policy Framework (the Framework) is a weighty material consideration. It replaces the majority of Planning Policy guidance issued at National Government Level. Paragraph 215 of Annex 1 to the Framework provides that the weight to be afforded to Core Strategy policies will be determined by the degree of consistency of those policies with the Framework.

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- specific policies in the Framework indicate development should be restricted.

This application also turns upon policies CS03, CS15, CS18, CS22, CS28 and CS34 of the Plymouth Local Development Framework Core Strategy and the 'Development Guidelines' Supplementary Planning Document.

8. Analysis

1. The main issues to consider are the impact of the development on the character of the area including the listed building, the impact on highways, and public protection issues

The impact of the development on the character of the area and visual amenity.

2. The Council is aware that the rapid growth of the University has led to an imbalance in communities, particularly in Greenbank and Mutley, driven by a desire from students to live in close proximity to the university campus. The conversion of many family homes to HMOs has resulted in the “studentification” of numerous streets which has caused problems for some communities. The City Centre and University Area Action Plan acknowledges the problems of “studentification”, and notes there is a need to identify areas where purpose built student accommodation would be appropriate to try and improve the quality of life for residents in affected areas.
3. The concerns raised about the loss of many small family homes to HMOs led to the Council introducing an Article 4 direction on the 14th September 2012. In addition the Development Guidelines Supplementary Planning Document (Development Guidelines SPD) has recently been updated to introduce a “threshold approach” to considering HMOs or other Student accommodation. It considers that changes of use that would result in a concentration of HMOs higher than 25% of all residential buildings, within a defined 100m distance of the site or the wider census area, will be resisted. Information would suggest that between 45 – 60% of properties within the census output area where the site is located are HMOs. Considering the 100m street level data, the information available would suggest that the area has reached the 25% threshold. Advice in the Development Guidelines SPD suggests that once a figure of 90% is reached there should also be a presumption in favour of development. however this is not the case here.
4. However in terms of the wider area, the new facilities for students could help to redress the balance of HMOs to other residential accommodation as some smaller properties are converted back in to family housing. This would be a welcome benefit of the development. In addition the location of this site so close to the university means that students are less likely to congregate in the wider residential areas. There is therefore an argument that although not reaching the 90% threshold the area is largely studentified and given the positives mentioned particularly the positive contribution to reducing demand for conversion of family dwellings, the proposal is considered acceptable.
5. The site has been granted permission for 30 bedspaces as recently as 2009. The present proposal would be for considerably less bedspaces. Although this permission has now expired and was prior to the adoption of the Article 4 direction it should still be considered as a material consideration.
6. With regard to design and visual amenity the proposed building located on the Amity Place frontage and would continue the existing street pattern of frontage development along Amity Place. The dwelling would be slightly set-back from the adjacent footway which would help to reduce its dominance on the from the adjacent footway. It would be similar in height to the existing dwellings opposite. The proposal is considered an adequate distance away from the listed building to ensure that the impact on its setting is acceptable.

Highways

7. The Local Highway Authority does not wish to raise any objections in principal to the proposal to develop the application site and create a 6-bed House in Multiple Occupation (HMO), within the curtilage of Bedford Villas.
8. The application site is within the North Hill area of the city, close to of the core of the City Centre, with its many amenities and transport links to the wider network. It is within easy walking distance of the University, the Art College, Railway Station, and a multitude of bus services, and other facilities.
9. The development will have access and a frontage to Amity Place and appears to have two existing vehicle points of entry/exit into the application site. The lower (south) vehicle entry/exits would be built over, and as such the vehicle footway crossing would become redundant and would need to be reinstated as footway, with a full kerb face.
10. The kerbs there are a mixture of granite and limestone, and the kerb-line should be replaced using reclaimed limestone or granite kerbs. If alterations were to be made to the vehicular access/egress at the site then the Local Highway Authority would require inter-visibility splays to be included and formed.
11. The development would be built on an existing open area currently used for parking, and the application indicates that the proposal would result in the loss of 6 parking spaces, reducing from the existing 10 parking spaces down to 4.
12. The application indicates that provision would be made for 4 cycle spaces, but the cycle provision indicated on the application ground floor plan drawing is considered poor and unsatisfactory to serve a residential use, where longer term secure and weatherproof storage provision would be needed to encourage cycle as a sustainable means of transport.
13. Given the loss of car parking at the application site then it would be desirable to consider increasing the cycle storage to provide one space per bedroom. Satisfactory cycle storage of an appropriate standard that would be fit for the purpose of serving a residential use should be conditionally secured, and should or residential use, conveniently placed, secure, weather-proof, and preferably well integrated within the building.
14. The application site is located within a resident permit parking zone (PPZ) that operates between the hours of 0900-1900 Monday to Saturday. As such, and in accordance with current policy, officers consider the development would be acceptable with little or no car parking provision. The application plans indicate two off-street parking spaces would be provided within the development courtyard. In accordance with current policy the development would be excluded from obtaining permits and visitor tickets for use within the PPZ.

Living Standards.

15. The proposed bedrooms would all easily exceed the minimum guidance found in the SPD (the smallest being approximately 10.5msq) and would receive adequate light and outlook. A

large kitchen/ diner would be provided long with an adequate number of wash rooms. Limited outdoor amenity space would be provided in the form of hardstanding however the given the accessible location close to parks this is considered acceptable.

16. Impact on the protected copper beech. This proposal keeps excavation works 3m from the boundary wall and more importantly there is now no interference with the canopy spread of the protected Copper Beech (located in the adjacent property) as the footprint of the flats has been reduced in size and there is a single storey block nearest to the tree and not three storey.
17. The trial holes dug revealed no roots beneath the surface of the existing tarmac car park. At the 3m distance if there are any roots deeper than the trial pit level they will be smaller this distance from the tree. If the depth of the foundations need to go deeper than the trial pits then ideally a raft and pile foundation on the northern edge of the block would minimise any possible root damage.
18. There will be very limited works access to the site so protection measures in the form of ground protection to enable access to the site for construction vehicles will need to be put in place to prevent accidental damage to any roots beneath the tarmac or damage to the boundary wall and fencing to keep high vehicles away from the canopy spread. To this end an Arboricultural Method Statement should be provided prior to works commencing on site detailing how the tree will be protected during works.

Contaminated Land.

19. A preliminary risk assessment (Faraj Consulting Ltd. Desktop Study on Bedford Villas, Amity Place, Plymouth, May 2009, Project No. 887) has been submitted with the application. The consultant has identified the following:
 - a. The site as a former depot
 - b. The possibility of an underground wartime shelter on the site
 - c. Confirmed presence of an underground brick built chamber with an integral float.
20. Given the above and that the Councils records indicate the possibility of former underground fuel storage on the site, a condition is recommended to support required further site characterisation and/or intrusive investigation works, plus any other subsequent remedial and in-situ verification works that may subsequently also be necessary.

Other issues.

21. With regard to the letters of representation a satisfactory Design and Access Statement has been submitted with the application.
22. For clarity the planning history indicates that Bedford Villas gained permission to revert back to a single dwelling house in 2007. It may then have been converted into a HMO without the need for planning consent from the Council. Whether or not Bedford Villa is an HMO it is considered that this application is acceptable.
23. A tree survey was submitted with the previous withdrawn application which has been referred to in the assessment of this proposal

9. 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.

10. Local Finance Considerations

New Homes Bonus

Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended section 70 of the Town and Country Planning Act 1990. This development will generate a total of approximately £12,471 in New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in the determination of this application.

Community Infrastructure Levy

The provisional Community Infrastructure Levy liability (CIL) for this development £6,561.83 (index-linking applied, but subject to change before final liability confirmed).

11. Planning Obligations

No planning obligations are required.

12. Equalities and Diversities

No further issues

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords / with policy and national guidance and is recommended for approval.

