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Democratic Support

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Published 18 August 2015

#plymplanning

PLANNING COMMITTEE

Thursday 27 August 2015

4.00 pm

Council House, Plymouth (Next to the Civic Centre)

Members:

Councillor Nicholson, Joint Chair

Councillor Stevens, Joint Chair

Councillors Mrs Bowyer, Mrs Bridgeman, Darcy, Sam Davey, K Foster, Jarvis, Kelly, Ricketts, Jon Taylor, Kate Taylor and Tuohy.

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 30 July 2015.

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.

1.1. 54 BEACONFIELD ROAD, PLYMOUTH, 15/01254/EXUS (Pages 7 - 10)

Applicant: Mr Gary Johns

Ward: Peverell

Recommendation: Issue Certificate – Lawful Use Cert (Ex)

6.2 15 CHALLOCK CLOSE, PLYMOUTH, 15/01224/PRDE (Pages 11 - 14)

Applicant: Mr and Mrs S. Saunders
Ward: Moorview
Recommendation: Issue Certificate – Lawful Use Cert (Pro)

6.3 MEZE GRILL, SUTTON HARBOUR, PLYMOUTH, 15/01367/FUL (Pages 15 - 22)

Applicant: Mr Paris Oxiniou
Ward: St Peter & The Waterfront
Recommendation: Refuse

6.4 68-70 CORNWALL STREET, PLYMOUTH, 15/01184/FUL (Pages 23 - 30)

Applicant: Winners
Ward: St Peter & The Waterfront
Recommendation: Grant Conditionally

6.5 FORMER PLYMOUTH PREPARATORY SCHOOL, BEECHFIELD GROVE, PLYMOUTH, 15/01168/FUL (Pages 31 - 44)

Applicant: Linden Homes South West
Ward: Peverell
Recommendation: Grant Conditionally

7. PLANNING APPLICATION DECISIONS ISSUED (Pages 45 - 82)

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 20 July to 16 August, 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 to view online at:
<http://www.plymouth.gov.uk/planningapplicationsv4/welcome.asp>

8. APPEAL DECISIONS (Pages 83 - 84)

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 to view online at:
<http://www.plymouth.gov.uk/planningapplicationsv4/welcome.asp>

9. EXEMPT BUSINESS

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

PART II - PRIVATE MEETING

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

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

NIL.

Planning Committee

Thursday 30 July 2015

PRESENT:

Councillor Stevens, Joint Chair in the Chair.

Councillor Nicholson, Joint Chair.

Councillors Mrs Bowyer, Mrs Bridgeman, Sam Davey, K Foster, Jarvis, Kelly, Michael Leaves (substitute for Councillor Darcy), Ricketts, Jon Taylor, Kate Taylor and Tuohy.

Apology for absence: Councillor Darcy

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

The meeting started at 4 pm and finished at 5.37 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**

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

23. **MINUTES**

Agreed the minutes of the meeting held on 2 July 2015.

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. **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. One Addendum report was submitted in respect of minute number 26.4.

26.1 100 BEAUMARIS ROAD PLYMOUTH, 15/01062/FUL

Mrs Amanda Cuzner

Decision:

Application **GRANTED** conditionally.

26.2 SOMERCOTES, 93 FORE STREET PLYMPTON PLYMOUTH, 15/01132/LBC

Ms Hilary Bracegirdle

Decision:

Application **GRANTED** conditionally.

26.3 WIDEY COURT PRIMARY SCHOOL, WIDEY LANE PLYMOUTH, 15/01007/FUL

Widey Court Primary School

Decision:

Application **GRANTED** conditionally.

26.4 LAND ADJACENT PLUMER ROAD PLYMOUTH, 15/00303/FUL

Mr Anthony Gal

Decision:

Application **REFUSED** on the grounds that it was contrary to policies CS02, CS28 and CS34 sub-sections 4 and 8.

(The Committee heard from Councillor Jon Taylor, ward member, speaking against the application).

(Councillor Jon Taylor, having made an open declaration pursuant to paragraph 5.7 of the Council's Code of Practice, did not take part in the debate or decision on this item).

26.5 44 SUTHERLAND ROAD PLYMOUTH, 15/01003/FUL

Dr and Mrs Jim Collier

Decision:

Application **GRANTED** conditionally.

(The Committee heard from the applicant).

(Councillor Ricketts, having made an open declaration pursuant to paragraph 5.7 of the Council's Code of Practice, did not take part in the debate or decision on this item).

27. PLANNING APPLICATION DECISIONS ISSUED

The Committee noted the report from the Assistant Director for Strategic Planning and Infrastructure on decisions issued for the period 22 June to 19 July 2015.

28. APPEAL DECISIONS

Councillor K Foster welcomed the Inspector's decision in respect of the Radford Quarry appeal.

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

29. **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 – 30 July 2015

SCHEDULE OF VOTING

| Minute number and Application | | Voting for | Voting against | Abstained | Absent due to interest declared | Absent |
|-------------------------------|--|---|----------------|-----------|---------------------------------|--------------------------|
| 6.1 | 100 Beaumaris Road, Plymouth 15/01062/FUL | Unanimous | | | | |
| 6.2 | Somercotes, 93 Fore Street, Plympton, Plymouth 15/01132/LBC | Unanimous | | | | |
| 6.3 | Widey Court Primary School, Widey Lane, Plymouth 15/01007/FUL | Unanimous | | | | |
| 6.4 | Land Adjacent Plumer Road, Plymouth 15/00303/FUL | Councillors Stevens, Nicholson, Mrs Bowyer, Mrs Bridgeman, Sam Davey, K Foster, Jarvis, Kelly, Michael Leaves, Ricketts, Kate Taylor and Tuohy. | | | | Councillor Jon Taylor |
| 6.5 | 44 Sutherland Road, Plymouth 15/01003/FUL | Councillors Stevens, Nicholson, Mrs Bowyer, Mrs Bridgeman, Sam Davey, K Foster, Jarvis, Kelly, Michael Leaves, Jon Taylor, Kate Taylor and Tuohy. | | | | Councillor Ricketts |

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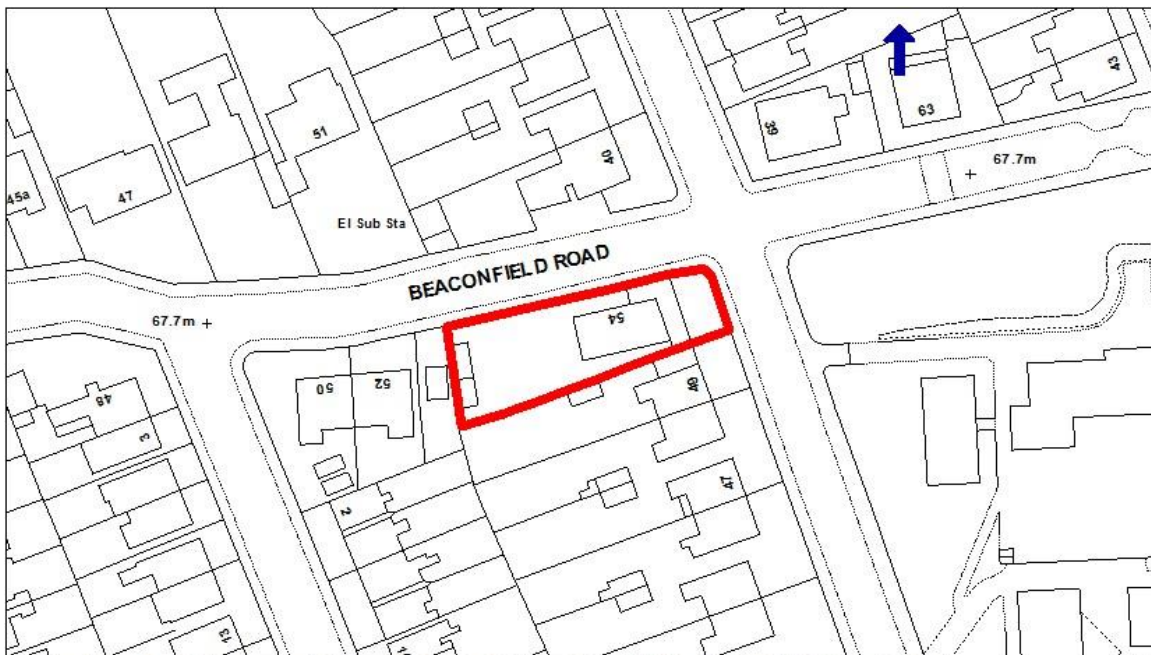
PLANNING APPLICATION REPORT



| | | | |
|---------------------------|---------------|-------------|----------|
| Application Number | 15/01254/EXUS | Item | 01 |
| Date Valid | 13/07/2015 | Ward | Peverell |

| | | | |
|--------------------------|--|-----------------------|---|
| Site Address | 54 BEACONFIELD ROAD PLYMOUTH | | |
| Proposal | Establish existing use as a single family dwelling | | |
| Applicant | Mr Gary Johns | | |
| Application Type | LDC Existing Use | | |
| Target Date | 07/09/2015 | Committee Date | Planning Committee: 27 August 2015 |
| Decision Category | Member/PCC Employee | | |
| Case Officer | Amy Thompson | | |
| Recommendation | Issue Certificate - Lawful Use Cert (Ex) | | |

| | |
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1. Description of site

54 Beaconfield Road is a detached property on a corner plot between Beaconfield Road and Fircroft Road and is located in the Beacon Park area of the city.

2. Proposal description

Establish existing use as a single family dwelling.

3. Pre-application enquiry

None.

4. Relevant planning history

15/00973/FUL- Change of use from vacant shop to residential with associate changes. Application withdrawn.

91/00185/FUL- Change of use and conversion of shop to living accommodation. Granted conditionally.

5. Consultation responses

Legal Services- 'Can confirm that the application and supporting information supports the use of the property as a family dwelling and a lawful development certificate for an existing use can be issued.'

6. Representations

None received.

7. Relevant Policy Framework

The usual material planning considerations relating to matters such as Development Plan policy and other Guidance, the principle of development/ sustainability, design/ landscape, neighbour amenity and highways/ access do not fall to be considered under an application for a Certificate of Lawfulness of existing use or development.

The decision is based upon 'the balance of probabilities' and rests on the evidence submitted, the facts of the case and any relevant planning law and takes into account the facts presented and any contrary evidence if available.

Section S191 of the Town & Country Planning Act 1990 (as amended) allows for any person who wishes to ascertain whether any existing use of buildings or other land is lawful; any operations which have been carried out in, on, over or under land are lawful; or any other matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted is lawful, to make an application for the purpose to the local planning authority specifying the land and describing the use, operations or other matter.

8. Analysis

(1) This application is a Certificate of Lawful Use and therefore the Local Planning Authority assesses the evidence submitted as part of the application and decides whether there is sufficient evidence or not to prove whether the existing use of the land, is lawful or not.

(2) 54 Beaconfield Road is a two-storey detached property that is situated in a predominantly residential area but there is a school and various local shops in the vicinity. The property had previously been used as a butchers shop which was located on the ground floor at the eastern end of the property, while the rest of the property was residential.

(3) The supporting evidence submitted with the application consists of a solicitor's letter and two statements from neighbors. The solicitor's letter dated 4th February 2015 states that the shop closed in approximately 1987. The supporting statements from neighbors also state that they have not witnessed the property being used as a business or for commercial use for over 20 years.

(4) Having assessed the application and supporting information there appears to be sufficient information that proves on the balance of probability that the property has not been used for commercial use for a period in excess of 20 years. The time in which planning enforcement action against a breach of planning control for this type of development is 10 years. Therefore providing the use does not contravene a requirement of any current enforcement notice a certificate of lawfulness for an existing use can be granted.

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

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

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.

11. Planning Obligations

Not applicable.

12. Equalities and Diversities

None.

13. Conclusions

On the balance of probabilities and with sufficient evidence having been provided, 54 Beaconfield Road has been in continuous use as a single family dwelling, for a period in excess of 20 years and therefore a Certificate of Lawful Use can be issued.

14. Recommendation

In respect of the application dated **13/07/2015** and the submitted drawings Location plan, block plan, existing and proposed floor plan, existing and proposed elevations.,it is recommended to: **Issue Certificate - Lawful Use Cert (Ex)**

15. Conditions

ISSUE CERTIFICATE

(1) On the balance of probabilities and with sufficient evidence having been provided, 54 Beaconfield Road has been in continuous use as a single family dwelling, for a period in excess of 20 years and therefore a Certificate of Lawful Use can be issued.

