



#plymplanning

Democratic Support

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PLANNING COMMITTEE

Thursday 22 October 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 24 September 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.

6.1. 32 SLATELANDS CLOSE, PLYMOUTH - (Pages 7 - 12) 15/01533/FUL

Applicant:	Lucy Wadge
Ward:	Plympton Erle
Recommendation:	Grant Conditionally

6.2. FORMER PLYMOUTH PREPARATORY SCHOOL, BEECHFIELD GROVE, PLYMOUTH - 15/01168/FUL (Pages 13 - 30)

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

6.3. FORMER TAMERTON VALE SCHOOL, PLYMOUTH - 15/01332/FUL (Pages 31 - 58)

Applicant: Galliford Try Partnership Ltd & DCH
Ward: Southway
Recommendation: Grant conditionally subject to the completion of a S106 agreement delegated to Assistant Director for Strategic Planning and Infrastructure to refuse if not signed by target date (28th October 2015) or other date agreed through an extension of time

6.4. LAND FORMERLY ASSOCIATED WITH THE RNEC, ABERDEEN AVENUE, PLYMOUTH - 15/01380/FUL (Pages 59 - 70)

Applicant: Beavertail Ltd
Ward: Egguckland
Recommendation: Grant conditionally subject to the completion of a S106 agreement delegated to Assistant Director for Strategic Planning and Infrastructure to refuse if not signed by target date (23rd October 2015) or other date agreed through an extension of time

7. PLANNING APPLICATION DECISIONS ISSUED (Pages 71 - 108)

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 15 September 2015 to 12 October 2015, 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 109 - 110)

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 these Delegated Planning Applications are 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 24 September 2015

PRESENT:

Councillor Stevens, Joint Chair in the Chair.

Councillor Nicholson, Joint Chair.

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

Apologies for absence: Councillors Darcy, Kelly, Ricketts and Kate Taylor.

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 6.25 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.

43. DECLARATIONS OF INTEREST

In accordance with the code of conduct, the following declarations of interest were made in regards to items under consideration at this meeting –

Name	Minute No. & Item	Reason	Interest
Councillor Jon Taylor	47.1 Site to the West of Ernesettle Lane, Plymouth 15/01377/FUL	Director of Four Green's Community Trust, one of the project partners	Prejudicial
Councillor Stevens	47.3 47A North Road East, Plymouth 15/01251/FUL	Employed by one of the application consultees	Personal

44. MINUTES

Agreed the minutes of the meeting held on 27 August 2015.

45. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

46. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

47. **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. Addendum reports were submitted in respect of minute numbers 47.1 and 47.3.

**47.1 SITE TO THE WEST OF ERNESETTLE LANE, PLYMOUTH
15/01377/FUL**

PEC Renewables Ltd

Decision:

Application **GRANTED** conditionally, subject to the amendments set out in the addendum report.

(The Committee heard from the applicant).

(Having declared a prejudicial interest in the above item, Councillor Jon Taylor removed himself from the Committee, took no part in the debate and did not vote).

**47.2 TREE PRESERVATION ORDER - LANDS PARK/CHURCH
ROAD, PLYMOUTH**

Decision:

Application for Tree Preservation Order 503 **CONFIRMED**.

47.3 47A NORTH ROAD EAST, PLYMOUTH 15/01251/FUL

GE Developments Ltd

Decision:

Application **REFUSED** on the grounds that it was contrary to policies CS02, CS04, CS05, CS34 sub-sections 4 and 6, as well as being contrary to the Plymouth Plan, Theme 2, Policy 12.

(The Committee heard from ward councillors Singh and Ricketts both speaking against the application).

(The Committee heard representations against the application).

(The Committee heard from the applicant).

(Councillor Nicholson's proposal to refuse the application, having been seconded by Councillor Stevens, was put to the vote and unanimously carried).

(Councillor Stevens declared a personal interest in respect of the above item).

(A Planning Committee site visit was held on Tuesday 22 September 2015 in respect of this application).

48. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee noted the report from the Assistant Director for Strategic Planning and Infrastructure on decisions issued for the period 17 August to 14 September 2015.

49. **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 – 24 September 2015

SCHEDULE OF VOTING

Minute number and Application		Voting for	Voting against	Abstained	Absent due to interest declared	Absent
6.1	Site to the West of Ernesettle Lane, Plymouth 15/01377/FUL	Councillors Stevens, Nicholson, Mrs Bowyer, Mrs Bridgeman, Sam Davey, K Foster, Mrs Foster, Jarvis, Michael Leaves, Mrs Nicholson, Sparling and Tuohy			Cllr Jon Taylor	
6.2	Tree Preservation Order – Lands Park/ Church Road, Plymouth	Councillors Stevens, Nicholson, Mrs Bowyer, Mrs Bridgeman, Sam Davey, K Foster, Mrs Foster, Jarvis, Michael Leaves, Mrs Nicholson, Sparling, Jon Taylor and Tuohy				
6.3	47A North Road East, Plymouth 15/01251/FUL Amended Recommendation - Proposal to refuse	Councillors Stevens, Nicholson, Mrs Bowyer, Mrs Bridgeman, Sam Davey, K Foster, Mrs Foster, Jarvis, Michael Leaves, Mrs Nicholson, Sparling, Jon Taylor and Tuohy				