13. Recommendation

In respect of the application dated **07/07/2014** and the submitted drawings 1344 - EX 01, SK09/A, 1344 - SK 08/E, 1344 - SK 07/E, 1344 - SK 06/F, 1344 - SK 05/F, 1344 - SK 04/E, 1344 - SK 03/E, 1344 - SK 02/E, 1344 - SK 01/E, Drainage Plan, Faraj Consulting Ltd. Desktop Study on Bedford Villas, May 2009 Project No. 887, Tree Survey, and accompanying Design and Access Statement, it is recommended to: **Grant Conditionally**

14. Conditions

CONDITION: 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.

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1344 - EX 01, SK09/A, 1344 - SK 08/E, 1344 - SK 07/E, 1344 - SK 06/F, 1344 - SK 05/F, 1344 - SK 04/E, 1344 - SK 03/E, 1344 - SK 02/E, 1344 - SK 01/E, Drainage 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.

Pre-commencement Conditions

PRE-COMMENCEMENT: EXTERNAL MATERIALS

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

Reason:

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

PRE-COMMENCEMENT: 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 120 – 123 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: ARBORICULTURAL METHOD STATEMENT

(5) No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall detail how trees are to be protected during construction and also what construction methods will be used to ensure the impact on the Copper Beech Tree is acceptable. It shall include measures for protection in the form of barriers to provide a 'construction exclusion zone' and ground protection in accordance with Section 6.1 of BS: 5837:2012 Trees in relation to Design, Demolition and Construction - Recommendations. The measures contained in the approved statement shall be fully implemented and shall remain in place until construction work has ceased.

Reason:

To ensure that the trees are protected during construction work in accordance with Policy CS18 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61,109 and 118 of the National Planning Policy Framework 2012.

Pre-occupation Conditions

MANAGEMENT OF STUDENT ACCOMMODATION

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

Reason:

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

PRE-OCCUPATION: CYCLE PROVISION

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

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

BIN STORAGE

(8) No occupation shall take place until space for bin storage together with bins have been provided in accordance with the approved plans. The bin storage area will be retained for its intended use.

Reason:

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

PRE-OCCUPATION: REINSTATEMENT OF FOOTWAY

(9) No dwelling shall be occupied until the existing footway crossing (to become redundant) has been removed and the footway reinstated.

Reason:

In the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

PRE-OCCUPATION: COMMUNAL CAR PARKING PROVISION

(10) No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plan for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear

Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

OCCUPATION - STUDENTS

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

Reason:

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

Other Conditions

NO. OF BEDROOMS

(12) There shall be no more than 6 bedrooms in the property, and only the rooms marked as "bedroom" on the proposed floor plans hereby approved shall at any time be used as bedrooms.

Reason:

The application has been submitted and assessed on the basis of the layout shown on the submitted plans; any greater number of bedrooms, and/or any use as a bedroom of a room not identified in the application as such, may give rise to unacceptable accommodation and is therefore prohibited by this condition. This condition is in accordance with policy CS15 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and with the Development Guidelines Supplementary Planning Document 2010.

CODE OF PRACTICE

(13) During development of the scheme approved by this planning permission, the developer shall comply with the relevant sections of the Public Protection Service, Code of Practice for Construction and Demolition Sites, with particular regards to the hours of working, crushing, piling and noisy operations, control of mud on roads and the control of dust.

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants will likely be disturbed by noise and/or dust during demolition or construction work and to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Informatives

INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)

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

INFORMATIVE: PUBLIC HIGHWAY APPROVAL

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

INFORMATIVE: RESIDENT PARKING PERMIT SCHEME

(3) The applicant should be made aware that the property lies within a resident parking permit scheme which is currently over-subscribed. As such the development will be excluded from obtaining permits and purchasing visitor tickets for use within the scheme.

INFORMATIVE: (CIL LIABLE) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

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

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PLANNING APPLICATION REPORT



Application Number 14/01317/FUL

Date Valid 25/07/2014

Item 05

Ward Moor View

Site Address LAND ADJACENT YARDLEY GARDENS ESTOVER PLYMOUTH

Proposal Development of 6 affordable homes with associated works

Applicant Mr Andrew Mitchelmore

Application Type Full Application

Target Date

24/10/2014

Committee Date

**Planning Committee: 11
September 2014**

Decision Category Member Referral

Case Officer Rebecca Boyde

Recommendation Grant Conditionally

Click for documents www.plymouth.gov.uk



This application is a member referral and was called in by Councillor Casey

1. Description of site

The land adjacent to Yardley gardens is an area of green scape located in the Moor View ward of the city. To the South of the land is Miller Way which is a classified road and to the east and west the area is bounded by residential properties.

2. Proposal description

Development of 6 affordable homes with associated works

3. Pre-application enquiry

14/00968/MIN- Subject to drawings being submitted

4. Relevant planning history

None

5. Consultation responses

Local Highway Authority recommends approval subject to conditions

Public Protection Unit recommends approval subject to conditions

6. Representations

15 letters of objection have been received relating to this development. The objections relate to:

- Loss of green space
- Loss of habitat and wildlife from the hedge and trees
- Impact upon the highway and congestion

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The National Planning Policy Framework (the Framework) is a weighty material consideration. It replaces the majority of Planning Policy guidance issued at National Government Level. Paragraph 215 of Annex 1 to the Framework provides that the weight to be afforded to Core Strategy policies will be determined by the degree of consistency of those policies with the Framework.

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- specific policies in the Framework indicate development should be restricted.

In addition to the Framework, the following Adopted Supplementary Planning Documents are also material considerations to the determination of the application:

- Development Guidelines SDP 1st Review

8. Analysis

(1) 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 CS01 (Development of Sustainable Linked Communities), CS02 (Design), CS15 (Overall Housing Provision), CS22 (Pollution), CS28 (Local Transport Considerations), and CS34 (Planning Application Considerations) the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021 and the aims of the Council's Development Guidelines Supplementary Planning Document 'First Review' (2013) and is considered to be compliant with National Planning Policy Framework guidance.

Principle of development

(2)The proposal is to erect 6 affordable homes. These homes will comprise of 2no 2 x bedroom houses and 4no 3 x bedroom houses. Each property will accommodate off street car parking and have amenity space located to the rear of the properties. It is considered by officers that the site would be able to accommodate the additional dwellings.

(3)The delivery of Affordable Housing development is one of the top priorities for Plymouth City Council. The policy context is set out in paras.10.17-10.24 of the Core Strategy which supports policy CS15. With such high levels of Affordable Housing need – consistent delivery of Affordable Housing units can cumulatively make a big difference to catering for the City's overall housing need.

(4)CS18 of the Core strategy states relates to Plymouth's green space. The aim of this policy is to ensure development proposals improve the quality and quantity of accessible green space, where appropriate and this is supported by the Sustainable Neighbourhood Assessment of this area. It is not considered that the green space utilised as part of this proposal is strategically or locally important. The trees and hedgerows will be retained as part of this proposal.

Design

(5) The 2 bedroom units are identical in terms of layout and design. The bedrooms will be located at first floor level with all living accommodation at ground floor. The three bedroom properties are also identical in terms of layout and will be situated either end of the development. The developer has indicated that the development would be built to a high specification eco building – achieving Code for sustainable homes level (CSH) 5. This requirement is also reflected in the land sale agreement. Such a high level of eco-specification will be expected to have associated benefits of reducing residents' fuel bills, making them less vulnerable to fuel poverty. The officers welcomes high quality design of the proposed development which will meet CSH 5 level – using super-insulation and renewable (especially user friendly) technologies. It is understood that the proposal will achieve compliance with policy CS20.

(6)The Development Guidelines Supplementary Planning Document (SPD) states that all habitable rooms should receive adequate amounts of natural daylight and be of a minimum size to accommodate standard sized furniture for its occupants. It is considered that the proposal complies with this guidance. It should be noted that the SPD states that each occupier should have adequate access to amenity space. Each property has gardens located to the rear; which will adequately serve the occupiers. It is noted that the amenity space associated with the dwellings falls slightly short of the minimum standards set out within the SPD. It is however noted that there is a large recreational space located within close proximity to the proposed dwellings. The amenity space associated with these dwellings is therefore deemed acceptable.