Informatives

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

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

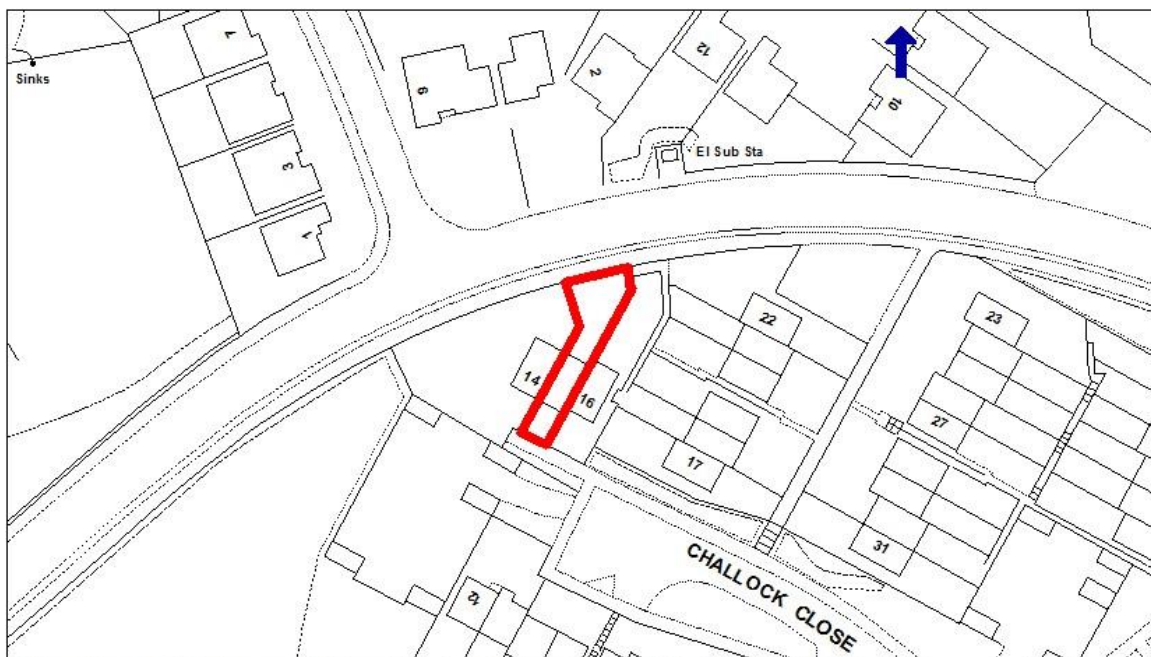
PLANNING APPLICATION REPORT



| | | | |
|---------------------------|---------------|-------------|-----------|
| Application Number | 15/01224/PRDE | Item | 02 |
| Date Valid | 07/07/2015 | Ward | Moor View |

| | | | |
|--------------------------|---|-----------------------|---|
| Site Address | 15 CHALLOCK CLOSE PLYMOUTH | | |
| Proposal | Single storey rear extension | | |
| Applicant | Mr and Mrs S Saunders | | |
| Application Type | LDC Proposed Develop | | |
| Target Date | 01/09/2015 | Committee Date | Planning Committee: 27 August 2015 |
| Decision Category | Member/PCC Employee | | |
| Case Officer | Aidan Murray | | |
| Recommendation | Issue Certificate - Lawful Use Cert (Pro) | | |

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1. Description of site

Challock Close is a small cul-de-sac road in the Thornbury area of Plymouth.

2. Proposal description

Single-storey rear extension

3. Pre-application enquiry

None

4. Relevant planning history

None

5. Consultation responses

None

6. Representations

None

7. Relevant Policy Framework

The Town and Country Planning (General Permitted Development) (England) Order 2015

8. Analysis

1. This application is a Certificate of Lawful Use and therefore the Local Planning Authority assesses the evidence submitted as part of the application and decides whether there is sufficient evidence or not to prove whether the proposed rear extension meets with the Development Guidelines set out within the General Permitted Development Order 2015 and is therefore lawful or not.
2. The development is considered to comply with Class A of Part 1 of Schedule 2 of the Town and country Planning (General Permitted Development) (England) Order 2015 for the following reasons:
 - The dwelling has always been a dwelling;
 - The proposed development will not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwelling house);
 - The proposed development does not extend beyond a wall which forms the principle elevation of the original dwelling house;
 - The proposed development does not extend beyond the rear wall of the original dwelling house by more than 3 metres;
 - The proposed development does not exceed 4 metres in height;
 - The eaves of the proposed development do not exceed 3 metres;

- The proposed development does not include the construction or provision of a veranda, balcony or raised platform;
 - The proposed development does not include the installation, alteration or replacement of a microwave antenna, chimney, flue or soil and vent pipe;; and
 - The proposed development is not located on article 2(3) land.
3. Providing the conditions outlined within section A.3 is complied with, the proposed development would constitute permitted development and would therefore not require planning permission.

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

Community Infrastructure Levy – no charge for this scheme under the current charging schedule

11. Planning Obligations

Planning obligations are not applicable for this type of application/proposal

12. Equalities and Diversities

None applicable to this application

13. Conclusions

This application is compliant with the Town and Country Planning (General Permitted Development) (England) Order 2015 Class A and Part 1 of Schedule 2 providing the standard conditions contained within section A.3 adhered to. The proposal is therefore permitted development and this Certificate of Lawfulness should be issued.

14. Recommendation

In respect of the application dated **07/07/2015** and the submitted drawings Site Location Plan, Law Dev 1, Law Dev 2, it is recommended to: **Issue Certificate - Lawful Use Cert (Pro)**

15. Conditions

ISSUE LAWFUL DEVELOPMENT CERTIFICATE: REASON

The proposed development is compliant with relevant classes of the Town and Country Planning (General Permitted Development) (England) Order 2015 - specifically Schedule 2 Part 1 Class A. Providing the standard conditions contained in A.3 are adhered to. The proposal is therefore Permitted Development (subject to the said standard conditions) and the Certificate of Lawfulness may be issued.

Informatives

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

(I) 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



PLYMOUTH
CITY COUNCIL

Application Number 15/01367/FUL

Date Valid 27/07/2015

Item 03

Ward St Peter & The Waterfront

Site Address MEZE GRILL, SUTTON WHARF, SUTTON HARBOUR PLYMOUTH

Proposal Retrospective construction of decking and balustrading

Applicant Mr Paris Oxiniou

Application Type Full Application

Target Date

21/09/2015

Committee Date

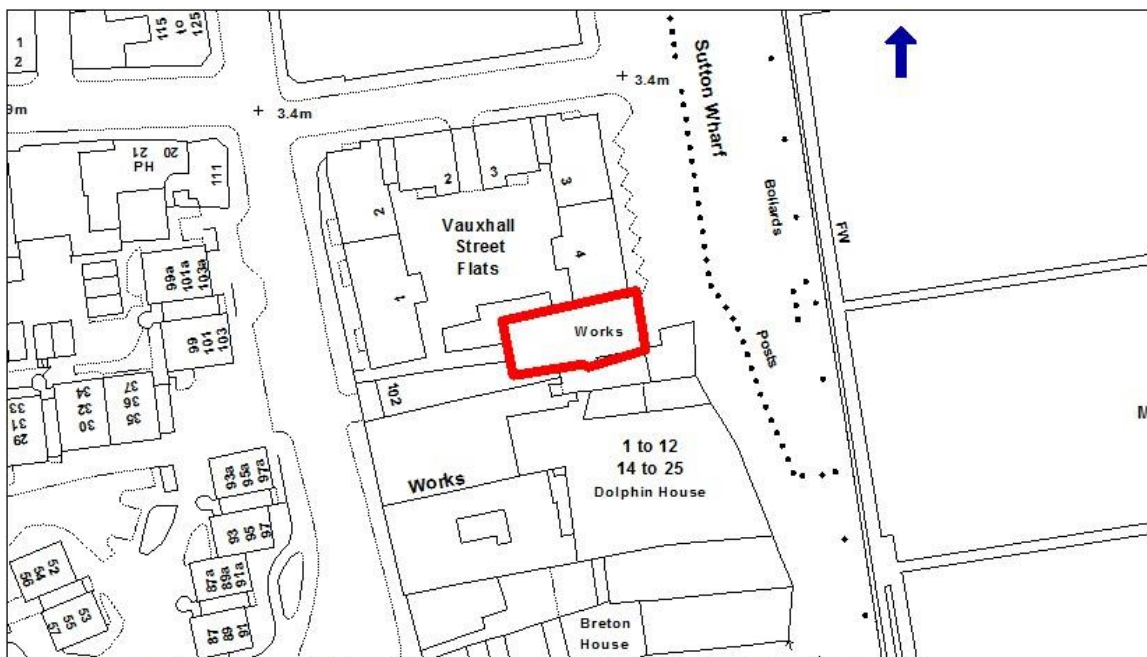
**Planning Committee: 27
August 2015**

Decision Category Member Referral

Case Officer Kate Price

Recommendation Refuse

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This application is being brought to the Planning Committee because it has been called in by Councillor Chris Penberthy.

1. Description of site

Meze Grill is a restaurant occupying the ground floor of a grade II listed building which was formerly the Marine Bazaar and a ship chandler's. It had been one of the many warehouses lining the streets and quayside of the Barbican and dates from the 19th century. The property is on Sutton Wharf, the east side of Sutton Harbour, and next to the former Fox and Haggart Engineering works (currently unoccupied) and also next to three storey flats. It is in the Barbican Conservation Area. Part of the Fox and Haggart ownership projects into part of the front elevation of the property and has a granite sett apron immediately in front of it demarcated by cast iron bollards and chains. The new decking occupies the space at the front of property approximately 2.00m from the principal entrance and its south side up against the Fox and Haggart boundary, and slightly set back from the north – east corner of the Fox and Haggart enclosure. The site is also designated public highway and the Council has served a Highway Enforcement Notice due to obstruction under S143 of The Highways Act 1980 for the decking to be removed by 20th August 2015.

2. Proposal description

Retrospective application for the construction of new decking and balustrading

3. Pre-application enquiry

None

4. Relevant planning history

None for this particular application

5. Consultation responses

Local Highway Authority - recommend refusal

Public Protection Service – no objections

Queens Harbour Master - reply awaited

Waterfront Partnership – reply awaited

Environment Agency - reply awaited

6. Representations

NB The consultation period expires 25th August and, at the date of writing this report, eight letters of representation have been received – 6 objections and 2 letters of support.

The main reasons for objection are summarised as follows:

- The application seeks to regularise an illegal act
- The validation process is flawed
- The information contained in the application is inaccurate

- Illegal acts should not be rewarded
- The decking occupies a space currently used for vehicle turning
- The decking has been illegally placed on the highway and reduces available road width
- There are implications for vehicular and pedestrian access and not none as the applicant has stated
- Pedestrians need to walk around the decking
- The flood risk questions have not been answered correctly as it is a flood risk area
- Queried the ownership of the highway
- Commented that Listed building Consent has been applied for and is not necessary as the decking is not on the application site
- Disagree with the applicant's statement that the decking installation does no harm - noise and anti-social behaviour occurs at night on the Barbican and the extension of the restaurant will exacerbate the situation
- Increase of noise and odours to the adjacent flats
- Largely a residential area and proposal will have significant impact
- Applicant has extended the area of decking by installing planters and menu boards in addition
- Parking issues have been worse since the platform has been constructed
- The original license for four tables was for until 8.00pm but was repeatedly ignored

The reasons for support are as follows:

- The decking and sitting out area is a massive improvement to enjoy the view
- The decking helps because improvement on the cobbles
- This enhances the area and is what is needed on this side of the Barbican

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). *In the case of this application, it also comprises the Sutton Harbour Area Action Plan.*

The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One: Consultation Draft (January 2015) has been subject to a consultation process and representations received are currently being reviewed. As such it is a material consideration for the purposes of planning decisions.

The policies contained in National Planning Policy Framework (the Framework) and guidance in National Planning Practice Guidance (NPPG) are also material considerations which should be taken into account in the determination of planning applications. Due weight should be given to relevant

policies in existing and emerging plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Framework provides that the weight to be given to an emerging draft plan is also to be determined according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The Plymouth Plan is at an early stage of preparation.
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given).

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.