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PLANNING APPLICATION REPORT



Application Number 15/01533/FUL

Date Valid 01/09/2015

Item 01

Ward Plympton Erle

Site Address 32 SLATELANDS CLOSE, PLYMOUTH

Proposal Two storey side extension

Applicant Lucy Wadge

Application Type Full Application

Target Date

27/10/2015

Committee Date

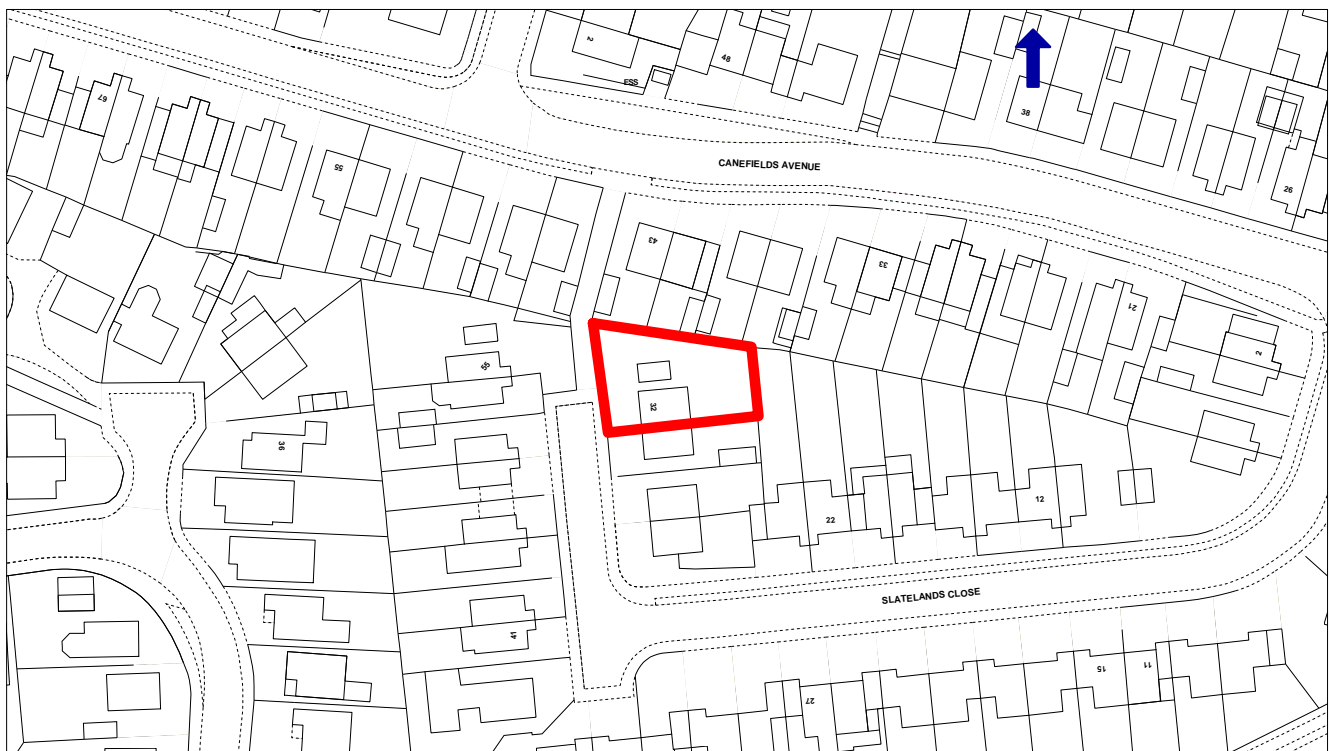
**Planning Committee: 22
October 2015**

Decision Category Member Referral

Case Officer Chris Cummings

Recommendation Grant Conditionally

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

1. Description of site

32 Slatelands Close is a semi-detached property in the Plympton area of Plymouth. It is at the end Slatelands Close, facing west onto the street.

2. Proposal description

The proposal is for the demolition of the existing garage, and creation of a two-storey side extension to the north side of the property.

3. Pre-application enquiry

None received

4. Relevant planning history

15/00556/FUL - Single storey side extension with pitched roof incorporating additional bedroom – Withdrawn

5. Consultation responses

None requested

6. Representations

9 letters of representation have been received. The main concerns are:

- Overdevelopment of site
- Not in keeping with existing street scene
- Disruption to residents from building work
- Loss of privacy due to windows
- Unattractive design
- Too close to neighbouring properties
- Loss of light to properties and gardens
- Excessive height

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 was approved by the City Council in September 2015. The Plan, which incorporates draft development plan policy, has been prepared following consultation process. 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 a relatively 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

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

Planning application considerations:

2. The proposal seeks to demolish the existing detached garage and erect a two storey side extension. The extension will extend 4 metres to the side of the property and is approximately 6m long. It is set 1 metre back from the front and 1 metre back from the rear of the existing property. The proposal will be approximately 6.8 metres tall, stepped down approximately 40cm from the existing ridgeline.

Overlooking Issues:

3. The site sits above the northern properties at Canefields Avenue. The north elevation has a side-facing kitchen window proposed at ground floor level, with no windows proposed at the first floor level. The proposed front elevation has ground floor windows, but no windows are proposed on the pitched roof. A planning condition will be added to ensure adequate screening is maintained between the proposed side-facing window and the neighbouring properties, and of a form that will not affect the health of an existing hedge on the boundary.
4. The proposed rear elevation has a pitched roof with a rooflight. It will be installed 2.3 metres above the first floor level, creating no privacy concerns for neighbours.
5. The north-east corner of the extension is the closest part to any neighbouring properties. The closest property to this corner is 41 Canefields Avenue, with a distance of approximately 12 metres at the closest point (The south western corner). This meets the Council's minimum distance between a main habitable room window and a blank wall for a 2 storey development. In view of this, while the neighbours objections are noted, the development does meet the standards set out in the development guidelines, so is therefore considered acceptable.

Design

6. The proposed extension is subservient to the existing dwellinghouse, set back 1m at the front and 1m at the rear. The existing house has a pitched gable roof, and the proposed extension will continue this. The use of a rooflight on the rear roof keeps the profile of this roof intact and will have less of a visual impact on neighbours.

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 development falls below the charging threshold for the Community Infrastructure Levy charging schedule so no CIL contribution is required.

11. Planning Obligations

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

No planning obligations have been sought in respect of this application.

12. Equalities and Diversities

There are no equalities and diversities issues

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance, specifically CS02 (Design) and CS34 (Planning applications considerations) and it is therefore considered that planning permission should be granted.