(7)The layout of the site and design of the proposed dwelling are deemed satisfactory by officers. The proposal is not considered to have a significant detrimental impact upon the amenity of the existing dwellings to the immediate west of the site as the highway would provide a large barrier. In summary, it is considered that the dwelling will not have a negative impact upon the neighbouring properties. It is therefore considered compliant with Policies CS02 (Design) and CS34 (Planning Application Consideration) of the Supplementary Planning Document 1st review (2013).

Trip Generation

(8)Based upon a trip rate of 0.5 movements per unit the 6 affordable units hereby proposed would generate around 3 trips during the morning (0800-0900) and afternoon (1700-1800) peak hours. Whilst it could be argued that a higher trip rate should be applied due to the limited number of units being proposed, were the trip rate to be doubled then the development would still only generate 6 vehicular movements. Such a low number would not give rise to any cause for concern from a network capacity viewpoint.

Car Parking

(9)The issue of car parking has been raised by a number of residents in LORs received. In order to address those concerns a maximum car parking standard of 2 spaces per unit has been applied to the development which should ensure that no vehicles have to need to park on-street. It is also worth mentioning that the car parking provision provided is in the format of standard spaces and are therefore more likely to be used unlike garages which are often used as secondary storage resulting in vehicles of properties having to park on the highway.

In addition to car parking it would appear that each property includes for the provision of cycle parking within the rear garden areas.

Highway Safety

(10) In order to improve pedestrian access to the large area of open space on the opposite side of Miller Way to the application site, the possibility of introducing a pedestrian crossing point has been raised. Further consultation with Amey has confirmed that there would be no safety issues with the introduction of such and therefore a condition will be attached which would require the crossing be in the form of tactile paving and dropped kerbs. Such a crossing would need to tie-in with the existing pedestrian route which provides access to the large area of public open space. This pedestrian would be secured by a S278 agreement.

(11) In view of the fact that some existing on-street car parking takes places along Yardley Gardens on the opposite side of the road to the application site, if kerbside parking were to take place along the frontage of the new development then the width of Yardley Gardens would be reduced to 1 vehicle in each direction. Therefore to address this concern it is recommended that the applicant fund consultation to extend the existing double yellow lines from the junction of Miller Way/Yardley Gardens along the entire frontage of the development. This will be secured by a Traffic Regulation Order (TRO)

Tree preservation

(12) It is noted that to the rear of the proposed development is a large hedge with mature trees. It is considered that these trees will be subject to a tree preservation order which is currently being investigated by our tree officers. As all the existing trees are being retained, this should not affect Member's consideration of this planning application.

9. 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.

10. Local Finance Considerations

The provisional Community Infrastructure Levy liability (CIL) for this development £16,516.61 (index-linking applied, but subject to change before final liability confirmed).

A breakdown of the final calculation will be shown in the liability notice once planning permission first permits the development (including all pre-commencement conditions details being agreed). The liable party(s) will be given the opportunity to apply for social housing relief or ask for a review of the calculation at that stage. There is no negotiation of CIL. The Levy is subject to change and will be index-linked. The applicant should check the current rates at the time planning permission first permits development (which includes agreement of details for any pre-commencement conditions) see www.plymouth.gov.uk/cil for guidance.

The applicant has indicated that the site will be 100% Social Housing, which will require an application for relief. If successful, the liability will be reduced to £0.

Local Finance Considerations

Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended section 70 of the Town and Country Planning Act 1990. This development will generate a total of approximately £56,729 in New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in the determination of this application.

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations have been sought in respect of the following matters:

- 100 % Affordable housing

12. Equalities and Diversities

The application proposes 6 new residential units and will be available to people from all backgrounds. All of the proposed dwellings will meet lifetime home standards. No negative impact to any equality group is anticipated.

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policies CS01 (Development of Sustainable Linked Communities), CS02 (Design) and CS34 (Planning Application Considerations) the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021 and the aims of the Council's Development Guidelines Supplementary Planning Document 'First Review' (2013) and is considered to be compliant with National Planning Policy Framework guidance.

13. Recommendation

In respect of the application dated **25/07/2014** and the submitted drawings 14.055.1.2.TCP,885/2A,885/1,885/3A,885/4,885/5,885/6,it is recommended to: **Grant Conditionally**

14. Conditions

CONDITION: 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.

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 14.055.1.2.TCP,885/2A,885/1,885/3A,885/4,885/5,885/6

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.

Pre-commencement Conditions

PRE-COMMENCEMENT: CONDITION: CODE OF PRACTICE DURING CONSTRUCTION

(3) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 -123 of the National Planning Policy Framework 2012 .

PRE-COMMENCEMENT: STREET DETAILS

(4) No development shall take place until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: CONTAMINATED LAND

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

Section 1. Site Characterisation

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

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

(ii) an assessment of the potential risks to:

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

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

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

Section 2. Submission of Remediation Scheme

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

Section 3. Implementation of Approved Remediation Scheme

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

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

Section 4. Reporting of Unexpected Contamination

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

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

Reason:

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

PRE-COMMENCEMENT: CONDITION: CODE OF PRACTICE DURING CONSTRUCTION

(6) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 -123 of the National Planning Policy Framework 2012 .

Pre-occupation Conditions

PRE-OCCUPATION: CAR PARKING PROVISION

(7) None of the units hereby proposed shall be occupied until the car parking spaces shown on the approved plan have been drained and surfaced in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and those spaces shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

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

PRE-OCCUPATION: PEDESTRIAN CROSSING

(8) None of the units hereby proposed shall be occupied until a pedestrian crossing (including dropped kerbs and tactile paving) has been provided on Miller Way in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

In order to provide improved access to the area of open space from the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PRE-OCCUPATION: WAITING RESTRICTIONS (TRO)

(9) None of the residential units hereby proposed shall be occupied until the applicant has funded consultation relating to extending the existing double yellow lines on Yardley Gardens up to and including the development frontage and depending on the outcome of that consultation shall implement the agreed alterations to the existing double yellow lines as necessary.

Reason:

In order to limit the extent of on-street kerbside car parking that takes place along the frontage of the proposed development on Yardley Gardens in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007

Informatives

INFORMATIVE: KERB LOWERING

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

INFORMATIVE: PUBLIC HIGHWAY APPROVAL

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

INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)

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

INFORMATIVE: (CIL LIABLE) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

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

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PLYMOUTH CITY COUNCIL

Subject: **Objections from Mr Hulcoop to Tree Preservation Order
No. 500: 242, St. Pancras Avenue**

Committee: **Planning Committee**

Date: **11th September 2014**

CMT Member: **Anthony Payne (Director for Place)**

Author: **Chris Knapman**

Contact details: **Tel: 01752 304355**

Email: chris.knapman@plymouth.gov.uk

Ref: **TPO 500**

Key Decision: **No**

Part: **I**

Purpose of the report:

Following enquiries about the protected status of 3 trees on the boundary of 242, St. Pancras Avenue and a clear indication that felling was being imminently considered, it was considered expedient to make Tree Preservation Order No. 500 to protect the trees. One objection was received from the owner of the property. It is considered that the reasons for objection do not outweigh the reasons for making the Order and it is recommended that the Order is confirmed without modification.

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

Protecting trees enhances the quality of the City's environment by ensuring long-term tree cover. Trees help to reduce pollution and traffic noise providing cleaner air to breathe thereby helping to achieve the Council's corporate goal to create a healthy place to live and work and accords with its objective to improve health and wellbeing, as well as creating a more attractive environment.

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

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

The protection of trees by a Tree Preservation Order is a routine exercise for Planning Services. There are no additional financial costs arising from the imposition and administration of the Order that are not included in existing budgets.

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

None

Equality and Diversity:

Has an Equality Impact Assessment been undertaken? No

Recommendations and Reasons for recommended action:

To confirm Tree Preservation Order no 500 without modification.
Reason: In order to protect important trees of high public amenity value.