Additionally, the following planning documents are also material considerations in the determination of the application:

- *Sustainable Design Supplementary Planning Document*
- *Development Guidelines Supplementary Planning Document*
- *Barbican Conservation Area Appraisal and Management Plan*

8. Analysis

1. This application has been considered in the context of the development plan, the draft Plymouth Plan, the Framework and other material policy documents as set out in Section 7 with particular regard to CS02 Design, CS03 Historic Environment, CS28 Local Transport Considerations, CS34 Planning Considerations and Objective 3 (Safe, High Quality Environment) of the Sutton Harbour Area Action Plan.
2. As this application has been brought to the 27th August 2015 Planning Committee any further letters of representation received after the report has been published and before the expiry date for consultations (25th August 2015) will be reported in an addendum report. Officers consider there is an urgency to bring this application to Planning Committee on the 27th August since the Council has served a Highways Enforcement Notice under S143 of the Highways Act 1980 due to the obstruction caused to the highway by this development and the applicant is being asked to remove the development by 20th August 2015. Although this action is not a planning consideration and Members should not let it influence their determination of this application, an early Planning decision would be helpful in the consideration of further action that the Council might take.
3. With regard to policy CS 28 Local Transport Considerations officers consider that the development is not acceptable in principle and the primary reason is the Local Highway Authority objection. The Local Highway Authority has objected to the use of the space for decking. They have advised the following: *“The Council’s records indicate the public highway extends for the full width of and up to the front face of the application building. The section of the*

street beyond the turning head where the decking is situated, going toward Vauxhall Quay (south), narrows in width and is 'One Way' and has restricted vehicle access (with signs indicating 'Except for Access'), and is not intended to carry through traffic. Consequently the wider carriageway area outside the restaurant is required to function as a vehicle turning head within the highway, and is therefore essential to enable vehicles to comply with the Road Traffic Orders, notwithstanding that there might be some through traffic there. From the Transport and highway perspective the decking within the highway turning head is considered unlawful and in contravention of the Highways Act 1980. Transport is mindful that the Council as Highway Authority has a duty under Section 130 (1 & 2) of the Act, 'to assert and protect the rights of the public to use and enjoyment of any highway' 'in their area', and (3) 'to prevent, as far as possible, the stopping up or obstruction of any highway, 'if, in their opinion, the stopping up or obstruction of the highway would be prejudicial to the interest of their area'. Further, Section 137 of the Highways Act 1980 seeks to prevent obstruction of highways and streets, and states 'If a person, without lawful authority or excuse, in any way willfully obstructs the free passage along a highway he is guilty of an offence'.

This decking occupies a similar space on which the applicant previously sited 5 tables and associated sets of chairs for which a license has already been obtained from the Council and which runs from 1st April 2015 to 31st March 2016. However the table and chairs are more temporary in nature than this decking which is the subject of this application and are taken in each night. When the tables and chairs are in place the pedestrians do still need to walk around although generally would take a diagonal route and vehicles still have some difficulty in being able to turn.

4. The hours of use are cited in the application form as Monday to Friday 12.00 - 15.00 and 17.00-22.00 and the agent has confirmed subsequently in writing that these are for every day including Saturdays, Sundays and Bank Holidays. Therefore the application is being considered on the basis that the decking will be used by the restaurant during these hours every day of the week.
5. The proposals have been carefully considered with regard to CS02 Design and CS03 the Historic Environment, and with special regard to the setting of the Listed Building itself, and others around it, and the Barbican Conservation Area and its effect on these. Officers consider this is acceptable in that the timber decking and simple rope balustrading is not intrusive and is of a small scale. The installation as proposed has been described as temporary from the beginning of April to end of September (confirmed by agent by email) but it is being assessed on the basis that, if approved, it would be likely to be an all year round installation. The decking sits on the historic granite setts/cobbles of Sutton Wharf which are an immensely important part of the character of the Barbican and which have been specifically highlighted in the adopted Barbican Conservation Area and Management Plan. It is considered that the proposal is not substantial harm, the installation is entirely reversible and therefore it could be acceptable with regard to Historic Environment.
6. With regard to CS34 Planning Considerations, and in particular residential amenity, there is a three storey residential block immediately to the north of the site and Dolphin Court to the south one block away from the intervening Fox and Haggart building. There is potential for nuisance from noise and odours from the use. However Public Protection Service has been consulted and they have not raised any objections.
7. The Core Strategy Document and The Sutton Harbour Area Action Plan have stated as one of their aims to improve the continuity around the waterfront and harbourside and officers consider this addition is compatible with that aim. In particular Objective 3 of the Sutton

Harbour Area Action Plan envisages a visually accessible waterfront enlivened with entertainment, leisure and cultural uses.

8. The proposal makes sufficient provision for sustainability in terms of both the NPPF and the Council's own policies in that it is demountable, and reusable, and constructed in recyclable materials.
9. The proposal does not specifically make provision for climate change in terms of both the NPPF and the Council's own policies. Although the installation is within the flood risk area it is not contained within a space where water could accumulate or endanger people and this position is no different than many areas of outside seating within the Barbican. There is also no domestic occupation.

Queen's Harbourmaster, The Waterfront Partnership and Environment Agency have been consulted and a reply from them is awaited. Any responses will be provided in the form of an addendum report to Planning Committee.

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 applicable to this application

11. Planning Obligations

None

12. Equalities and Diversities

There are two steps up to the decking from the front of the restaurant and therefore is not accessible to those in a wheelchair.

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 does not accord with policy and national guidance and specifically CS 28 Local Transport Considerations.

14. Recommendation

In respect of the application dated **27/07/2015** and the submitted drawings Drawing I20/GA/01 Rev A including plan, photographs, specification and location plan, it is recommended to: **Refuse**

15. Reasons

LOSS OF PUBLIC HIGHWAY TURNING AREA

(1) Loss of public highway turning area:

The proposal will result in the loss of the existing public highway turning area, the loss of which is likely to give rise to associated issues of highway and public safety and encourage contravention of the traffic flow order that is in operation in the street, and be detrimental to the street amenity and use: -

- a) Damage to amenity;
- b) Prejudice to public safety and convenience;
- c) Interference with the free flow of traffic on the highway;

which is contrary to Policy CS28.2(2) and Policy CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007

INFORMATIVE

(1) Notwithstanding any planning consent the structure would remain unlawful and the applicant's attention is drawn to the fact that the unlawful structure is subject to enforcement action for removal by the Council as Highway Authority. Should the applicant fail to remove it within the specified time then the Highway Authority will take action for removal and costs borne by the applicant.

REFUSAL (NO NEGOTIATION)

(2) In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council works in a positive and pro-active way with Applicants and looks for solutions to enable the grant of planning permission. This includes the offer of pre-application discussions to resolve issues of concern to the Council prior to formal submission of a planning application. However in this case the proposal is not sustainable development for the reasons set out and the Council was unable to identify a way of securing a development that improves the economic, social and environmental conditions of the area.

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS03 - Historic Environment

CS02 – Design

Objective 3 (Safe, High Quality Environment) of the Sutton Harbour Area Action Plan

NPPF - National Planning Policy Framework March 2012

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PLANNING APPLICATION REPORT



Application Number 15/01184/FUL

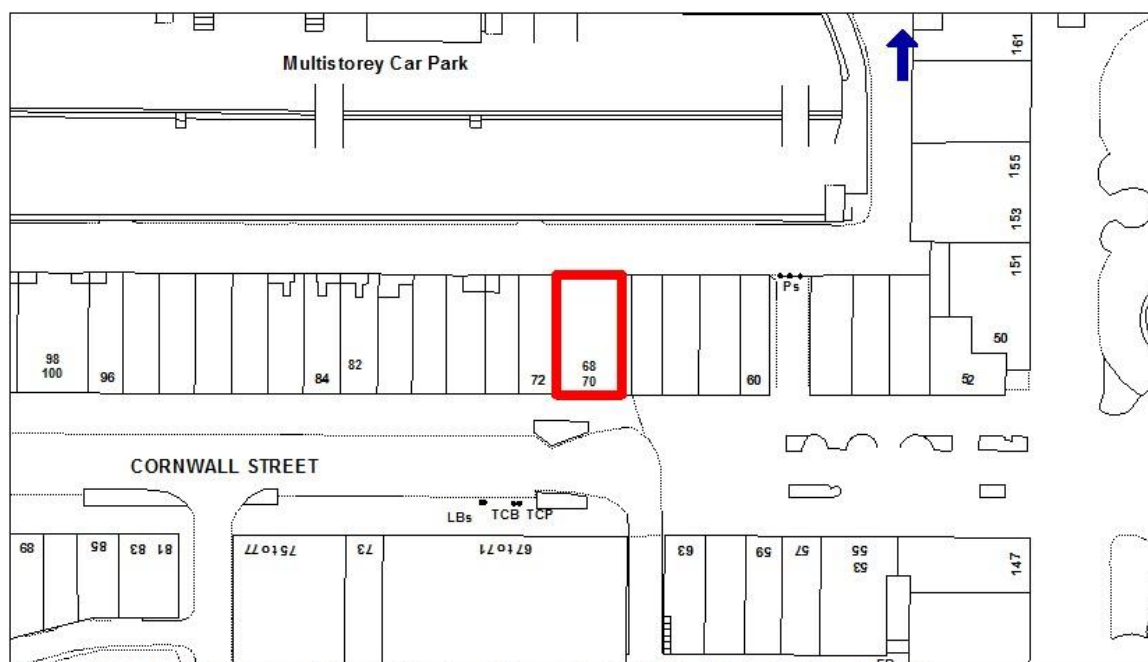
Date Valid 30/06/2015

Item 04

Ward St Peter & The Waterfront

| | | |
|--------------------------|---|-----------------------|
| Site Address | 68-70 CORNWALL STREET CITY CENTRE PLYMOUTH | |
| Proposal | Change of use from shop (A1) to amusement centre (sui generis) | |
| Applicant | Winners | |
| Application Type | Full Application | |
| Target Date | 25/08/2015 | Committee Date |
| Decision Category | Assistant Director for Strategic Planning and Infrastructure Referral | |
| Case Officer | Aidan Murray | |
| Recommendation | Grant Conditionally | |

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This planning application has been referred to Planning Committee by the Assistant Director for Strategic Planning and Infrastructure for the following reasons:

- There are finely balanced policy issues

1. Description of site

68 -70 Cornwall Street is a retail unit located within the City Centre. The unit has been vacant since May 2014 when the previous occupier sought new premises located within Drake Circus.

2. Proposal description

The proposal is a change of use from Retail (A1) to Sui Generis (Amusement Centre)

3. Pre-application enquiry

15/00874/MIN – Officers felt that the use of a vacant building would be an improvement to the area of the City Centre and help to create a diverse mixed use centre. The pre-application advice was sought by the applicant without receiving information from the main consultees of the City Centre Manager and Economic Development Department due to the urgency that the applicant wished to pursue an application.

4. Relevant planning history

98/01214/FUL - 68-70 CORNWALL STREET - Conversion and alterations to two Class A1 shop units to form one, including alterations to shop fronts – Granted conditionally.

5. Consultation responses

Economic Development Department – Objection. Cornwall Street has been identified as forming part of the 'Core Retail Area'. The development of this area as a key shopping centre is seen as an integral to the regeneration of the City Centre. Allowing the loss of a Prime Retail Unit on this street would not support this plan and could encourage further loss of shop frontage in a prominent area.

Reference also made to Policy 45 of the Emerging Plymouth Plan which seeks to strengthen role of the West End as an Independent Quarter provision of amusement centre does not align with this policy.

Local Economic Strategy Review outlines need to support innovation and knowledge based growth if it is to reach long term growth ambition. Would prefer space to be used to support the growth ambition

City Centre Company – Concern raised that the proposed use would not add vibrancy and could have detrimental impact on surrounding enterprises.

Cornwall Street has been identified as forming part of the Core Retail District for the City and is important to ensure prime retail units are not lost to businesses which may detract from the areas identified as a shopping destination

Reference also made to Policy 45 of the Emerging Plymouth Plan which seeks to strengthen role of the West End as an Independent Quarter provision of amusement centre does not align with this policy.

Public Protection – No Objection

Police Architectural Liaison Officer – From a designing out crime perspective the Police are not opposed to the granting of Permission for this proposal.

6. Representations

I Letter of Representation was received objection to this application stating concerns over the increase of viability this will bring to the City Centre. Objector states that those who are addicted to gambling should not be the ones encouraged to spend.

Concerns over opening hours.

Amusement arcades can be addictive and cause unknown problems

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) and the *City Centre & University Area Action Plan*

The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One: Consultation Draft (January 2015) has been subject to a consultation process and representations received are currently being reviewed. As such it is a material consideration for the purposes of planning decisions.

The policies contained in National Planning Policy Framework (the Framework) and guidance in National Planning Practice Guidance (NPPG) are also material considerations which should be taken into account in the determination of planning applications. Due weight should be given to relevant policies in existing and emerging plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Framework provides that the weight to be given to an emerging draft plan is also to be determined according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The Plymouth Plan is at an early stage of preparation.
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given).

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.