14. Recommendation

In respect of the application dated **01/09/2015** and the submitted drawings 000 001 rev 4, 000 002 rev 2, 000 001 rev 3, 000, 003 rev 2, 000 004 rev 2, 000 005 rev 2, 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: 000 001 rev 4, 000 002 rev 2, 000 001 rev 3, 000, 003 rev 2, 000 004 rev 2, 000 005 rev 2

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: DETAILS OF ENCLOSURE AND SCREENING

(3) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority details of enclosure and screening for the northern site boundary. The approved screening shall be installed prior to first occupation of the approved extension, and retained in place at all times after.

Reason:

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

Informatives

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

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

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

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

INFORMATIVE: CODE OF PRACTICE

(3) All work should be carried out in accordance with the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web pages at: <http://www.plymouth.gov.uk/homepage/environmentandplanning/pollution/noise/noisecanddeal/constructionnoise.htm>

PLANNING APPLICATION REPORT



Application Number 15/01168/FUL

Date Valid 10/07/2015

Item 02

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: 22
October 2015**

Decision Category

Member Referral

Case Officer

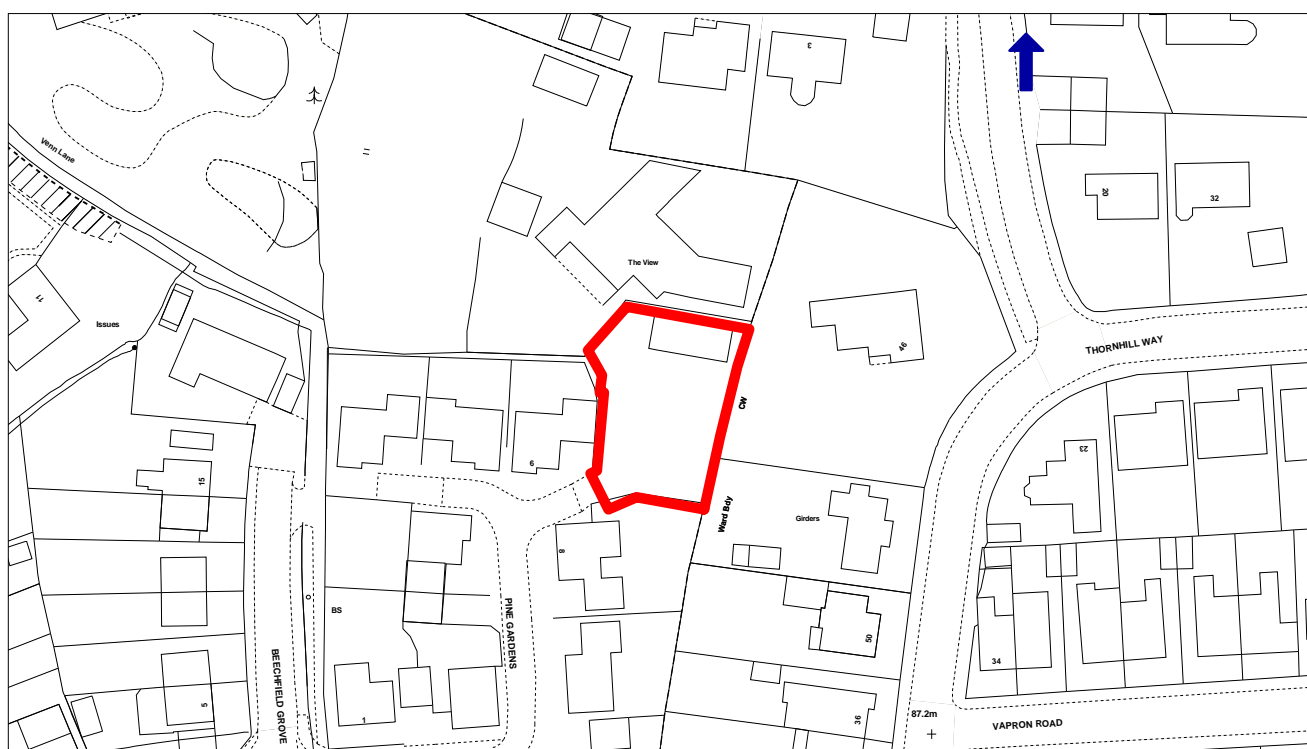
Christopher King

Recommendation

Grant Conditionally

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This application has been referred to planning committee by Cllr Martin Leaves, and was deferred at planning committee on the 27th August 2015 to allow due consideration of additional information that was received late.