Alternative options considered and rejected:

To modify the Order to exclude Oak tree T2:
If this tree is excluded from the Tree Preservation Order it could be removed without any consent being required from the Local Planning Authority.
This would result in the loss of amenity to the local area.

Published work / information:

Tree Preservation Order No. 500
Letters of objection:
Undated. Mr. A. Hulcoop, 242, St. Pancras Avenue, Plymouth, PL2 3TP
Council Correspondence:
14/05/14 Mr. C. Watson- Informal advice. Proposed extension and protected trees.
07/08/14 Mr. C. Knapman- Acknowledgement of objection and response.

CIL Regulations Compliance:

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

Background papers:

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	

Sign off: Legal: JAR/21024/Aug14
Finance: ABPlaceFPC1415003.200814

				Mon Off		HR		Assets		IT		Strat Proc	
Originating SMT Member													

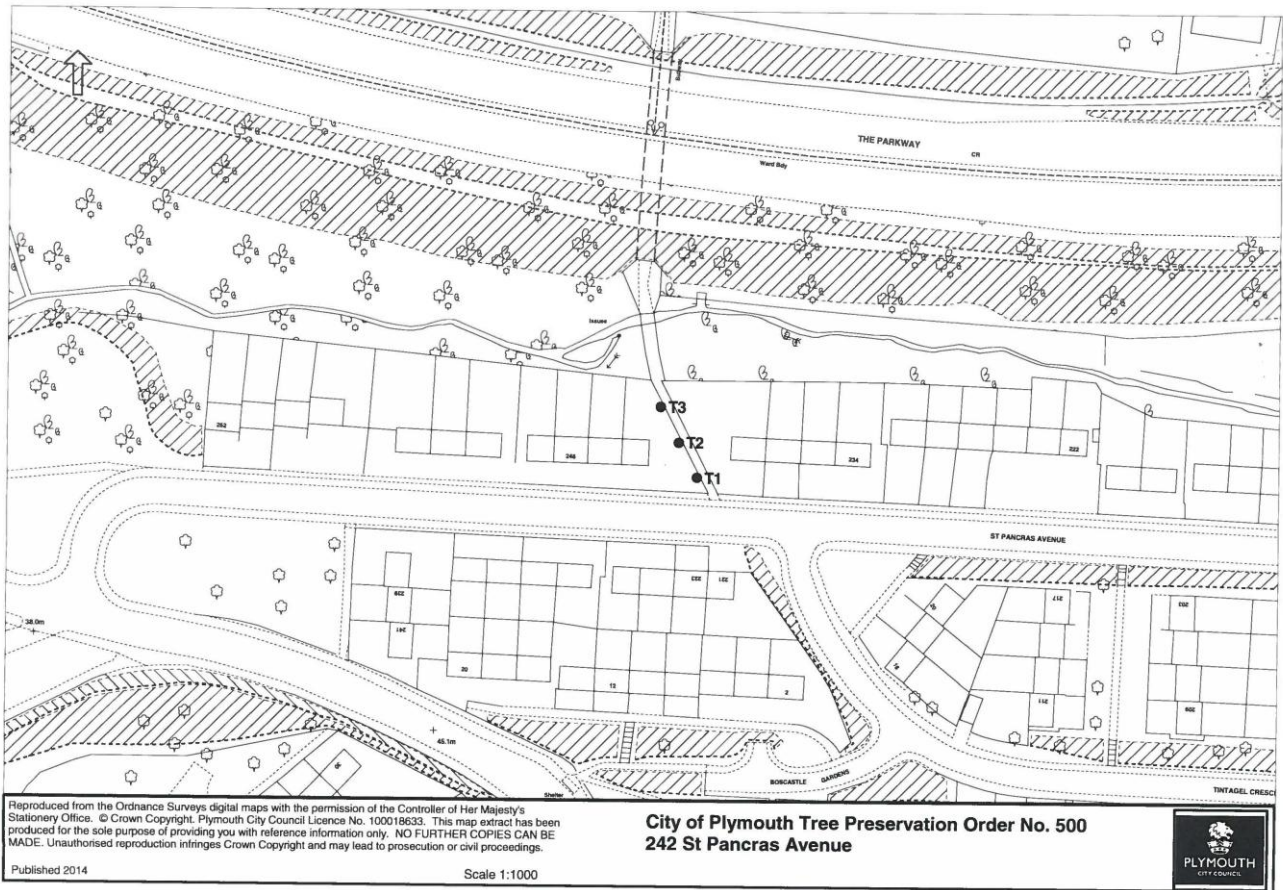
Background Report

I. Introduction

- I.1 Under delegated authority, on 22 April 2014, Tree Preservation Order No. 500 was made to protect 2 mature Pedunculate Oak trees and a mature Beech tree on the boundary of 242, St. Pancras Avenue with the footpath to the Parkway underpass. Following a telephone enquiry to check whether the trees were protected, the owners of the property had indicated that they were looking to remove all 3 trees to facilitate fencing for security and because they perceived the trees to be dangerous. A site visit to assess the suitability of the trees for a Tree Preservation Order was carried out and prior to making the Order, one of the owners of the property was contacted to advise that an Order was being considered. The owner was not pleased that an Order was being considered and it was concluded that the trees were sufficiently at risk to warrant an Order being made.
- I.2 All 3 trees are prominent features in the street scene and make a strong contribution to the visual amenity and character of the neighbourhood together with landscape history and wildlife values.
- I.3 It was therefore considered expedient in the interest of public amenity that a Tree preservation Order was made. One objection to the Order was received, from one of the owners of the property.



Tree Preservation Order No. 500 viewed from St. Pancras Avenue



Tree Preservation Order No. 500: Order Map- showing location of trees

2. Objections

2.1 One objection to the Order was received. The details are summarised below:

- There are no objections with regard to two of the trees
- There is only an objection to the central Oak tree (T2)
- The tree will prevent a potential extension to provide an extra room
- The tree is overgrowing the neighbouring property and there are safety concerns
- The tree contains decay.

3. Analysis of Issues

Outlined below is the Officer response to the objections.

- 3.1 Because there is only one objection to one of the tree protected trees, the only issue is whether the Order should be modified to exclude this specific tree.
- 3.2 It is considered that design solutions and pre-application advice could overcome any proximity issues with regard to tree T2. The property is an end terrace with a large garden and consequently various design options are available. All three trees pre-date the building of the adjacent houses, and the layout of this part of the estate was clearly designed to accommodate these important trees. It is considered that the trees can continue to exist without unreasonably impact on the houses or prejudice the owners reasonable home extension aspirations.

- 3.3 No evidence has been provided to support safety concerns but it has been advised by phone that following the removal of some shrubs, there is a cavity present in T2 with associated decay. No details have been submitted at this time with regard to the extent of decay or evidence to confirm that it is significant for safety. If the Order is confirmed in respect of this tree, any tree work or felling proposals can be dealt with through the normal application process. A site visit is planned prior to Planning Committee to provide advice concerning the defect and if this affects the TPO decision then it will be reported as an addendum to this report.

4. Overall Conclusion

It is officers' view that there are solutions to the objections raised with regard to Oak tree T2 that do not involve its removal. If defects in the tree are considered significant, this can usually be dealt with through the application process and consent will not be withheld if sufficient, validated evidence is provided. Alternatively if it affects the decision to TPO tree T2 this will be reported as an addendum report.