Additionally, the following planning documents are also material considerations in the determination of the application:

- *Sustainable Design Supplementary Planning Document*
- *Development Guidelines Supplementary Planning Document*

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 and is considered to be compliant with National Planning Policy Framework guidance as well as the emerging Plymouth Plan. The application is also considered in context of the City Centre Area Action Plan.
2. The main considerations in assessing this application are the impacts on the City Centre, retail development considerations, Cultural/Leisure Development Considerations and the Change of Use in the City Centre. The most relevant Policies relating to this application are CS06, CS08, CS10, as well as Policies 15 and 45 of the Emerging Plymouth Plan.
3. 68-70 Cornwall Street is a retail unit which has been vacant since May 2014 when the previous occupier Ann Summers moved from this location to a more prominent City Centre location within Drakes Circus.
4. CS10 Paragraph 7.41 of the Core Strategy states that the diversity of uses in the City Centre is vital to maintaining and enhancing the vitality and viability of the centre. The incorporation of leisure, cultural activities will help build on the appeal of the City Centre. Policy CC11 of the City Centre AAP states that Cornwall Street is identified for a strategic retail led development, to spearhead the renewal of the City Centre and create a modern, showpiece shopping area with a new anchor store, new units meeting the needs of retailers and a mix of uses broadening the city's appeal. Officers feel that the proposed change of use would be compatible with diversifying the range of mixed uses within the Core Area. Policy CC11 also states that Cornwall Street is the key strategic opportunity for a major retail led mixed use redevelopment in Plymouth City Centre. It represents an opportunity to create an exciting, vibrant new attraction for the City Centre, and to produce a modern landmark retail street which will complement the historic parts of the City Centre and create the diversity and variety of different areas as set out in the City Centre AAP vision.
5. Policy CS10 states that the change of use from A1 retail premises within the Core City Centre will be permitted where the proposal would not harm the vitality and viability of the Centre as a whole. As 68-70 Cornwall Street is considered to fall under the addresses of properties within the 'Primary Frontages' the loss of an A1 use needs to be considered very carefully.
6. Having undertaken a street survey of Cornwall Street (to the Market Way Junction) officers found that 85% of the units were of A1 retail use, with the other 15% being made up of other use classes (A2 & A3). Officers are therefore of the opinion that the proposed change would not detrimentally impact Cornwall Street. The unit does not have a particularly prominent location in the context of the wider City Centre precinct and there will be regeneration benefits in the occupation of a currently vacant shopfront unit.

7. Of the 15% of units within Cornwall Street which do not fall under A1 Retail, 2 units fall under the Use Class A2. These being The Money Shop and Corals Betting Shop. Policy 15 of the Emerging Plymouth Plan states the LPA will use its planning powers to control the number of betting shops, fixed odds betting terminals and pay day lenders in the City. However amusement arcades are not included within this policy. One similar amusement arcade is located in the City Centre on Market Street.
8. Policy CS06 states that new developments should make a positive contribution to improving the centres viability and vitality, they should seek to support the creation of a comfortable, safe, attractive and accessible shopping environment and improve the overall mix of land uses in the centre and its connectivity to adjoining areas. Officers feel that, whilst it is arguable, based on responses received, whether the use will make a positive contribution to the City Centre, it would assist with improving the viability and vitality of the City Centre as a whole. The Police Architectural Liaison Officer has not raised any safety issues with regard to the use.
9. A condition will be attached to any granting of permission to ensure that the design of the frontage of the unit is agreed with the Local Planning Authority and therefore that an appropriate frontage is secured that does not impact detrimentally on the street scene. In addition the applicant will be required to submit a separate application for advertisement consent.
10. Strategic Objective 5 of the City Centre Area Action Plan relates to the Core Retail Area that includes Cornwall Street. The objective relates to reinforcing the area's character as the place where most of the national retailers can be found with the 'big city' shopping atmosphere while also encouraging a greater diversity of uses. On balance officers feel that this change of use meets this objective through the occupation of a vacant unit and diversifying the uses in this part of the City Centre.
11. Policy 45 of the Emerging Plymouth Plan and Chapter 7 of the City Centre AAP seeks to strengthen the role of the West End as an Independent Quarter anchored by the City Market. The policy also seeks to deliver a vibrant destination with leisure, culture and food and drink uses diversifying the centre. The City Centre Company is clear in its comments that the proposal would not add to the vibrancy of this area and could impact on the surrounding enterprises. This consultation response is an important one for Members to consider and should be given weight as a planning consideration. Officers would certainly agree that a proliferation of amusement arcade uses in this area would be detrimental however a single use of this nature would, in view of officers, not significantly harm the West End's ability to thrive as an Independent Quarter
12. CS05 of the Core Strategy states that development of sites with existing employment uses for alternative purposes will be permitted where there are clear environmental, regeneration and sustainable community benefits from the proposal. The Core Strategy states that it is important that all neighbourhoods within the City have access to a range of employment opportunities as part of the Council's vision for a city of sustainable linked communities. Officers feel that the proposed change would equal the employment numbers if this use was to remain as A1 and is therefore deemed acceptable.
13. Members need to be aware of existing appeal cases with regard to adult gaming centres. Whilst local planning authorities can of course consider such applications in the context of local and national planning policies and guidance, inspectors have made it clear that such applications should not be resisted on the basis of anecdotal evidence of threat of safety and

security issues or the perception of such uses as 'role models'. Furthermore inspectors have concluded that, in thriving shopping areas, where the majority of units are used as AI shops, adult gaming centres do complement rather than detract a shopping centre use.

14. Overall officers feel that the proposal would not be a detrimental addition to the Cornwall Street high street. This area of the City Centre has a high percentage of AI uses already in existence and so the loss of AI would not be detrimental. There is not an oversupply of this type of business or use class on Cornwall Street or the surrounding area, and so officers are of the opinion that this proposal would not impact the areas viability or vitality.

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

This application is not liable for CIL Payment

11. Planning Obligations

None

12. Equalities and Diversities

The site will be accessible and open to all people over the age of 18

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 would help improve the viability and vitality of the Cornwall Street Shopping Centre. It is felt that the proposal would not create any detrimental harm on the area and would help to diversify the mixed uses of the City Centre. The proposal accords with policy and national guidance and specifically CS06, CS08, CS10, CS12 as well as Policies 15 and 45 of the Emerging Plymouth Plan and is therefore recommended for approval.

14. Recommendation

In respect of the application dated **30/06/2015** and the submitted drawings Existing Ground Floor Plan DWG No. 49:01:2015, Existing First Floor Plan DWG No.49:02:2015, Proposed Ground Floor Plan DWG 49:03:2015, Proposed First Floor Plan 49:04:2015, Existing and Proposed Elevations 49:05:2015,it is recommended to: **Grant Conditionally**

15. 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: Existing Ground Floor Plan DWG No. 49:01:2015, Existing First Floor Plan DWG No.49:02:2015, Proposed Ground Floor Plan DWG 49:03:2015, Proposed First Floor Plan 49:04:2015, Existing and Proposed Elevations 49:05:2015

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: WINDOW DISPLAY

(3) The details of any ground floor window display relating to the use of the site provided shall be agreed in writing with the Local Planning Authority prior to commencement of development and maintained in line with these details at all times.

Reason:

To maintain the character and appearance of the existing shopping frontage. In accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 of the National Planning Policy Framework 2012.

Justification for pre commencement: To ensure that officers are satisfied that the character and appearance of the Cornwall Street shopping frontage is not compromised by this development

Other Conditions

CONDITION: OPENING HOURS

(4) The use hereby permitted shall not be open to customers outside the following times: 0900 hours to 2200 hours Mondays to Sundays inclusive.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises,

and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 123 of the National Planning Policy Framework 2012.

Informatives

INFORMATIVE: DEVELOPMENT DOES NOT ATTRACT A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(1) The Local Planning Authority has assessed that this development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to its size or nature, under our current charging schedule. The Levy is subject to change and you should check the current rates at the time planning permission first permits development (if applicable) see www.plymouth.gov.uk/cil for guidance.

INFORMATIVE: CONDITIONAL APPROVAL

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

INFORMATIVE: ADVERTISING

(3) This permission does not give or imply any consent for the advertising material shown on the approved plans. Such advertising is controlled under the Town and Country Planning (Control of Advertisements) Regulations 2007 and the applicants should obtain any necessary consent separately.

PLANNING APPLICATION REPORT



Application Number 15/01168/FUL

Item 05

Date Valid 10/07/2015

Ward Peverell

Site Address

FORMER PLYMOUTH PREPARATORY SCHOOL, BEECHFIELD GROVE
PLYMOUTH

Proposal

Erection of 2 new dwellings with associated infrastructure and access

Applicant

Linden Homes South West

Application Type

Full Application

Target Date

04/09/2015

Committee Date

**Planning Committee: 27
August 2015**

Decision Category

Member Referral

Case Officer

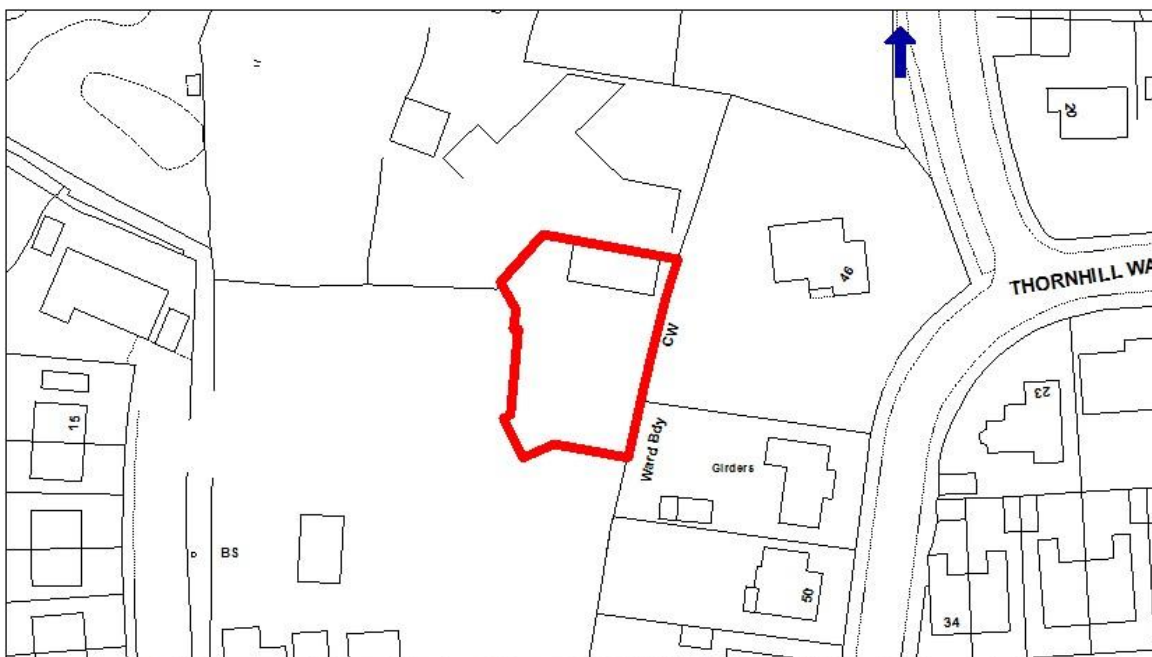
Christopher King

Recommendation

Grant Conditionally

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This application has been referred to planning committee by Cllr Martin Leaves

1. Description of site

The site is part of the former Plymouth College site located on the edge of Peverell and Mannamead. This application relates to an undeveloped plot of land (plot 12) located in the north east corner of the southern site which benefits from planning permission for a 5 bed detached dwelling (14/00128/FUL). The site is relatively level, but sits lower than the adjacent sites to the north and the east. The site is bounded by dwellings on all aspects, with access to be gained from the newly established road as part of the previously approved development.

The northern part of the school site was sold off separately and benefits from planning permission one large dwelling house and one block of 8 flats, as noted in the section 4 of the report below. A high gabion wall separates the two sites.

2. Proposal description

Erection of 2 new dwellings with associated infrastructure and access

3. Pre-application enquiry

No pre-application advice has been sought with regards to this application

4. Relevant planning history

14/02196/FUL - Development of vacant site with a block of 8 flats, cycle store and amenity space – Grant Conditionally

14/00128/FUL - Development of site by erection of 12 dwellings, access and associated works (existing building to be removed) – Grant Conditionally

13/01275/FUL – Plot 2 - Proposed detached modernist dwelling with double garage, out houses and associated vehicular circulation: application to vary Condition 2 of Planning Permission 13/00443/FUL to include enlargement of the first floor on the northern elevation, reduction of the ground and lower ground floor on the southern elevation and fenestration changes – GRANTED and substantially built.

13/00426/FUL – Plot 1 Demolition of existing buildings and erection of a large detached house with two double garages and vehicular circulation – GRANTED.

13/00443/FUL - Plot 2 - Proposed detached modernist dwelling with double garage, out houses and associated vehicular circulation – GRANTED.

5. Consultation responses

Local Highways Authority – Awaiting Formal Comments

Public Protection Service – No objections

6. Representations

5 letters of representation have been received, all of which express objections to the proposal. The reasons for objection are summarised below:-

- Loss of outlook due to increased height of proposed dwellings
- Loss of light due to proximity of proposed dwellings to boundary
- Proposed dwellings are not in keeping with the character of the previously approved dwellings
- Overdevelopment
- Insufficient garden amenity space
- Will create a sense of enclosure
- Will increase traffic flow
- The additional dwelling may have detrimental impacts on the drainage proposals
- Likely to be detrimental to amenity in Beechfield Grove and surrounds during the construction phase

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 development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One: Consultation Draft (January 2015) has been subject to a consultation process and representations received are currently being reviewed. As such it is a material consideration for the purposes of planning decisions.