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 Beechfield Grove Estate.

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 – No Objections

Public Protection Service – No Objections

6. Representations

5 letters of representation were received during the initial 21 day consultation period, 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
- Will cause traffic congestion and parking issues within the Beechfield grove development which will prejudices highways safety

Following the planning committees decision to defer the decision in lieu of new information received on the day of the meeting, the application was re-advertised for a further 14 days (18th September to 2nd October).

Four additional letters of representation have been received during this additional consultation period, all of which object to the proposal. In addition to the above points, the following comments/concerns have been made:-

- Increased risk of flooding
- Inaccurate plans
- Inappropriate development on this site
- Gardens not big enough to accommodate a conservatory

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 was approved by the City Council in September 2015. The Plan, which incorporates draft development plan policy, has been prepared following a consultation process. 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 a relatively 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 development plan, the emerging Plymouth Plan, the Framework and other material policy documents as set out in Section 7.
2. 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 (SPD).
3. Furthermore, the application also reflects on the following policies of the emerging Plymouth Plan Part One:-

15 – Meeting local housing needs

30 – Safeguarding environmental quality, function and amenity

Site History and Material Considerations

4. The principal considerations in relation to this proposal are of residential amenity (including amenity space, overlooking and privacy) and the relationship with neighbouring dwellings
5. Plot 12 is the remaining element of the Beechfield Grove Estate development yet to be completed, with eleven of the twelve approved dwellings and the associated roads/accesses practically completed.
6. The application site is located in the north east corner of the Beechfield Grove Estate development and already has the benefit of planning permission for a two storey 5 bedroom detached dwelling with an attached garage for 2 vehicles.
7. Every planning application should be considered on its own merits; however site planning history is a material consideration. The principle of residential has been established on this site, and was established after 21 Hartley Road had been afforded planning permission. Notwithstanding the considerations of the actual planning application, officers will consider if the proposal is demonstrably harmful when compared to the extant permission for the 5 bed house, and if it will adversely impact the other dwellings approved as part of the Beechfield Grove Estate application from 2014.
8. Although the plot is large it will be important to establish that the two dwellings can be satisfactorily accommodated within the site to prevent overdevelopment and ensure that the dwellings are of a similar character and layout to the whole Beechfield Grove Estate.

Site Layout and constraints

9. Remnants of the former school building are still present along the northern boundary providing retention to the land to the north. The northern and eastern boundaries are established by existing walls, and in both cases there is a significant change in level. The land directly north of the site for example is 2.5m above the application site ground level; which will increase to 3.5m above site level should permission be granted.
10. The two proposed dwellings will be positioned side by side, within the central area of the site. The proposed dwellings are positioned 2m closer to the north boundary as well as being further from the east boundary, and closer to the west boundary when compared to the approved 5 bedroom dwelling, Officers have requested justification for the alterations to the proposed layout and have been advised as follows.
11. To the west of Plot 12 there is a gap between the corner of the unit and the garage to plot 6. This gap is dictated by a sewer easement and cannot be narrowed. Due to the plots being angled in relation to plot 6 (dictated by the boundary line to the East of Plot 12A) any attempt to move the units further forward would further narrow this easement which would be unacceptable. Plot 12 has been specifically designed with a set-back garage, thus ensuring that there is sufficient space for parking and manoeuvring at the front of the unit. The

pressures on this have been further amplified by the gradient of the drive which is approaching the maximum of 1:8.