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PLANNING COMMITTEE

Decisions issued for the following period: 4 August 2014 to 31 August 2014

Note - This list includes:

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

Item No 1

Application Number: 13/01922/FUL **Applicant:** Mr Steve Pearce
Application Type: Full Application
Description of Development: Erection of pair of detached three-storey dwellings with integral garages with access from Underlane
Site Address 24-26 MERAFIELD ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 28/08/2014
Decision: Application Withdrawn

Item No 2

Application Number: 14/00135/FUL **Applicant:** CornerstoneZED Plymouth Ltd
Application Type: Full Application
Description of Development: Erection of 87 residential Code 6 dwellings and covered arcade (Class B1) to be used for flexible Class A3/A4/B1/D1 use on completion of development (Blocks A & B); flexible Class A3/A4/B1/D1 use of the ground floor of Block C; 368 m2 of Class B1/live-work accommodation fronting Tavistock Road together with associated car parking, community green open space and landscaping, village square and new vehicular accesses off Woolwell Crescent and Towerfield Drive. Variation of Condition 2 of planning permission 12/01504/FUL to account for changes in ground levels and variation to house types in the Eastern part of the site
Site Address LAND OFF TOWERFIELD DRIVE PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 18/08/2014
Decision: Grant Subject to S106 Obligation - Full

Item No 3

Application Number: 14/00583/FUL **Applicant:** Sovereign Housing Association
Application Type: Full Application
Description of Development: Change of use of existing building from B1 office into 2 separate dwellings
Site Address ABBEY HOUSE, NORTH ROAD WEST PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 21/08/2014
Decision: Grant Conditionally

Item No 4

Application Number: 14/00584/LBC **Applicant:** Sovereign Housing Association
Application Type: Listed Building
Description of Development: Change of use of existing building from B1 office into 2 separate dwellings (Curtilage listed)
Site Address ABBEY HOUSE, NORTH ROAD WEST PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 21/08/2014
Decision: Grant Conditionally

Item No 5

Application Number: 14/00779/FUL **Applicant:** Hertz (UK) Ltd
Application Type: Full Application
Description of Development: Change of use to car rental facility with associated portacabins with lighting and CCTV
Site Address COOPER CONSTRUCTION, 21 COMMERCIAL ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 07/08/2014
Decision: Grant Conditionally

Item No 6

Application Number: 14/00824/FUL **Applicant:** Mr Andrew J Young
Application Type: Full Application
Description of Development: The erection of an above ground combined sewer overflow outlet screen & handrail to be installed for public safety
Site Address CAR PARK ADJACENT 4 NEWNHAM ROAD, NEWNHAM ROAD
Case Officer: Rebecca Boyde
Decision Date: 07/08/2014
Decision: Grant Conditionally

Item No 7

Application Number: 14/00858/FUL **Applicant:** Wharfside Regeneration Devon
Application Type: Full Application
Description of Development: Change of use to extend the existing approved use, A1 to A3 as approved under planning reference 12/00961/FUL, to the proposed use to include A5 on unit D at NWQ
Site Address PLYMOUTH HOSPITALS NHS TRUST, DERRIFORD HOSPITAL, DERRIFORD ROAD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 07/08/2014
Decision: Grant Conditionally

Item No 8

Application Number: 14/00883/EXUS **Applicant:** Mr and Mrs Graham Fox
Application Type: LDC Existing Use
Description of Development: Lawful commencement to construction of approved dwelling in compliance with Condition 1 (five year time limit) of appeal decision APP/N1160/A/05/1194054 dated 28 February 2006.
Site Address 6A ST MARYS ROAD PLYMOUTH
Case Officer: Chris Watson
Decision Date: 15/08/2014
Decision: Issue Certificate - Lawful Use

Item No 9

Application Number: 14/00910/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Change of use of housing and rent office to two self-contained flats with dedicated garage parking
Site Address 65 ROCKFIELD AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 27/08/2014
Decision: Grant Conditionally

Item No 10

Application Number: 14/00913/PRDE **Applicant:** Mr Michael Packer
Application Type: LDC Proposed Develop
Description of Development: Construction of side extension
Site Address OWL'S NEST, 7 WOODFORD ROAD PLYMOUTH
Case Officer: Kate Price
Decision Date: 07/08/2014
Decision: Issue Certificate - Lawful Use

Item No 11

Application Number: 14/00932/FUL **Applicant:** Peninsula Developments
Application Type: Full Application
Description of Development: 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 condition 4 of Approval 13/01196 to allow speedway meetings, of up to 30 races each, between the hours of 1330 – 1730 hours, to take place on 9th August 2014 and 13th September 2014.
Site Address SPEEDWAY, COYPOOL ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 28/08/2014
Decision: Application Withdrawn

Item No 12

Application Number: 14/00994/FUL **Applicant:** Tara Kerlin
Application Type: Full Application
Description of Development: Replacement of flat roofs with pitched roofs on front and rear dormers
Site Address 18 ST EDWARD GARDENS PLYMOUTH
Case Officer: Mike Stone
Decision Date: 07/08/2014
Decision: Grant Conditionally

Item No 13

Application Number: 14/01024/FUL **Applicant:** The Co-operative Group
Application Type: Full Application
Description of Development: Installation of new ac condenser and replacement of new condenser to rear
Site Address CO-OP STORE, 147 EGGBUCKLAND ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 14/08/2014
Decision: Grant Conditionally

Item No 14

Application Number: 14/01057/FUL **Applicant:** University of Plymouth Student
Application Type: Full Application
Description of Development: New glass roof covered walkway to student union entrance and alterations to main entrance doors
Site Address UNIVERSITY OF PLYMOUTH, DRAKE CIRCUS PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 15/08/2014
Decision: Grant Conditionally

Item No 15

Application Number: 14/01058/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Externally applied wall insulation with render finish
Site Address 57-83, 105-131, 133-159 RINGMORE WAY, 3-6
BRANSCOMBE GARDENS PLYMOUTH
Case Officer: Liz Wells
Decision Date: 07/08/2014
Decision: Grant Conditionally

Item No 16

Application Number: 14/01060/FUL **Applicant:** Mount Tamar School
Application Type: Full Application
Description of Development: Multi use games area on the school field
Site Address MOUNT TAMAR SCHOOL, ROW LANE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 11/08/2014
Decision: Grant Conditionally

Item No 17

Application Number: 14/01061/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Externally applied wall insulation with a predominantly rendered finish
Site Address 1-24 MODBURY CLOSE, 1-12 MARLDON CLOSE, 1-24
KENN CLOSE, 1-24 HAYTOR CLOSE, 1-24 FOXTOR CLOSE,
AND 144-166 SHALDON CRESCENT PLYMOUTH
Case Officer: Liz Wells
Decision Date: 06/08/2014
Decision: Grant Conditionally

Item No 18

Application Number: 14/01064/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Externally applied wall insulation with a predominantly rendered finish
Site Address 13-24 BRAYFORD CLOSE, 203-225 RINGMORE WAY, 179-201 RINGMORE WAY, AND 229-251 RINGMORE WAY PLYMOUTH
Case Officer: Liz Wells
Decision Date: 06/08/2014
Decision: Grant Conditionally

Item No 19

Application Number: 14/01065/TPO **Applicant:** Mr Michael Willacy
Application Type: Tree Preservation
Description of Development: Hornbeam - reduce back lower branches
Hornbeam - reduce back lower branches
Sycamore - reduce two lowest branches and reduce crown by 1/3
Ash - remove various stems/branches and reduce by 1/3
Site Address 9-11 SPARKE CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 05/08/2014
Decision: Grant Conditionally

Item No 20

Application Number: 14/01071/PRDE **Applicant:** Mrs Judith Marsh
Application Type: LDC Proposed Develop
Description of Development: Loft conversion including inset balcony and roof lights to front elevation new windows on south elevation
Site Address 33 TAPSON DRIVE PLYMOUTH
Case Officer: Kate Price
Decision Date: 05/08/2014
Decision: Issue Certificate - Lawful Use

Item No 21

Application Number: 14/01079/FUL **Applicant:** Mrs Lorraine Elms
Application Type: Full Application
Description of Development: To provide 2 vehicle parking spaces in front garden
Site Address 66 LONGCAUSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 29/08/2014
Decision: Grant Conditionally

Item No 22

Application Number: 14/01081/FUL **Applicant:** The Co-operative Group
Application Type: Full Application
Description of Development: Installation and configuration of ac condensers and redecorations
Site Address CO-OP STORE, 25 ST GEORGES TERRACE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 14/08/2014
Decision: Grant Conditionally