The policies contained in National Planning Policy Framework (the Framework) and guidance in National Planning Practice Guidance (NPPG) are also material considerations which should be taken into account in the determination of planning applications. Due weight should be given to relevant policies in existing and emerging plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Framework provides that the weight to be given to an emerging draft plan is also to be determined according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The Plymouth Plan is at an early stage of preparation.
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given).

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.

Additionally, the following planning documents are also material considerations in the determination of the application:

- *Development Guidelines Supplementary Planning Document*

8. Analysis

This application has been considered in the context of the development plan, the draft Plymouth Plan, the Framework and other material policy documents as set out in Section 7.

1. This application turns upon policies CS01 (Sustainable Linked Communities), CS02 (Design), CS03 (Historic Environment), CS15 (Overall Housing Provision), CS28 (Local Transport Considerations) and CS34 (Planning Application Considerations) of the Local Development Framework Core Strategy; and parts 2 and 8 of the Development Guidelines Supplementary Planning Document.
2. The principal considerations in relation to this proposal are of residential amenity (including overlooking, privacy and light), site layout and access.

Site constraints

3. The application site is located in the north east corner of a larger, completed site of eleven 4 and 5 bed detached dwellings. The original consent for this plot (Plot 12) was for a large, 5 bedroom dwelling with an attached garage for 2 vehicles.
4. Upon inspection, the site still has some remnant of the old school house which will be entirely demolished when development of the plot commences.
5. With all other plots either completed or nearing completion, the application site is now constrained by the finished boundaries, meaning no additional space can be added to this application site to accommodate the proposed two dwellings, now referred to as plot 12 and plot 12A.

Design and Layout

6. The proposal is for two 4 bedroom detached dwellings, one of which has an internal garage. Both dwellings are two storeys in height and have smaller footprints when compared to the adjacent properties, and is significantly smaller than the previously approved 5 bedroom dwelling on this site.
7. Whilst the site is not overly prominent, the design of the two dwellings has, in officers opinion, adequately considered the palate of materials that was previously approved and has therefore considered the character of the area and established built form, including the use of natural slate which is welcomed by officers.
8. The previously approved dwelling was located in the middle of the plot, providing a large rear garden and an area of hard standing at the front. Drawing 'Plot 12 and 12A Setting Out', demonstrates the distances of proposed dwellings to the boundaries. The plan shows that the two dwellings are 7.9m and 9m respectively from the northern boundary, which equates to 10.5m and 11.5m elevation of 21 Hartley Road.
9. By virtue of the topography, officers are assessing this based on the 12m guidance of elevation with windows to a blank wall. Officers recognise that the distance falls below the 12m guidance by maximum of 1.5m, but do not consider this to be demonstrably harmful due to the significant height differences. The property to the north sits approximately 1 storey above application site level, and has a 5-6ft high fence running along the boundary. The angle of view into windows/garden therefore would not cause overlooking, and protects privacy for all dwellings.
10. Both proposed dwellings, and the previously approved 5 bed dwelling falls below the 21m window to window as per the SPD.
11. The plan also shows the distances from the east and west boundaries, which are now positioned further away than the previously approved 5 bedroom dwelling. The two dwellings are therefore considered well-proportioned for the site, giving adequate separation from neighbouring boundaries.
12. The two proposed trees along the northern boundary are retained from the previous scheme, and vehicular access to the site will be as previously approved, whereby vehicles will enter through the southwest corner of the site from the road.
13. The two proposed dwellings will share the private drive, which includes 4 parking spaces. Plot 12 also includes an internal garage for one vehicle, meaning a total of 5 spaces are being provided for the two dwellings.
14. Officers consider that proposal accords with policy CS02 (3) and CS34 (4) of the Core Strategy.

Massing

15. The proposed ridge heights of plot 12 and plot 12A will exceed the height of the previously approved dwelling by 1.5m, as shown in plan 'P03 B – Site Cross Section 'AA' AS Proposed'; and by virtue of the topography of the site, the two dwellings will also exceed the relative heights of plot 6, 7 and 8 even though the proposed dwellings are not as high when measured from ground level.

16. Officers do not consider that the additional height will be detrimental to the outlook of the adjacent properties, particularly 21 Hartley Road which is significantly elevated. The dwellings also follow the gradual step increase in height, and therefore follow the established building pattern.
17. Officers consider that proposal accords with policy CS02 (3) and CS34 (4) of the Core Strategy.

Amenity

18. Overlooking has been raised as an issue by the residents of 21 Hartley Road, due to the siting and layout of the proposed dwellings. Due to the elevated nature of this property however, officers consider that this dwelling will not be demonstrably impacted by overlooking. Furthermore, the proposed layout of the two proposed dwellings will not demonstrably increase levels of overlooking, or reduce the levels of privacy for future occupiers. As discussed, officers consider that separation distances are acceptable by virtue of the site topography.
19. Officers requested that the proposed dwellings be set further back from this boundary, similar to the previously approved 5 bedroom dwelling; however the applicant was reluctant to move the dwellings as they thought this would have greater impact towards the other dwellings along the southern and western boundaries. In officer's view, the proposal is acceptable without this amendment, however it would have shown consideration by the applicant to neighbouring residents concerns, which officers should encourage where appropriate.
20. The proposed dwellings will be afforded more than 100m² of external amenity space, therefore exceeding the minimum standards set out in the Development Guidelines SPD; and is characteristic of the entire development.
21. Officers have checked with the applicant who has confirmed that the construction of the retaining wall along the northern boundary will not reduce the amenity spaces that have been proposed; something which has been raised as an issue by neighbouring residents.
22. Furthermore, both plot 12 and plot 12A exceed the Development Guidelines SPD minimum standards for a 4+ bedroom detached dwelling of 106m² meaning future occupiers will be afforded a good standard of amenity space.
23. Officers considered that the proposed fenestration has been designed in a way that is not harmful to outlook or privacy, and will afford sufficient light into the dwellings for future occupiers.
24. The additional dwelling is likely to create a small increase in traffic movements, but officers do not consider this net increase to be demonstrably harmful to amenity with regards to noise and disturbance, and they will not prejudice existing highways users.
25. TPO 53 Hartley Road – a mature Macrocarpa located on the boundary of the site with 46 Thornhill Way will not cause significant loss of light into the rear amenity spaces of the two dwellings due to the orientation of the site and layout of the dwellings.

26. Officers therefore consider that the proposal accords with policy CS15 (4) and CS34 (6) of the Core Strategy

Local Highways and Parking

27. Officers have assessed the highways impact for this proposal and are of the view that the additional dwelling will not to cause demonstrable harm to the highways network. However a full assessment is yet to be received; therefore formal comments will be made in an addendum report.
28. The proposed dwellings are being provided with 2 car spaces as per the SPD, off street and with one space as an attached garage.

Historical Environment

29. The accompanying Archaeological Report dated August 2013 has not been updated for this application but provides sufficient information to show that there is little extant archaeological interest with the exception of the boundary stones, walling, etc., and where possible these will be retained.

Biodiversity/Ecology/Drainage

30. Two particular features of the development is that Bat roosts are proposed in the roofs of the two new dwellings as well as the two trees along the northern boundary of the site. TPO 53 Hartley Road – a mature Macrocarpa east of the site will not be harmed by the development due to the topography of the site and proximity of dwellings to the Root Protection Area.
31. Officers are satisfied that the previously submitted and approved Environmental Mitigation and Enhancement Strategy for the entire site will ensure that biodiversity and ecology is managed accordingly. This will be dealt with by way of condition.
32. Officer are satisfied that the proposal will not significantly increase surface water runoff, therefore will not demonstrably impact flood risk. Confirmation of the drainage and pipe manhole schedule has been requested confirming pipes and materials which will be dealt with by way of condition.

Officer Summary

33. Having reviewed the design and layout of the proposal, officers consider that the proposal will not demonstrably harm the amenity of neighbouring dwellings. The size of the site can adequately accommodate the additional dwelling, as demonstrated by the large amenity spaces that are being provided, and therefore accords with policy CS02 and CS34.
34. Furthermore, officers consider that the additional dwelling will not have an adverse impact towards neighbouring properties with regards to noise and disturbance through increased comings and goings.
35. The impacts of these two dwellings when compared to the extant permission are not considered demonstrably harmful, and as such, it would be unreasonable to recommend refusal.

36. Furthermore, officers have considered the dwellings on their own individual planning merits, and consider that the development of this site would not cause demonstrable harm to residential amenity and character of the area.

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 is £8,298.88 (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.

Note: this is a redesign of an earlier scheme, if amounts are paid in full from the earlier demand notice the paid amounts can be offset against this calculation.

11. Planning Obligations

Not Applicable as the proposal falls below the threshold of 15 units

12. Equalities and Diversities

No equality or diversity issue to be considered

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 the Local Development Framework Core Strategy and is therefore recommended for approval.

14. Recommendation

In respect of the application dated **10/07/2015** and the submitted drawings Site Location Plan P04; Existing Site Plan; Floor Plans and Elevations as Proposed P02 Rev B; Site Cross Section 'AA' as Proposed P03 Rev A; Site Plan as Proposed P01 Rev D; Proposed Drainage Layout 13.316/350 Rev H; Plot 12 and 12A Setting Out; Plot 12 and 12A Ridge Heights; Environmental Mitigation and Enhancement Strategy contained within the Ecological Impact Assessment dated Jan 2014; Archeological Desk-Based Assessment Aug 2013; Phase 1 and 2 - Part 1 of 2; Phase 1 and 2 - Part 2 of 2, 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: Site Location Plan P04; Floor Plans and Elevations as Proposed P02 Rev B; Site Cross Section 'AA' as Proposed P03 Rev A; Site Plan as Proposed P01 Rev D; Proposed Drainage Layout 13.316/350 Rev H

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: SURFACE WATER DISPOSAL

(3) No development shall take place until a drainage pipe and manhole schedule is carried out confirming pipes and materials details has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the buildings hereby permitted is first occupied

Reason:

To enable consideration to be given to any effects of changes in the drainage regime on landscape features in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 94 and 100-103 of the National Planning Policy Framework 2012.

NB:To ensure the drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure.

Other Conditions

HABITAT PROTECTION AND ENHANCEMENT

(4) The dwellings hereby approved shall not be occupied until the measures detailed in the submitted Ecological Impact Assessment dated January 2014 and agents email dated 7/4/14 have been implemented in accordance with details previously submitted and approved in writing by the Local Planning Authority.

Reason:

To ensure wildlife habitats are protected, to comply with Policies CS19 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 118 of the National Planning Policy Framework 2012.

PROVISION OF PARKING AREA

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

Reason:

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

REPORTING OF UNEXPECTED CONTAMINATION

(6) In the event that contamination of ground conditions is found when carrying out the approved development that was not previously identified, expected or anticipated, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken. The report of the findings must include:

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

(ii) an assessment of the potential risks to:

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

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

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

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

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

Reason:

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

EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

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

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

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

C: The erection of barriers and ground protection for any retained tree or hedgerow shall be undertaken in accordance with the Tree Protection Plan 04019-TPP-21.01.14. (or in accordance with Section 6.2 of BS 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To ensure that trees or hedgerows retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61,109 and 118 of the National Planning Policy Framework 2012.

RESTRICTIONS ON PERMITTED DEVELOPMENT

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

Reason:

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

HIDDEN FEATURES

(9) If, during the course of the works, presently hidden features are revealed, the owner shall immediately stop work and inform the Local Planning Authority, and shall not continue with the works until agreement has been reached as to the retention or recording of those features.

Reason:

To ensure that any hidden features are recorded and/or retained, as deemed appropriate, in accordance 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.

Informatives

INFORMATIVE: (1) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

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

INFORMATIVE: CONDITIONAL APPROVAL (2)

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

CODE OF PRACTICE DURING CONSTRUCTION

(3) 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.

A copy of the Public Protection Service, Code of Practice for Construction and Demolition is available on request from 01752 304147 or it can be downloaded for use via:

http://www.plymouth.gov.uk/construction_code_of_practice.pdf

INFORMATIVE: DRAINAGE

(4) The proposed drainage alterations should be consulted with SWW and the Environment Agency and the Surface water drainage system including manholes and pipes should be designed in accordance with Sewers for Adoption 7th Edition (WRc 2012) where appropriate.

INFORMATIVE: BOUNDARY WALLS

(5) Where possible, historical boundary stone walls should be retained to respect the former historic character of the site.