12. Officers and the applicant recognise that sliding the dwellings east could have alleviated the problem and provide sufficient space for both 12 and 12A to move forward without affecting the easement however the plots are as close to the boundary as possible. Similar to the northern boundary however, the eastern boundary has an existing stepped structure which dictates the plot level and positioning of the dwellings, as well as an existing easement. A 3m separation zone has been provided to protect this easement, and to ensure that the existing stepped structure continues to retain the boundary walls. This structure is 700mm above the ground level and will remain in situ to provide necessary retention.
13. To ensure the side garden is useable the applicant will increase the ground level in this location and consequently the plot slab levels to the same height. This in turn has influenced the drive gradient as mentioned above, and also caused a slight increase in the heights of the dwellings.

Design and Massing

14. 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 plots. They also have a combined footprint that is smaller when compared to the approved 5 bedroom dwelling on this site.
15. The proposed ridge heights of plot 12 and plot 12A will exceed the height of the approved 5 bed 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 proposed 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. The heights of the proposed dwellings are influenced by two site constraints. Firstly as identified in paragraphs 12 and 13 of this report, the slab level for the unit has increased to accommodate the existing structure along the Eastern boundary, pushing the units up by 700mm. Secondly, the new units are deeper, and in order to keep the same roof pitch so that the units read as part of the overall scheme, but also because the bat roost required requires the height of roof space determined by this roof pitch.
17. Notwithstanding this, it is the view of officers that this alteration will not cause a detrimental loss of outlook to the occupiers of 21 Hartley Road as this property is significantly elevated. The existing boundary fence already provides a level of screening and reduced outlook at lower ground floor level when looking south out of the East wing of 21 Hartley Road which will not change.
18. Rooms at ground floor level in the East wing of 21 Hartley Road will look out on the roofs of the proposed dwellings and in officer's view South west facing rooms located in the west wing of 21 Hartley Road will remain unaffected by this proposal at all levels.
19. Officers note should the applicant go ahead and commence development of the 5 bedroom dwelling that they have planning permission for would likely have the same level of impact.
20. The site is not overly prominent and the external appearance of the two dwellings has considered the existing palate of materials; reflecting the character of the whole

development, including the use of natural slate on the roof. Officers consider that the proposed dwellings will not demonstrably harm the overall mix of the development and accords with policies CS01, CS15 and CS34 of the Core Strategy.

Retaining Wall – North Boundary

21. There primary concern, and reason for deferral at planning committee was the impact of the proposed retaining wall and the impact that this will have on the amenity space, as well as the proposed trees along the boundary. The applicant has advised officer that this retaining wall structure would have been required for the extant permission; however specific details had not been included in the application documents.
22. The cross section plan and the engineering plan that has been provided demonstrates a deep retaining wall structure that runs along the northern boundary, and partially along the north-eastern corner boundary of the application site. The retaining wall structure is part of the old school building currently still on site which has not been fully demolished.
23. No alternative methods of retention have previously been proposed by the applicant, however as the current structure is performing the necessary engineering needs, it is proposed to keep it in situ. The applicant has informed the local planning authority that this structure will be retained and backfilled with concrete, and if removed it will significantly compromise the stability of the land to the north (21 Hartley Road).

Internal Amenity

24. Officer have assessed the internal floor plans of proposed dwellings and are can confirm to members that both meet the internal standards set out in the development guidelines SPD for 4 bedroom dwellings.

External Amenity

25. The site would have originally provided one large external amenity area for the 5 bed dwelling that exceeded the development guidelines SPD standards, which would not have been significantly harmed by the retaining wall structure.
26. As this application proposes to sub-divide the plot the applicant has been required to demonstrate that both dwellings will be provided with sufficient amenity space that accords with the development guidelines SPD. As both proposed dwellings will be positioned 2m closer to the north boundary and the proposed retaining wall officers have concerns over the cumulative impact towards amenity space.
27. Having been provided with a layout plan that demonstrates that retaining wall and other site constraints, officer have calculated the proposed amenity space that each dwelling will be afforded. The plan demonstrates that both rear amenity spaces exceed the minimum requirements of 100m² as set out in development guidelines SPD.