Item No 23

Application Number: 14/01082/FUL **Applicant:** Aldi Stores Ltd
Application Type: Full Application
Description of Development: S.73 application to vary condition 12 (opening hours) of planning permission reference 12/01309/FUL
Site Address 141 UNION STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 07/08/2014
Decision: Grant Conditionally

Item No 24

Application Number: 14/01083/FUL **Applicant:** The Co-operative Group
Application Type: Full Application
Description of Development: Replacement ac units, redecoration to shop front and new acoustic panelling
Site Address CO-OPERATIVE RETAIL SERVICES LTD, 49 SOUTHSIDE STREET PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 14/08/2014
Decision: Grant Conditionally

Item No 25

Application Number: 14/01089/TCO **Applicant:** Devon Block Management
Application Type: Trees in Cons Area
Description of Development: Chestnut - reduce by 2-3 metres and crown raise by 2meters
Site Address 48 VALLETORT ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 14/08/2014
Decision: Application Withdrawn

Item No 26

Application Number: 14/01090/FUL **Applicant:** Ms Vicki Parkinson
Application Type: Full Application
Description of Development: Change of use to C4
Site Address 37 CECIL AVENUE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 14/08/2014
Decision: Grant Conditionally

Item No 27

Application Number: 14/01096/FUL **Applicant:** Plymouth Marine Laboratory
Application Type: Full Application
Description of Development: Temporary single-storey office building for 3 years
Site Address PLYMOUTH MARINE LABORATORY, PROSPECT PLACE
PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 29/08/2014
Decision: Grant Conditionally

Item No 28

Application Number: 14/01102/GPD **Applicant:** Mrs Elizabeth Rae
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4m, has a maximum height of 3m, and has an eaves height of 2.1m
Site Address 272 SOUTHWAY DRIVE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 13/08/2014
Decision: Prior approval not req

Item No 29

Application Number: 14/01104/FUL **Applicant:** Ms D Cunningham
Application Type: Full Application
Description of Development: Change of use from shop to living accomodation (single dwelling)
Site Address 120 GRENVILLE ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 07/08/2014
Decision: Grant Conditionally

Item No 30

Application Number: 14/01132/FUL **Applicant:** Mr & Mrs R Powell
Application Type: Full Application
Description of Development: Single storey front extension
Site Address 5 CATALINA VILLAS PLYMOUTH
Case Officer: Liz Wells
Decision Date: 07/08/2014
Decision: Grant Conditionally

Item No 31

Application Number: 14/01133/FUL **Applicant:** R Homewood
Application Type: Full Application
Description of Development: Single storey side extension, including pitched roof over existing flat roof; single storey rear extension and raising of existing decked area.
Site Address 23 VAPRON ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 15/08/2014
Decision: Grant Conditionally

Item No 32

Application Number: 14/01134/FUL **Applicant:** Mr C & Mrs H Moth
Application Type: Full Application
Description of Development: Timber construction replacement windows
Site Address 18B GARFIELD TERRACE PLYMOUTH
Case Officer: Kate Price
Decision Date: 06/08/2014
Decision: Grant Conditionally

Item No 33

Application Number: 14/01146/TPO **Applicant:** Mr Mark Foster
Application Type: Tree Preservation
Description of Development: Group of sycamore - reduce branches overhanging boundary by 5-6m
Site Address 5 VALLEY VIEW CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 13/08/2014
Decision: Grant Conditionally

Item No 34

Application Number: 14/01148/FUL **Applicant:** Mr Nick Anderson
Application Type: Full Application
Description of Development: First floor extension above existing garage
Site Address 8 FRENHAM GARDENS PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 19/08/2014
Decision: Grant Conditionally

Item No 35

Application Number: 14/01151/TPO **Applicant:** Mrs Layzell
Application Type: Tree Preservation
Description of Development: Oak -various pruning reduction works
Site Address 24 TILLARD CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 19/08/2014
Decision: Grant Conditionally

Item No 36

Application Number: 14/01161/FUL **Applicant:** Westbury Court Management C
Application Type: Full Application
Description of Development: Externally applied wall insulation with rendered finish
Site Address 1-24 WESTBURY COURT ST NAZAIRE CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 11/08/2014
Decision: Grant Conditionally

Item No 37

Application Number: 14/01166/ADV **Applicant:** AXA P&C co AXA Real Estate In
Application Type: Advertisement
Description of Development: One fascia sign and three high level signs
Site Address UNIT A4, FRIARY PARK, EXETER STREET
Case Officer: Olivia Wilson
Decision Date: 15/08/2014
Decision: Grant Conditionally

Item No 38

Application Number: 14/01168/TPO **Applicant:** Kings School
Application Type: Tree Preservation
Description of Development: Copper Beach - thin crown by 15-20%
Site Address KINGS SCHOOL, HARTLEY ROAD MANNAMEAD
PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 15/08/2014
Decision: Grant Conditionally

Item No 39

Application Number: 14/01173/FUL **Applicant:** Mr Gibson
Application Type: Full Application
Description of Development: Replacement windows and front door
Site Address 10 HARTLEY COURT PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 14/08/2014
Decision: Grant Conditionally

Item No 40

Application Number: 14/01174/TPO **Applicant:** Peverell Retirement
Application Type: Tree Preservation
Description of Development: 9 Beech trees - various pruning works
Site Address 31 STATION ROAD PLYMPTON
Case Officer: Chris Knapman
Decision Date: 15/08/2014
Decision: Grant Conditionally

Item No 41

Application Number: 14/01176/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Retrospective application for externally applied wall insulation with render finish
Site Address 3A TO 17A(ODDS), 4A, 6A, 12A, 14A, 36A-46A (EVENS), 64A-76A (EVENS) DUNCOMBE AVENUE AND 119 AND 121 TAMAR WAY PLYMOUTH
Case Officer: Liz Wells
Decision Date: 20/08/2014
Decision: Grant Conditionally

Item No 42

Application Number: 14/01178/PRDE **Applicant:** Mr D Fleming
Application Type: LDC Proposed Develop
Description of Development: Alterations to roof - rear dormer and front roof lights
Site Address 21 BURLEIGH PARK ROAD PLYMOUTH
Case Officer: Kate Price
Decision Date: 22/08/2014
Decision: Issue Certificate - Lawful Use

Item No 43

Application Number: 14/01179/FUL **Applicant:** McDonald's Restaurants Ltd
Application Type: Full Application
Description of Development: Refurbishment to shopfront and entrance
Site Address MCDONALD'S RESTAURANT, 100 NEW GEORGE STREET PLYMOUTH
Case Officer: Katie Beesley
Decision Date: 21/08/2014
Decision: Grant Conditionally

Item No 44

Application Number: 14/01180/ADV **Applicant:** McDonald's Restaurant Ltd
Application Type: Advertisement
Description of Development: 2x fascia signs, 1 x projecting fascia-level sign and 1x internal digital sign (APPROVED) and 1 x high-level projecting sign (REFUSED)
Site Address MCDONALD'S RESTAURANT, 100 NEW GEORGE STREET PLYMOUTH
Case Officer: Katie Beesley
Decision Date: 21/08/2014
Decision: Advertisement Split Decision

Item No 45

Application Number: 14/01182/GPD **Applicant:** Mr CJ Friend
Application Type: GPDO Request
Description of Development: Change of use from B1 office to C3 residential (1 dwelling)
Site Address 12A MILLER COURT PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 05/08/2014
Decision: Prior approval required

Item No 46

Application Number: 14/01186/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Retrospective application for externally applied wall insulation with render finish
Site Address 10A, 10B, 12A AND 12B HILL PATH, 28,30, 37, 45, 47, 61, 80, 82, 84 AND 86 ROCHFORD CRESCENT 1A AND 10A WESTHAMPNETT PLACE, 13 LYMPNE AVENUE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 20/08/2014
Decision: Grant Conditionally

Item No 47

Application Number: 14/01187/TPO **Applicant:** Sovereign Housing
Application Type: Tree Preservation
Description of Development: Sycamore - pollard to height of approximately 5 meters.
Site Address 20 DOWNTON CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 20/08/2014
Decision: Grant Conditionally