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PLANNING COMMITTEE

Decisions issued for the following period: 20 July 2015 to 16 August 2015

Note - This list includes:

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

Item No 1

Application Number: 15/00064/FUL **Applicant:** Mr David Scantlebury
Application Type: Full Application
Description of Development: Amendment to 11/01066/FUL including reducing size of building, change in garden levels, and change of internal layout and parking
Site: 124 BILLACOMBE ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 05/08/2015
Decision: Application Withdrawn

Item No 2

Application Number: 15/00303/FUL **Applicant:** Mr Anthony Gal
Application Type: Full Application
Description of Development: Residential development of two apartment blocks containing a total of 78 apartments, undercroft parking, landscaping and associated works.
Site: LAND ADJACENT PLUMER ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 04/08/2015
Decision: Refuse

Item No 3

Application Number: 15/00486/OUT **Applicant:** Trathen Properties
Application Type: Outline Application
Description of Development: Outline permission for 32 self build house plots with associated highways and pedestrian access
Site WEST PARK PRIMARY SCHOOL, WANSTEAD GROVE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 24/07/2015
Decision: Grant Subject to S106 Obligation - Full

Item No 4

Application Number: 15/00517/REM **Applicant:** Taylor Wimpey (Exeter)
Application Type: Reserved Matters
Description of Development: Reserved Matters application for 198 residential dwellings, on parcels B,F,G,J,L,M and S, including affordable housing and associated parking along with all necessary infrastructure including landscaping, open space, playing fields, drainage, ecological mitigation, highways, sub stations, pumping station and gas governor, and including modifications to original phasing, as part of Phase 1.1 of the Sherford New Community pursuant to outline approvals ref: 7_49/2426/06/O (SHDC) and 06/02036/OUT (PCC) (which were EIA development and an Environmental Statement
Site "SHERFORD NEW COMMUNITY" LAND SOUTH/SOUTHWEST OF A38 DEEP LANE AND EAST OF HAYE ROAD ELBURTON PLYMOUTH
Case Officer: Ian Sosnowski
Decision Date: 24/07/2015
Decision: Grant Conditionally

Item No 5

Application Number: 15/00518/REM **Applicant:** Linden Sherford LLP
Application Type: Reserved Matters
Description of Development: Reserved Matters application for 164 residential dwellings, on parcels C,K,O,P and Q, including affordable housing and associated parking along with all necessary infrastructure including landscaping, open space, playing fields, drainage, ecological mitigation, highways, sub stations, pumping station and gas governor, and including modifications to original phasing, as part of Phase 1.1 of the Sherford New Community pursuant to outline approvals ref: 7_49/2426/06/O (SHDC) and 06/02036/OUT (PCC) (which were EIA development and an Environmental Statement
Site "SHERFORD NEW COMMUNITY" LAND SOUTH/SOUTHWEST OF A38 DEEP LANE AND EAST OF HAYE ROAD ELBURTON PLYMOUTH
Case Officer: Ian Sosnowski
Decision Date: 24/07/2015
Decision: Grant Conditionally

Item No 6

Application Number: 15/00519/REM **Applicant:** Bovis Homes Ltd South West
Application Type: Reserved Matters
Description of Development: Reserved Matters application for 212 residential dwellings, on parcels D,E,H,N,R,T and W, including affordable housing and associated parking along with all necessary infrastructure including landscaping, open space, playing fields, drainage, ecological mitigation, highways, sub stations, pumping station and gas governor, and including modifications to original phasing, as part of Phase 1.1 of the Sherford New Community pursuant to outline approvals ref: 7_49/2426/06/O (SHDC) and 06/02036/OUT (PCC) (which were EIA development and an Environmental Statement
Site "SHERFORD NEW COMMUNITY" LAND SOUTH/SOUTHWEST OF A38 DEEP LANE AND EAST OF HAYE ROAD PLYMOUTH
Case Officer: Ian Sosnowski
Decision Date: 24/07/2015
Decision: Grant Conditionally

Item No 7

Application Number: 15/00621/FUL **Applicant:** Mr and Mrs Lester
Application Type: Full Application
Description of Development: Erection of 4 storey dwelling with integral garage
Site LAND ADJACENT TO 859 WOLSELEY ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 27/07/2015
Decision: Refuse

Item No 8

Application Number: 15/00655/PRDE **Applicant:** Mr James Crawford
Application Type: LDC Proposed Develop
Description of Development: Single storey rear extension
Site 8 ALLEYN GARDENS PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/08/2015
Decision: Issue Certificate - Lawful Use (Pro)

Item No 9

Application Number: 15/00772/FUL **Applicant:** Becton Dickinson Vacutainer
Application Type: Full Application
Description of Development: Provision of new visitors and staff car park and relocation of security barrier and security hut
Site BECTON DICKINSON VACUTAINER SYSTEMS, BELLIVER WAY PLYMOUTH
Case Officer: Opani Mudalige
Decision Date: 10/08/2015
Decision: Grant Conditionally

Item No 10

Application Number: 15/00776/FUL **Applicant:** QSH Management Company
Application Type: Full Application
Description of Development: Change of use to convert existing building from a hostel to 11 dwellings, with associated parking and amenity area to
Site FORMER SHIP HOSTEL, GEORGE PLACE PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 05/08/2015
Decision: Grant Conditionally

Item No 11

Application Number: 15/00789/FUL **Applicant:** Ms Alexa McGuffie
Application Type: Full Application
Description of Development: Change of use from dwelling (C3) to 4 bedroom HMO (C4)
Site 221 CITADEL ROAD EAST THE HOE PLYMOUTH
Case Officer: Kate Price
Decision Date: 22/07/2015
Decision: Grant Conditionally

Item No 12

Application Number: 15/00809/LBC **Applicant:** Mrs Susan Anderson
Application Type: Listed Building
Description of Development: Reconfiguration of internal space including removal of internal wall and replacement of front door
Site 72 DURNFORD STREET PLYMOUTH
Case Officer: Kate Price
Decision Date: 14/08/2015
Decision: Grant Conditionally

Item No 13

Application Number: 15/00828/FUL **Applicant:** Mr Peter Bailey
Application Type: Full Application
Description of Development: Car port to the front of dwelling
Site 35 CARLISLE ROAD WHITLEIGH PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 12/08/2015
Decision: Application Withdrawn

Item No 14

Application Number: 15/00834/ADV **Applicant:** Royal Bank of Scotland Plc
Application Type: Advertisement
Description of Development: One internally illuminated chevron, five internally illuminated fascia signs (three ATM), one internally illuminated projecting sign, and one vinyl sticker
Site 12 OLD TOWN STREET PLYMOUTH
Case Officer: Opani Mudalige
Decision Date: 21/07/2015
Decision: Grant Conditionally

Item No 15

Application Number: 15/00856/FUL **Applicant:** Mr Duncan Westlake
Application Type: Full Application
Description of Development: Repairs to boundary wall
Site 54 BLUNTS LANE PLYMOUTH
Case Officer: Opani Mudalige
Decision Date: 23/07/2015
Decision: Grant Conditionally

Item No 16

Application Number: 15/00866/OUT **Applicant:** London and Devonshire Trust

Application Type: Outline Application

Description of Development: Outline application with details of access for development of up to 7,432sqm of general industrial (class B2) and/or storage and distribution (class B8)

Site ERNESETTLE INDUSTRIAL ESTATE, NORTH OF NORTHOLT AVENUE & EAST OF ERNESETTLE LANE PLYMOUTH

Case Officer: Simon Osborne

Decision Date: 12/08/2015

Decision: Grant Conditionally

Item No 17

Application Number: 15/00902/LBC **Applicant:** Mr Inder Ramakuri

Application Type: Listed Building

Description of Development: Repointing part of east elevation, new rainwater goods, 4 replacement sills and internal plaster repairs.

Site BELL VIEW, 37 CONQUEROR DRIVE PLYMOUTH

Case Officer: Kate Price

Decision Date: 07/08/2015

Decision: Grant Conditionally

Item No 18

Application Number: 15/00907/FUL **Applicant:** Mr Graeme Putt

Application Type: Full Application

Description of Development: Rear conservatory

Site 2 KENILWORTH ROAD PLYMOUTH

Case Officer: Opani Mudalige

Decision Date: 23/07/2015

Decision: Grant Conditionally

Item No 19

Application Number: 15/00923/FUL **Applicant:** Mr Nigel Carpenter
Application Type: Full Application
Description of Development: Conversion of window into French door with a Juliette balcony on the side elevation
Site 7 CLOVELLY VIEW TURNCHAPEL PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/08/2015
Decision: Grant Conditionally

Item No 20

Application Number: 15/00927/FUL **Applicant:** Mr Marius Mazuru
Application Type: Full Application
Description of Development: Refurbishment and renovation of existing church including two new flats at first floor
Site FORD BAPTIST CHURCH, ALFRED ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 14/08/2015
Decision: Grant Conditionally

Item No 21

Application Number: 15/00929/FUL **Applicant:** Mr Ben Elliot
Application Type: Full Application
Description of Development: Change of use from A1/A2 (retail) to two self-contained flats
Site 66 GANGES ROAD PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 05/08/2015
Decision: Grant Conditionally

Item No 22

Application Number: 15/00950/FUL **Applicant:** Mr Matthew Conyers
Application Type: Full Application
Description of Development: Change of use from two self contained flats to six bedroom student house
Site 29 HILL PARK CRESCENT PLYMOUTH
Case Officer: Opani Mudalige
Decision Date: 06/08/2015
Decision: Application Withdrawn

Item No 23

Application Number: 15/00951/FUL **Applicant:** Tamar & Provincial Estates Ltd
Application Type: Full Application
Description of Development: Replacement shopfront
Site 2 UNION STREET PLYMOUTH
Case Officer: Liz Wells
Decision Date: 12/08/2015
Decision: Grant Conditionally

Item No 24

Application Number: 15/00955/FUL **Applicant:** Mr John Lamerton
Application Type: Full Application
Description of Development: Two storey rear extension with attached balcony
Site 22 YEOMANS WAY PLYMPTON PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 23/07/2015
Decision: Grant Conditionally

Item No 25

Application Number: 15/00956/FUL **Applicant:** Grosvenor Provincial
Application Type: Full Application
Description of Development: Two storey side and rear extension, side garage and new roof
Site 14 GROSVENOR ROAD CROWNHILL PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 23/07/2015
Decision: Grant Conditionally

Item No 26

Application Number: 15/00964/LBC **Applicant:** Mr Daniel Baugh
Application Type: Listed Building
Description of Development: Install 4 stainless steel safety wires to roofs of N188 & N203 within the quadrangle to provide safe access for maintenance
Site BUILDINGS N188 & N203, HMNB DEVONPORT, SALTASH ROAD PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 22/07/2015
Decision: Grant Conditionally

Item No 27

Application Number: 15/00987/TPO **Applicant:** Trustees of the Cann Estate
Application Type: Tree Preservation
Description of Development: Tree Management Works
Site TAMERTON FOLIOT ROAD TAMERTON FOLIOT PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 27/07/2015
Decision: Grant Conditionally

Item No 28

Application Number: 15/00994/GPD **Applicant:** PEC Renewables Ltd
Application Type: GPDO Request
Description of Development: Notification of prior approval for the installation, alteration, or replacement of solar photovoltaics equipment on the roofs of non-domestic buildings
Site PLYMSTOCK WORKS, THE RIDE PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 22/07/2015
Decision: Prior approval not req

Item No 29

Application Number: 15/00999/FUL **Applicant:** Mr Paul Scantlebury
Application Type: Full Application
Description of Development: Partially retrospective application for use of land to rear for disposal of non-hazardous waste materials for landfill
Site EUROTECH HOUSE, BURRINGTON WAY PLYMOUTH
Case Officer: Liz Wells
Decision Date: 29/07/2015
Decision: Refuse

Item No 30

Application Number: 15/01003/FUL **Applicant:** Dr and Mrs Jim Collier
Application Type: Full Application
Description of Development: Change of use from doctors surgery into an HMO with disabled access
Site 44 SUTHERLAND ROAD PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 31/07/2015
Decision: Grant Conditionally

Item No 31

Application Number: 15/01005/FUL **Applicant:** Mr Terry Guinn
Application Type: Full Application
Description of Development: Conversion of hotel into two residential dwelling houses.
Site 76 ALMA ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 04/08/2015
Decision: Grant Conditionally

Item No 32

Application Number: 15/01006/ADV **Applicant:** Westcountry Storage Solutions
Application Type: Advertisement
Description of Development: Two pole signs and one fence mounted sign
Site PLYMOUTH ENTERPRISE PARK PHASE 1,
ERNESETTLE LANE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 24/07/2015
Decision: Grant Conditionally

Item No 33

Application Number: 15/01007/FUL **Applicant:** Widey Court Primary School
Application Type: Full Application
Description of Development: Erection of detached building.
Site WIDEY COURT PRIMARY SCHOOL, WIDEY LANE
PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 03/08/2015
Decision: Grant Conditionally