Neighbouring Amenity

28. The first floor windows in the north elevation of the proposed dwellings will not look directly into the lower ground floor of the east or west wings of 21 Hartley Road due to the topography and the existing timber fence. Officers also note that the approved lower ground floor layout of 21 Hartley Road does not include south facing habitable rooms (swimming pool, pool lobby and games room).
29. The south facing ground floor rooms of 21 Hartley Road includes a family room, the kitchen, and the laundry. There is a large balcony area fronting the lounge; however it has a southwest aspect, and will not be overlooked by the proposed dwellings as it is located in the west wing of the dwelling. There are bedrooms at first floor level, however these are also located in the in the west wing of the dwelling and therefore the aspects are southwest and as such are not considered to be harmed by this proposal any more than the extant permission for the 5 bed dwelling.
30. The development guidelines SPD, paragraphs 2.2.21 and 2.2.23 indicates that habitable room windows to window distances should be 21m, and when one or more of the buildings exceed 3 stories in height then the distance should increase to 28m.
31. The proposed layout plan demonstrates that the two dwellings will be 12.19m and 12.5m from the south elevation of 21 Hartley Road, and as demonstrated on the submitted cross section plan, the distances between the north elevation and the face of the boundary wall will be 7.6m, and is therefore below the guidance of the development guidelines SPD.
32. Notwithstanding this, as the site does already have consent for a 5 bedroom dwelling it is the view of officers that the relationship of the proposed dwellings (12 and 12A) with the boundaries and the southern elevation of 21 Hartley Road will not be demonstrably harmful when compared to the extant permission, and would not result in a loss of neighbouring amenity.
33. Furthermore, the distances between the rear elevations of the proposed dwellings and the boundary walls are consistent with the other dwellings that have have been built in the Beechfield Grove Estate, specifically plots 6, 7 and 8 which are west of the application site.
34. Overlooking has been raised as an issue by the residents of 21 Hartley Road; however due to the elevated nature of this property, and the existing boundary screening, officers are of the view that the occupiers of 21 Hartley Road and prospective occupiers of the proposed dwellings will not be demonstrably overlooked.
35. Officers consider that the separation distances are acceptable by virtue of this unusual site topography, and that they are comparable had the 5 bedroom dwelling been completed. Officers have considered residents' concerns, and are of the view that the proposal will not cause a demonstrable loss of amenity, specifically overlooking or privacy and officers are of the view that a good level of privacy will be achieved for all occupiers due to these site specific characteristics.
36. Officers also consider that there are no amenity, overlooking or privacy issues relating to the properties west and south of the application site, or the more established dwellings to the east.

37. The TPO 53 Hartley Road (a mature Macrocarpa) located on the eastern 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.
38. Officers therefore consider that the proposal accords with policy CS15 (5) and CS34 (4) and (6) of the Core Strategy.

Local Highways and Parking

39. The proposal does not significantly alter or involve the creation of any additional areas of public highway. Both properties are served from a private drive at the end of the new cul-de-sac with all car parking provided within the driveway area.
40. Parking provision is in the form of a single garage and 2 spaces for plot 12, and 3 spaces for plot 12A in accordance with existing guidance. It is suggested that the Construction Management Plan controlling the construction of the rest of the site be incorporated into this application also.
41. Although concerns have been raised by residents, the local highways authority considers that the additional dwelling will not cause demonstrable harm to the existing highways network.

Historical Environment

42. 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. Officers are satisfied with this approach and consider that the proposal accords with policy CS03 of the Core Strategy.