Item No 48

Application Number: 14/01190/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Retrospective application for externally applied wall insulation with render finish
Site Address 238 AND 242 VICTORIA ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 20/08/2014
Decision: Grant Conditionally

Item No 49

Application Number: 14/01192/FUL **Applicant:** Mr M Rowley
Application Type: Full Application
Description of Development: Proposed alterations including dormer windows to facilitate new rooms in roof
Site Address 25 SHERFORD ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 11/08/2014
Decision: Grant Conditionally

Item No 50

Application Number: 14/01196/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Retrospective application for externally applied wall insulation with a render finish
Site Address 27, 31, 35 AND 39 ROMAN WAY PLYMOUTH
Case Officer: Liz Wells
Decision Date: 11/08/2014
Decision: Grant Conditionally

Item No 51

Application Number: 14/01199/FUL **Applicant:** Mr Stephen Young
Application Type: Full Application
Description of Development: Side and rear extension
Site Address 42 SHALDON CRESCENT PLYMOUTH
Case Officer: Mike Stone
Decision Date: 14/08/2014
Decision: Grant Conditionally

Item No 52

Application Number: 14/01200/FUL **Applicant:** Capital Delivery Team
Application Type: Full Application
Description of Development: Redevelopment of existing 13 pitch Gypsy and Traveller Site on an enlarged site to include new amenity blocks and flood mitigation measures
Site Address THE RIDE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 11/08/2014
Decision: Grant Conditionally

Item No 53

Application Number: 14/01202/FUL **Applicant:** Gard & Co Ltd
Application Type: Full Application
Description of Development: Enhancement and reconfiguration of the entrance area
Site Address BRETON CHAMBERS, 4 BRETONSIDE PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 07/08/2014
Decision: Grant Conditionally

Item No 54

Application Number: 14/01206/FUL **Applicant:** Mr Peter Barnett
Application Type: Full Application
Description of Development: First floor rear extension
Site Address 54 AYREVILLE ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 27/08/2014
Decision: Grant Conditionally

Item No 55

Application Number: 14/01216/TPO **Applicant:** Mr John Janes
Application Type: Tree Preservation
Description of Development: Remove 1 Ash, 1 Holm Oak and 2 Leyland Conifers.
Remove damaged branch from pine tree
Site Address KINNAIRD HOUSE, BUCKINGHAM PLACE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 15/08/2014
Decision: Grant Conditionally

Item No 56

Application Number: 14/01219/PRDE **Applicant:** Mrs P Constable
Application Type: LDC Proposed Develop
Description of Development: Conversion of garage into ancillary accomodation dwelling.
Insertion of living accommodation in roof of former garage
Site Address 15 THE OLD WHARF PLYMOUTH
Case Officer: Kate Price
Decision Date: 27/08/2014
Decision: Issue Certificate - Lawful Use

Item No 57

Application Number: 14/01224/FUL **Applicant:** Midas Construction Ltd
Application Type: Full Application
Description of Development: Erection of 3 storey wellbeing centre, variation of condition 2 to
allow substituting of drawing - minor material amendment to
alter lift shaft, replacement of loading doors with glazing and
change to cycle storage and removal of condition 10 (Loading
Doors)
Site Address 23 - 25 ENDSLEIGH PLACE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 27/08/2014
Decision: Grant Conditionally

Item No 58

Application Number: 14/01227/TPO **Applicant:** Ms Sam Rigby
Application Type: Tree Preservation
Description of Development: Norway Maple - crown lift to 3m & reduce branches by 1.5m
near building
Sycamore - Crown lift to 3m & thin by 5%
Red Norway Maple - remove low minor branch & trim lower
branches by 0.5m
Site Address 8 VANGUARD CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 19/08/2014
Decision: Grant Conditionally

Item No 59

Application Number: 14/01233/FUL **Applicant:** Cardtronics UK Ltd, trading as C
Application Type: Full Application
Description of Development: Retention of ATM
Site Address 244 ALBERT ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 21/08/2014
Decision: Grant Conditionally

Item No 60

Application Number: 14/01234/ADV **Applicant:** Cardtronics UK Ltd, trading as C
Application Type: Advertisement
Description of Development: The retention of the ATM
Site Address 244 ALBERT ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 21/08/2014
Decision: Grant Conditionally

Item No 61

Application Number: 14/01235/FUL **Applicant:** Dr Thomas Gruening
Application Type: Full Application
Description of Development: Raised deck at rear
Site Address 20 BREAN DOWN ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 21/08/2014
Decision: Grant Conditionally

Item No 62

Application Number: 14/01236/FUL **Applicant:** Mr Ivo Hesmondhalgh
Application Type: Full Application
Description of Development: Replacement of all windows and two external doors and the removal of fire escape staircase
Site Address 75 TO 77 CORNWALL STREET CITY CENTRE PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 14/08/2014
Decision: Grant Conditionally

Item No 63

Application Number: 14/01254/FUL **Applicant:** The Town House (Plymouth) Ltd
Application Type: Full Application
Description of Development: Two storey extension with ground floor undercroft, providing additional cluster flat with 6 student bedrooms
Site Address THE TOWN HOUSE,32 HARWELL STREET PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 29/08/2014
Decision: Grant Conditionally

Item No 64

Application Number: 14/01255/ADV **Applicant:** Asian Foods Stores and Uncle J
Application Type: Advertisement
Description of Development: 1x non-illuminated fascia sign, 1x illuminated projecting sign
Site Address ASIAN FOODS STORE AND UNCLE J CAFÉ, GROUND FLOOR, 55 EBRINGTON STREET PLYMOUTH
Case Officer: Mike Stone
Decision Date: 27/08/2014
Decision: Grant Conditionally

Item No 65

Application Number: 14/01256/FUL **Applicant:** Ms Sarah White
Application Type: Full Application
Description of Development: Demolition of existing 2 storey tenement and construction of new 2 storey tenement
Site Address 30 CHANNEL PARK AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 21/08/2014
Decision: Grant Conditionally

Item No 66

Application Number: 14/01259/FUL **Applicant:** Mr D Peros
Application Type: Full Application
Description of Development: Double garage with pitched roof to rear garden
Site Address 36 DOWNHAM GARDENS PLYMOUTH
Case Officer: Kate Price
Decision Date: 20/08/2014
Decision: Grant Conditionally

Item No 67

Application Number: 14/01263/FUL **Applicant:** Mr & Mrs N Bridgeman
Application Type: Full Application
Description of Development: Erection of first floor extension to dwelling
Site Address 120 CHURCH HILL PLYMOUTH
Case Officer: Mike Stone
Decision Date: 15/08/2014
Decision: Grant Conditionally

Item No 68

Application Number: 14/01267/FUL **Applicant:** Miss Lisa Marsh
Application Type: Full Application
Description of Development: Roof extension to rear, single storey rear extension, balcony at first floor and raised decking
Site Address 35 TAPSON DRIVE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 19/08/2014
Decision: Grant Conditionally

Item No 69

Application Number: 14/01268/GPD **Applicant:** Mr Mark Gilchrist
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4m, has a maximum height of 4m, and has an eaves height of 3m
Site Address 4 DENNIS CLOSE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 08/08/2014
Decision: Prior approval not req

Item No 70

Application Number: 14/01271/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Alterations to shopfront including installation of new payment machine and replacement windows at 1st and 2nd floor level
Site Address 71 NEW GEORGE STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 21/08/2014
Decision: Grant Conditionally

Item No 71

Application Number: 14/01272/ADV **Applicant:** Plymouth City Council
Application Type: Advertisement
Description of Development: New illuminated fascia sign
Site Address 71 NEW GEORGE STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 21/08/2014
Decision: Grant Conditionally

Item No 72

Application Number: 14/01274/FUL **Applicant:** Mr Robbie Burns
Application Type: Full Application
Description of Development: Revised balcony glazing to existing flat roof
Site Address 1 ROLLIS PARK ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 19/08/2014
Decision: Grant Conditionally