Item No 34

Application Number: 15/01012/FUL **Applicant:** Mr Mike Thomas
Application Type: Full Application
Description of Development: Re-design of plot 2 - previously approved on 13/00384/FUL
Site 71 NORMANDY WAY PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 11/08/2015
Decision: Grant Conditionally

Item No 35

Application Number: 15/01022/FUL **Applicant:** Mr & Mrs Dan Field
Application Type: Full Application
Description of Development: Two storey side extension
Site 12 MERAFIELD CLOSE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 03/08/2015
Decision: Grant Conditionally

Item No 36

Application Number: 15/01025/FUL **Applicant:** McDonalds Restaurants LTD
Application Type: Full Application
Description of Development: Vary condition number 1 of 14/00713/FUL to allow trading between 06.00-00.00 Mon-Wed and 24 hours Thursday, Fridays and Saturdays
Site 100 NEW GEORGE STREET PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 23/07/2015
Decision: Grant Conditionally

Item No 37

Application Number: 15/01027/FUL **Applicant:** Mr & Mrs G Flood
Application Type: Full Application
Description of Development: Single storey extension to rear
Site 5 MAYFAIR CRESCENT PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 27/07/2015
Decision: Grant Conditionally

Item No 38

Application Number: 15/01034/ADV **Applicant:** Marwood Group Pension Fund
Application Type: Advertisement
Description of Development: Two fascia signs and one entrance sign
Site LOCATED WITHIN ERNESETTLE INDUSTRIAL ESTATE,
NORTH OF NORTHOLT AVENUE and EAST OF
ERNESETTLE LANE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 24/07/2015
Decision: Grant Conditionally

Item No 39

Application Number: 15/01042/TCO **Applicant:** Mrs Katy Yanley-Cave
Application Type: Trees in Cons Area
Description of Development: Reduce Field Maple tree by 50%.
Site 269 NORTH ROAD WEST PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 24/07/2015
Decision: Grant Conditionally

Item No 40

Application Number: 15/01045/FUL **Applicant:** Mr H Amiri
Application Type: Full Application
Description of Development: Variation of conditions 1, 2 & 3 of planning application
15/00312/FUL
Site 8 LADYSMITH ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 10/08/2015
Decision: Grant Conditionally

Item No 41

Application Number: 15/01047/FUL **Applicant:** Miss Tara Kerlin
Application Type: Full Application
Description of Development: Side extension above garage and conversion of garage to residential use, resubmission of 14/01975/FUL
Site 18 ST EDWARD GARDENS PLYMOUTH
Case Officer: Mike Stone
Decision Date: 23/07/2015
Decision: Grant Conditionally

Item No 42

Application Number: 15/01051/TPO **Applicant:** Mr Gareth Kagan
Application Type: Tree Preservation
Description of Development: Oak - reduce from neighbouring property by 2-3m
Site 25 LOPWELL CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 22/07/2015
Decision: Grant Conditionally

Item No 43

Application Number: 15/01061/FUL **Applicant:** Mr A Moore
Application Type: Full Application
Description of Development: Construction of two storey extension to side and rear elevation with single storey flat roof infill at rear
Site 60 ASHBURNHAM ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 20/07/2015
Decision: Grant Conditionally

Item No 44

Application Number: 15/01062/FUL **Applicant:** Mrs Amanda Cuzner
Application Type: Full Application
Description of Development: Side extension and other works to existing dwelling
Site 100 BEAUMARIS ROAD PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 06/08/2015
Decision: Grant Conditionally

Item No 45

Application Number: 15/01067/FUL **Applicant:** Devonport High School for Boys
Application Type: Full Application
Description of Development: Removal of existing ceiling and replacement of defective rooflight and slate roof covering
Site DEVONPORT HIGH SCHOOL FOR BOYS, PARADISE ROAD PLYMOUTH
Case Officer: Kate Price
Decision Date: 27/07/2015
Decision: Grant Conditionally

Item No 46

Application Number: 15/01069/TCO **Applicant:** Mr N Griffiths
Application Type: Trees in Cons Area
Description of Development: Cut back two trees overhanging wall/parking area to boundary wall line
Site 108 DURNFORD STREET STONEHOUSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 22/07/2015
Decision: Grant Conditionally

Item No 47

Application Number: 15/01070/LBC **Applicant:** Devonport High School for Boys
Application Type: Listed Building
Description of Development: Removal of existing ceiling and replacement of defective rooflight and slate roof covering
Site DEVONPORT HIGH SCHOOL FOR BOYS, PARADISE ROAD PLYMOUTH
Case Officer: Kate Price
Decision Date: 27/07/2015
Decision: Grant Conditionally

Item No 48

Application Number: 15/01074/FUL **Applicant:** J P McDougall & Co Ltd
Application Type: Full Application
Description of Development: Change of use from Workshops (B1) and Trailer Servicing (B2) and Sales (A1) to B1 and B8 (storage) with ancillary A1
Site UNIT 2, KINGSLEAT INDUSTRIAL ESTATE, VALLEY ROAD PLYMPTON PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 28/07/2015
Decision: Grant Conditionally

Item No 49

Application Number: 15/01077/TPO **Applicant:** Mr Richard Fisher
Application Type: Tree Preservation
Description of Development: 1 Lawson Cypress - remove
2 Copper Beech - crown raise to 4m above ground level and reduce by maximum of 2-3m on house side
Site 44 RESERVOIR ROAD PLYMSTOCK PLYMOUTH
Case Officer: Jane Turner
Decision Date: 22/07/2015
Decision: Grant Conditionally

Item No 50

Application Number: 15/01086/TPO **Applicant:** Mrs Anita Bennett
Application Type: Tree Preservation
Description of Development: Leyland Conifer - reduce by 1-2 metres and shape
Site 42 ST BONIFACE DRIVE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 03/08/2015
Decision: Grant Conditionally

Item No 51

Application Number: 15/01090/PRDE **Applicant:** Mr S Yates
Application Type: LDC Proposed Develop
Description of Development: Single storey rear extension
Site 25 NEWNHAM CLOSE PLYMOUTH
Case Officer: Opani Mudalige
Decision Date: 23/07/2015
Decision: Issue Certificate - Lawful Use (Pro)

Item No 52

Application Number: 15/01091/FUL **Applicant:** Sutherland PLS
Application Type: Full Application
Description of Development: New 2 bedroom, single storey bungalow
Site 1 HARTWELL AVENUE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 11/08/2015
Decision: Grant Conditionally

Item No 53

Application Number: 15/01093/FUL **Applicant:** Mr & Mrs V Greenway
Application Type: Full Application
Description of Development: Proposed single storey rear extension (revised details to previous application 15/00542/FUL)
Site 19 ORESTON ROAD PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 07/08/2015
Decision: Grant Conditionally

Item No 54

Application Number: 15/01094/TPO **Applicant:** Mr Matthew Chubb
Application Type: Tree Preservation
Description of Development: Sycamore - reduce crown by 2-3m to natural growth points
Beech - reduce crown by 2-3m to natural growth points,
particularly focusing on part of canopy that overhangs roof of
19 Candish Drive.
Site 20 NETTLEHAYES PLYMOUTH
Case Officer: Jane Turner
Decision Date: 23/07/2015
Decision: Grant Conditionally

Item No 55

Application Number: 15/01100/ADV **Applicant:** SDI (Plymouth) Ltd
Application Type: Advertisement
Description of Development: 1 x illuminated fascia sign and 1x hanging banner sign
Site 80-84 NEW GEORGE STREET PLYMOUTH
Case Officer: Mike Stone
Decision Date: 23/07/2015
Decision: Grant Conditionally

Item No 56

Application Number: 15/01102/FUL **Applicant:** Mr Mark Spencer
Application Type: Full Application
Description of Development: Change of use from A1 retail to A3 restaurant . Listed
building to remain unchanged. Renewal of lapsed approval
Site 140 VAUXHALL STREET PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 12/08/2015
Decision: Grant Conditionally

Item No 57

Application Number: 15/01103/FUL **Applicant:** Mrs Marion Alexander
Application Type: Full Application
Description of Development: Single storey extension to rear elevation to form breakfast room
Site 62 ASHBURNHAM ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 23/07/2015
Decision: Grant Conditionally

Item No 58

Application Number: 15/01104/LBC **Applicant:** Mr Mark Spencer
Application Type: Listed Building
Description of Development: Change of use from A1 Retail to A3 Restaurant. Listed building to remain unchanged. Renewal of lapsed approval
Site 140 VAUXHALL STREET PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 12/08/2015
Decision: Grant Conditionally

Item No 59

Application Number: 15/01106/FUL **Applicant:** Mrs G Sleep
Application Type: Full Application
Description of Development: Conversion of dwelling into 3x self contained flats
Site 4 ILBERT STREET PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 11/08/2015
Decision: Grant Conditionally

Item No 60

Application Number: 15/01110/FUL **Applicant:** Mr Gary Harrison
Application Type: Full Application
Description of Development: Single storey front extension incorporating garage
Site 39 ROBOROUGH AVENUE DERRIFORD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 23/07/2015
Decision: Grant Conditionally

Item No 61

Application Number: 15/01111/FUL **Applicant:** BEW Properties Ltd
Application Type: Full Application
Description of Development: Change of use from A3 shop to self contained flat (C3)
Site 33A CATTEDOWN ROAD PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 20/07/2015
Decision: Grant Conditionally

Item No 62

Application Number: 15/01112/ADV **Applicant:** Bestway Group
Application Type: Advertisement
Description of Development: 1 x externally illuminated fascia and 1 x internally illuminated projector
Site 34 DEVONPORT ROAD PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 10/08/2015
Decision: Grant Conditionally

Item No 63

Application Number: 15/01114/EXDE **Applicant:** Ionic Consultancy LTD
Application Type: LDC Existing Develop
Description of Development: Replacement of existing shop front from timber to PPC Aluminium frame
Site 40 MUTLEY PLAIN PLYMOUTH
Case Officer: Opani Mudalige
Decision Date: 27/07/2015
Decision: Issue Certificate - Lawful Use

Item No 64

Application Number: 15/01115/FUL **Applicant:** Mr Brian Romeo
Application Type: Full Application
Description of Development: Construction of hardstanding to allow off road parking
Site 145 PIKE ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 05/08/2015
Decision: Refuse

Item No 65

Application Number: 15/01117/FUL **Applicant:** Mr and Mrs William Dale
Application Type: Full Application
Description of Development: Single storey side extension
Site 6 COSDON PLACE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 23/07/2015
Decision: Grant Conditionally

Item No 66

Application Number: 15/01118/FUL **Applicant:** Mr George Walker
Application Type: Full Application
Description of Development: Change of use from A2 and D1 to use as B1a.
Site STOKE DAMEREL BUSINESS CENTRE, 5 CHURCH STREET PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 06/08/2015
Decision: Grant Conditionally

Item No 67

Application Number: 15/01121/ADV **Applicant:** Vospers Motor House
Application Type: Advertisement
Description of Development: Eight advertisement board signs
Site 10 MARSH MILLS PARK PLYMOUTH
Case Officer: Opani Mudalige
Decision Date: 31/07/2015
Decision: Grant Conditionally

Item No 68

Application Number: 15/01122/FUL **Applicant:** Mr T & Mrs J Everson
Application Type: Full Application
Description of Development: Proposed front extension
Site 158 DUNSTONE VIEW PLYMSTOCK PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 23/07/2015
Decision: Grant Conditionally

Item No 69

Application Number: 15/01127/ADV **Applicant:** Mount Wise (Devon) Ltd
Application Type: Advertisement
Description of Development: Temporary advertising consent for the Mount Wise development located on the fence at the entrance to the
Site MOUNT WISE DEVELOPMENT, DEVONPORT HILL PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 29/07/2015
Decision: Grant Conditionally

Item No 70

Application Number: 15/01128/FUL **Applicant:** Mount Wise (Devon) Ltd
Application Type: Full Application
Description of Development: Change of use of retail unit from A1 (shops) to A3 (restaurants and café), (currently operating under PD rights)
Site UNIT 2 CHARLES DARWIN ROAD PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 31/07/2015
Decision: Grant Conditionally

Item No 71

Application Number: 15/01129/FUL **Applicant:** Mr M Goosey
Application Type: Full Application
Description of Development: Single storey rear extension and widening of access to entrance for formation of front parking
Site 4 STADDON PARK ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 28/07/2015
Decision: Grant Conditionally

Item No 72

Application Number: 15/01132/LBC **Applicant:** Ms Hilary Bracegirdle
Application Type: Listed Building
Description of Development: Alterations to windows and internal works to layout of premises
Site SOMERCOTES, 93 FORE STREET PLYMPTON PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 03/08/2015
Decision: Grant Conditionally

Item No 73

Application Number: 15/01135/ESR10 **Applicant:** PEC Renewables Ltd
Application Type: Environmental Ass
Description of Development: Request for screening opinion for a solar photovoltaic farm capable of generating up to approximately 4MWP
Site SITE ADJACENT TO ERNESETTLE LANE PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 20/07/2015
Decision: ESRI - Completed