Item No 73

Application Number: 14/01278/FUL **Applicant:** Mrs Shobhana Pokharel
Application Type: Full Application
Description of Development: Change of use from shop (A1) to (A5) hot food takeaway
Site Address 5 HAM GREEN PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 29/08/2014
Decision: Grant Conditionally

Item No 74

Application Number: 14/01280/FUL **Applicant:** Tooltech Ltd
Application Type: Full Application
Description of Development: Single storey extension
Site Address 1 HUXLEY CLOSE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 14/08/2014
Decision: Grant Conditionally

Item No 75

Application Number: 14/01283/FUL **Applicant:** Mr Robert Whear
Application Type: Full Application
Description of Development: Remove existing shed and replace with new shed
Site Address 1 BLUE HAZE CLOSE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 21/08/2014
Decision: Grant Conditionally

Item No 76

Application Number: 14/01286/FUL **Applicant:** Mr and Mrs Ham
Application Type: Full Application
Description of Development: First floor extension over existing ground floor extension to form 2 storey extension at rear
Site Address 151 CROSSWAY PLYMOUTH
Case Officer: Mike Stone
Decision Date: 14/08/2014
Decision: Grant Conditionally

Item No 77

Application Number: 14/01294/FUL **Applicant:** Mr and Mrs Rob Jones
Application Type: Full Application
Description of Development: Two storey side extension (replacing single storey structure)
Site Address 109 WOODFORD AVENUE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 27/08/2014
Decision: Grant Conditionally

Item No 78

Application Number: 14/01297/FUL **Applicant:** The Co-operative Group
Application Type: Full Application
Description of Development: Replacement of AC condensers, installation of new doors, new covered access and general redecorations
Site Address CO-OPERATIVE RETAIL SERVICES LTD, 2 AUSTIN CRESCENT PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 21/08/2014
Decision: Grant Conditionally

Item No 79

Application Number: 14/01305/GPD **Applicant:** MJr and Mrs A Tapp
Application Type: GPDO Request
Description of Development: A single storey rear extension which extends beyond the rear wall of the original dwellinghouse by 3.6m, has a maximum height of 3.6m, and has an eaves height of 2.6m
Site Address 37 FIRCREFT ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 19/08/2014
Decision: Prior approval not req

Item No 80

Application Number: 14/01325/TCO **Applicant:** OCS Group UK
Application Type: Trees in Cons Area
Description of Development: Crown reduce 2 horse chestnut, 1 sycamore and 1 lime tree by no more than 2 metres
Site Address MINISTRY OF DEFENCE, DURNFORD STREET PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 15/08/2014
Decision: Grant Conditionally

Item No 81

Application Number: 14/01326/GPD **Applicant:** Mr Steve Demuth
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 3.5m, has a maximum height of 3.55m, and has an eaves height of 2.9m
Site Address 11 BEECHWOOD TERRACE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 19/08/2014
Decision: Prior approval not req

Item No 82

Application Number: 14/01335/FUL **Applicant:** Mr David Williams
Application Type: Full Application
Description of Development: Change of use of residential dwelling into 2 flats and 1 maisonette, demolish rear extension and replace with new two storey extension and extend rear dormer
Site Address 8 MOLESWORTH ROAD STOKE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 21/08/2014
Decision: Grant Conditionally

Item No 83

Application Number: 14/01340/GPD **Applicant:** Mr Ross Penney and Miss Kelly
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 5m, has a maximum height of 3.5m, and has an eaves height of 3.25m
Site Address 16 PARK AVENUE PLYMSTOCK PLYMOUTH
Case Officer: Liz Wells
Decision Date: 21/08/2014
Decision: Application Withdrawn

Item No 84

Application Number: 14/01343/FUL **Applicant:** Mrs T Meredith
Application Type: Full Application
Description of Development: Installation of rear conservatory
Site Address 65 RADFORD PARK ROAD PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 29/08/2014
Decision: Grant Conditionally

Item No 85

Application Number: 14/01344/GPD **Applicant:** Mr Nigel Moses
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 3.5m, has a maximum height of 3.35m, and has an eaves height of 2.3m
Site Address 4 DRAKES CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 19/08/2014
Decision: Prior approval not req

Item No 86

Application Number: 14/01346/FUL **Applicant:** Mr John Metherell
Application Type: Full Application
Description of Development: Single storey side extension between house and garage with extension to rear of existing garage
Site Address 60 MERAFIELD DRIVE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 21/08/2014
Decision: Grant Conditionally

Item No 87

Application Number: 14/01351/GPD **Applicant:** Mr Graham Brown
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4m, has a maximum height of 3.15m, and has an eaves height of 2.9m
Site Address 168 ST MARGARETS ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 21/08/2014
Decision: Prior approval required

Item No 88

Application Number: 14/01352/FUL **Applicant:** Focus Training (SW) Ltd
Application Type: Full Application
Description of Development: Single storey practical training area
Site Address VALLEY HOUSE, VALLEY ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 29/08/2014
Decision: Grant Conditionally

Item No 89

Application Number: 14/01362/TCO **Applicant:** OCS Group UK Ltd
Application Type: Trees in Cons Area
Description of Development: 3 lime trees - tip prune for CCTV sight line
Site Address MINISTRY OF DEFENCE, ROYAL CITADEL PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 15/08/2014
Decision: Grant Conditionally

Item No 90

Application Number: 14/01368/TCO **Applicant:** Mr Thomas
Application Type: Trees in Cons Area
Description of Development: Silver Birch - Reduce by 2-3 metres
Site Address 11 PENLEE GARDENS PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 15/08/2014
Decision: Grant Conditionally

Item No 91

Application Number: 14/01379/GPD **Applicant:** Graham Bartlett
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 6m, has a maximum height of 4m, and has an eaves height of 2.8m
Site Address 2 SPRINGFIELD ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 29/08/2014
Decision: Prior approval not req

Item No 92

Application Number: 14/01386/FUL **Applicant:** Mr L McKenna
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 20 NORTH DOWN ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 29/08/2014
Decision: Grant Conditionally

Item No 93

Application Number: 14/01468/GPD **Applicant:** Mr Glenn Johns
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4m, has a maximum height of 3m, and has an eaves height of 2.4m
Site Address 39 DUNSTONE ROAD PLYMSTOCK PLYMOUTH
Case Officer: Mike Stone
Decision Date: 29/08/2014
Decision: Prior approval not req

Item No **94**

Application Number: 14/01493/GPD **Applicant:** Eliot Design and Build Ltd
Application Type: GPDO Request
Description of Development: Change of use from B1 office to C3 residential (2x 1-bed flats)
Site Address 23 COLLEGE LANE PLYMOUTH
Case Officer:
Decision Date: 11/08/2014
Decision: Prior approval not req

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

Application Number **13/02082/FUL**
Appeal Site **MARINE ACADEMY PLYMOUTH, TREVITHICK ROAD PLYMOUTH**
Appeal Proposal Substitution of two grass football pitches with one artificial multi-purpose pitch, floodlighting and fencing
Case Officer Robert McMillan

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 20/08/2014
Conditions
Award of Costs Awarded To

Appeal Synopsis

The appeal related to the proposed floodlit artificial grass pitch at Marine Academy Plymouth. The Inspector stated that the main issue of the appeal was the effect on the living conditions of adjoining residents from potential increased noise and disturbance. The policy considerations were Core Strategy policies CS30 – Sport, Recreation and Children’s Play Facilities and CS22 – Pollution.

He noted the closeness of the adjoining properties to the facility. He concluded that the use of the proposal, notwithstanding the noise barrier and management agreement, would lead to an increase in noise and disturbance over a longer period as compared with the current grass pitches.

He accepted that there might be a need for the facility in the area and acknowledged the benefits it would provide. But he believed that it would have a significant detrimental impact on the living conditions of local residents through the increase in noise and disturbance in conflict with Core Strategy policies CS30 and CS22 and dismissed the appeal.

Note:

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

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