Item No 74

Application Number: 15/01138/TCO **Applicant:** Sir or Madam
Application Type: Trees in Cons Area
Description of Development: Magnolia - reduce spread by up to 2m to natural growth points
Site 68 FORE STREET PLYMPTON ST MAURICE
Case Officer: Jane Turner
Decision Date: 22/07/2015
Decision: Grant Conditionally

Item No 75

Application Number: 15/01139/FUL **Applicant:** Jones Building Contractors
Application Type: Full Application
Description of Development: New infill floor at first floor level to create additional office area and alterations to front and rear elevations
Site 5A FORRESTERS BUSINESS PARK, ESTOVER CLOSE ESTOVER PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 27/07/2015
Decision: Grant Conditionally

Item No 76

Application Number: 15/01140/FUL **Applicant:** Mr & Mrs Graham Brown
Application Type: Full Application
Description of Development: Demolition of existing garage and formation of 3no. car parking spaces & secure cycle store, together with internal alterations to ground floor flat.
Site 45 SUTHERLAND ROAD PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 27/07/2015
Decision: Grant Conditionally

Item No 77

Application Number: 15/01142/FUL **Applicant:** Wessex Reserve Forces and
Application Type: Full Application
Description of Development: Erection of radio mast to cadet centre building (currently under construction as approved 13/00886/FUL)
Site MARINE ACADEMY PLYMOUTH, TREVITHICK ROAD PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 28/07/2015
Decision: Grant Conditionally

Item No 78

Application Number: 15/01144/FUL **Applicant:** HSK Developments Ltd
Application Type: Full Application
Description of Development: Erection of 8 no. terrace dwellings with off road parking
Site LAND ADJACENT EAST TO 790 WOLSELEY ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 23/07/2015
Decision: Refuse

Item No 79

Application Number: 15/01145/FUL **Applicant:** Mr and Mrs R Fenton
Application Type: Full Application
Description of Development: First floor side extension
Site BEACON HOUSE, 22 CARADON CLOSE DERRIFORD PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 12/08/2015
Decision: Grant Conditionally

Item No 80

Application Number: 15/01147/FUL **Applicant:** Mr Ben Cresswell
Application Type: Full Application
Description of Development: Change rear window to door, construct raised rear decking and widen rear steps
Site 190 BEAUMONT ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 07/08/2015
Decision: Grant Conditionally

Item No 81

Application Number: 15/01150/TPO **Applicant:** Mr Mark Bignell
Application Type: Tree Preservation
Description of Development: Sycamore - Prune back branches adjacent neighbouring property by 1 metre to suitable growth points
Site HAMOAZE HOUSE, MOUNT WISE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 06/08/2015
Decision: Grant Conditionally

Item No 82

Application Number: 15/01151/LBC **Applicant:** National Trust
Application Type: Listed Building
Description of Development: Installation of biomass boilers in old laundry room
Site SALTRAM, MERAFIELD ROAD PLYMOUTH
Case Officer: Kate Price
Decision Date: 14/08/2015
Decision: Grant Conditionally

Item No 83

Application Number: 15/01153/FUL **Applicant:** Mr Paul Jones
Application Type: Full Application
Description of Development: Single storey rear extension
Site 9 NEWNHAM CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 23/07/2015
Decision: Grant Conditionally

Item No 84

Application Number: 15/01160/FUL **Applicant:** Miss Kate Hingston
Application Type: Full Application
Description of Development: Removal of existing garage, double storey side extension, single storey rear extension and front porch
Site 45 MERAFIELD DRIVE PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 13/08/2015
Decision: Grant Conditionally

Item No 85

Application Number: 15/01165/GPD **Applicant:** Mr Shaun Mumford
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 2.75m
Site 112 FORT AUSTIN AVENUE CROWNHILL PLYMOUTH
Case Officer: Mike Stone
Decision Date: 20/07/2015
Decision: Prior approval not req

Item No 86

Application Number: 15/01170/FUL **Applicant:** Crispy's Motorcycles
Application Type: Full Application
Description of Development: Change of use from B8 (Storage and Distribution) to B2 (General Industry) for motorcycle repairs, services and MOT
Site 17 CHANTRY COURT PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 06/08/2015
Decision: Grant Conditionally

Item No 87

Application Number: 15/01172/GPD **Applicant:** Mrs Connie Slinger
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 3.66m, and has an eaves height of 3.66m
Site 36 MANOR ROAD PLYMSTOCK PLYMOUTH
Case Officer: Mike Stone
Decision Date: 03/08/2015
Decision: Prior approval not req

Item No 88

Application Number: 15/01174/FUL **Applicant:** ILG Hesmondhalgh
Application Type: Full Application
Description of Development: Vary the opening hours of Planning Permission 15/00697/FUL
Site 75 to 77 CORNWALL STREET CITY CENTRE
Case Officer: Aidan Murray
Decision Date: 31/07/2015
Decision: Grant Conditionally

Item No 89

Application Number: 15/01175/PRDE **Applicant:** Mr Tony Cowans
Application Type: LDC Proposed Develop
Description of Development: Rear extension
Site 25 PLYMTREE DRIVE PLYMPTON PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/08/2015
Decision: Issue Certificate - Lawful Use (Pro)

Item No 90

Application Number: 15/01178/ESR10 **Applicant:** Deloitte LLP
Application Type: Environmental Ass
Description of Development: Request for screening opinion for the proposed development of Bretonside Bus Station to provide a leisure complex predominantly providing restaurants and a cinema
Site BRETONSIDE BUS STATION, BRETONSIDE
Case Officer: Robert Heard
Decision Date: 31/07/2015
Decision: ESRI - Completed

Item No 91

Application Number: 15/01179/ADV **Applicant:** Plymouth University
Application Type: Advertisement
Description of Development: Installation of a double sided banner on north elevation, at east end
Site 9 RESEARCH WAY, PLYMOUTH SCIENCE PARK PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 04/08/2015
Decision: Grant Conditionally

Item No 92

Application Number: 15/01180/FUL **Applicant:** Mrs Judith Hasell
Application Type: Full Application
Description of Development: Change of use from C3 dwellinghouse to C4 HMO (small care home for autistic adults)
Site 1 UPPER KNOLLYS TERRACE LANE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/08/2015
Decision: Grant Conditionally

Item No 93

Application Number: 15/01181/FUL **Applicant:** Mr Neill Maxwell
Application Type: Full Application
Description of Development: Single storey rear extension and ground floor alterations
Site 9 BREAN DOWN ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 11/08/2015
Decision: Grant Conditionally

Item No 94

Application Number: 15/01186/ADV **Applicant:** Plymouth University
Application Type: Advertisement
Description of Development: 1 x internally illuminated fascia sign, 1 x non-illuminated wrap around sign
Site RESERVOIR CAFÉ, PLYMOUTH UNIVERSITY DRAKE CIRCUS PLYMOUTH
Case Officer: Mike Stone
Decision Date: 13/08/2015
Decision: Grant Conditionally

Item No 95

Application Number: 15/01197/FUL **Applicant:** Mr Paul Spreadbridge
Application Type: Full Application
Description of Development: Proposed rear conservatory
Site 16 MURHILL LANE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/08/2015
Decision: Grant Conditionally

Item No 96

Application Number: 15/01204/ADV **Applicant:** Plymouth University
Application Type: Advertisement
Description of Development: External signage for the business school
Site COOKWORTHY BUILDING, HAMPTON STREET DRAKES CIRCUS PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 10/08/2015
Decision: Grant Conditionally

Item No 97

Application Number: 15/01209/FUL **Applicant:** Mr A Ahmadian
Application Type: Full Application
Description of Development: Single storey rear extension
Site 63 THORNHILL ROAD PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 14/08/2015
Decision: Grant Conditionally

Item No 98

Application Number: 15/01212/FUL **Applicant:** Mr & Mrs Eadie
Application Type: Full Application
Description of Development: Specified timber windows to be replaced with uPVC
Site 16 SHACKLETON COURT PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 05/08/2015
Decision: Grant Conditionally

Item No 99

Application Number: 15/01218/GPD **Applicant:** Mr Lee Nethercott
Application Type: GPDO Request
Description of Development: A single storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4m, has a maximum height of 3.9m, and has an eaves height of 3m.
Site 61 MOOR LANE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 07/08/2015
Decision: Prior approval required

Item No 100

Application Number: 15/01220/FUL **Applicant:** Mr and Mrs Berriman
Application Type: Full Application
Description of Development: Two storey side extension
Site 117 LARKHAM LANE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/08/2015
Decision: Grant Conditionally

Item No 101

Application Number: 15/01231/GPD **Applicant:** Mr Stephen Ching
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 3.7m, has a maximum height of 2.9m, and has an eaves height of 2.2m.
Site 3 CHURCH WAY PLYMOUTH
Case Officer: Mike Stone
Decision Date: 30/07/2015
Decision: Prior approval not req

Item No 102

Application Number: 15/01237/LBC **Applicant:** Mr Daniel Baugh
Application Type: Listed Building
Description of Development: Opening up previously bricked-up doorway
Site BUILDING N188, HMNB DEVONPORT, SALTASH ROAD
PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 05/08/2015
Decision: Grant Conditionally

Item No 103

Application Number: 15/01243/GPD **Applicant:** Mr John Gross
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 3.5m, and has an eaves height of 2.2m.
Site 44 SEVERN PLACE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 07/08/2015
Decision: Prior approval not req

Item No 104

Application Number: 15/01255/FUL **Applicant:** Mr Steve Jones
Application Type: Full Application
Description of Development: New garage and utility room (demolition of existing garage)
Site 20 VENN GROVE PLYMOUTH
Case Officer: Simon Pickstone
Decision Date: 10/08/2015
Decision: Grant Conditionally

Item No 105

Application Number: 15/01261/FUL **Applicant:** Mr and Mrs A Marshall
Application Type: Full Application
Description of Development: Side extension and conversion of existing garage to residential use
Site 39 REDDICLIFF CLOSE PLYMSTOCK PLYMOUTH
Case Officer: Mike Stone
Decision Date: 13/08/2015
Decision: Grant Conditionally

Item No 106

Application Number: 15/01270/ADV **Applicant:** Connells Residential
Application Type: Advertisement
Description of Development: 1 x internally illuminated fascia sign and 1 x internally illuminated side fascia sign
Site 14 DRAKE CIRCUS PLYMOUTH
Case Officer: Mike Stone
Decision Date: 13/08/2015
Decision: Grant Conditionally

Item No 107

Application Number: 15/01275/GPD **Applicant:** Sam Abbott
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 5.0m, has a maximum height of 3.45m and has an eaves height of 2.16m.
Site 24 BARLOW GARDENS PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 05/08/2015
Decision: Prior approval not req

Item No 108

Application Number: 15/01284/PRDE **Applicant:** Mr & Mrs D Macdonald
Application Type: LDC Proposed Develop
Description of Development: Single storey rear extension
Site 85 TRELAWNEY ROAD PEVERELL PLYMOUTH
Case Officer: Mike Stone
Decision Date: 13/08/2015
Decision: Issue Certificate - Lawful Use (Pro)

Item No 109

Application Number: 15/01300/ADV **Applicant:** Bestway Group
Application Type: Advertisement
Description of Development: 1 x internally illuminated fascia sign and 1 x internally illuminated projecting sign
Site 77 WHITLEIGH GREEN PLYMOUTH
Case Officer: Mike Stone
Decision Date: 13/08/2015
Decision: Grant Conditionally

Item No 110

Application Number: 15/01304/ADV **Applicant:** Bestway Group
Application Type: Advertisement
Description of Development: 1 x internally illuminated fascia sign and 1 x internally illuminated projecting sign
Site 6 HAM GREEN PLYMOUTH
Case Officer: Mike Stone
Decision Date: 13/08/2015
Decision: Grant Conditionally

Item No 111

Application Number: 15/01353/ESR10 **Applicant:** Simply Planning

Application Type: Environmental Ass

Description of Development: Request for an EIA screening opinion for a proposed new district centre

Site THE FORMER SEATON BARRACKS PARADE GROUND
DERRIFORD PLYMOUTH

Case Officer: John Douglass

Decision Date: 11/08/2015

Decision: ESRI - Completed

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

Application Number **14/01688/OUT**
Appeal Site **87 UNDERLANE PLYMSTOCK PLYMOUTH**
Appeal Proposal Erection of a single dwelling and new access
Case Officer Christopher King

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 06/08/2015
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The Inspector agreed with the policies used and weight afforded to them, stating in his conclusion that the adverse impacts of the proposal on its surroundings and the effect on neighbours, in conflict with the relevant local development plan policies, would significantly outweigh the benefits of an additional dwelling.

Note:

Copies of the full decision letters are available at <http://www.plymouth.gov.uk/planningapplicationsv4/welcome.asp>.

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