Ecology and Wildlife

43. The retaining wall structure means that accommodating the proposed tree in the north east corner of the site is not achievable; however the proposed tree in the north west of the site will remain. The applicant has identified the top of the retaining wall and a strip in front of the retaining wall as space to provide additional planting which officers view as an opportunity to improve biodiversity net gain. Coupled with the bat roosts in the roofs of the dwellings, officers consider that the proposal will accord with policy CS19 of the Core Strategy.
44. Furthermore, officers are confident that additional planting on top of and in front of the retaining wall will improve amenity for occupiers, and as the planting matures it is likely to provide additional screening along the northern boundary of the site. This will be conditioned, with full planting proposals and details required prior to commencement. The applicant will be required to demonstrate that this will not negatively impact the approved Ecological Mitigation and Enhancement Strategy (EMES) for the Beechfield Grove Estate site.

Drainage

45. The proposed dwellings will connect into the existing approved drainage scheme for the Beechfield Grove Estate. Officers consider the minor alterations acceptable; however additional information will be requested through condition.

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

Although the physical relationship between the proposed development and the existing development is very close knit, taking into account the following factors the development is considered to be acceptable:-

- Officers are of the view that relationship between windows and habitable rooms of the proposed dwellings and the existing dwellings will have no greater impact towards amenity, outlook and privacy when compared to what the local planning authority has already given planning permission for on this site.

- The two proposed 4 bed dwellings meet the internal and external space standards as set out by the development guidelines Supplementary Planning Document. The site is considered large enough to accommodate two dwellings, and as such is not considered overdevelopment by officers.
- The design of the two proposed dwellings is in keeping with the Beechfield Grove Estate development, demonstrating a very similar materials and colour palate.
- The increased height of the dwellings will not cause a demonstrable loss of outlook to 21 Hartley Road and the proposal has adopted the same roof pitches for consistency with the adjacent dwellings.
- The principal habitable rooms of the 21 Hartley Road have south westerly aspects, and therefore are not impacted by the proposal. Those rooms that do face south are either obscured by the existing fence, or are so elevated that the angles are such that privacy is protected.
- The proposal will not demonstrably harm the highways network, with both dwellings being provided with off street parking in accordance with the development guidelines Supplementary Planning Document.

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 conditional 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**

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:

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.

Justification: 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.

PRE-COMMENCEMENT: LANDSCAPE DESIGN PROPOSALS

(4) No development shall take place until full details soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; retained historic landscape features and proposals for restoration, where relevant; planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection].

Reason:

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

Justification: To ensure that the soft landscaping proposals can be properly incorporated within the development and contribute towards the overall amenity of the site and does not cause conflict with condition 5 of this consent.

Pre-occupation Conditions

PRE-OCCUPATION: HABITAT PROTECTION AND ENHANCEMENT

(5) The dwellings hereby approved shall not be occupied until the measures specific to this site 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. The Landscaping Design Proposals sought by way of condition 4 of this consent shall compliment and enhance the requirements of the approved Ecological Impact Assessment.

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.

PRE-OCCUPATION: PROVISION OF PARKING AREA

(6) 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.

Other Conditions

CONDITION: SOFT LANDSCAPE WORKS

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

Reason:

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

CONDITION: REPORTING OF UNEXPECTED CONTAMINATION

(8) 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.

CONDITION: EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

(9) 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.

CONDITION: RESTRICTIONS ON PERMITTED DEVELOPMENT

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

Reason:

In order to protect 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.

CONDITION: HIDDEN FEATURES

(11) 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.

CONDITION: MATERIALS

(12) The materials to be used in the construction of the external surfaces of the two dwellings hereby permitted shall be in strict accordance with the material schedule listed on the approved plan 'Floor Plans and Elevations as Proposed - P02 Rev B' unless otherwise agreed in writing by the local planning authority.

Reason:

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

Informatives

INFORMATIVE: (CIL LIABLE) 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 "planning permission first permits development" as defined by the CIL Regulations. You must ensure that you submit any relevant forms and get any pre-commencement details agreed before commencing work. Failure to do so may result in surcharges or enforcement action.

INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)

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

INFORMATIVE: 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 APPLICATION REPORT



Application Number 15/01332/FUL

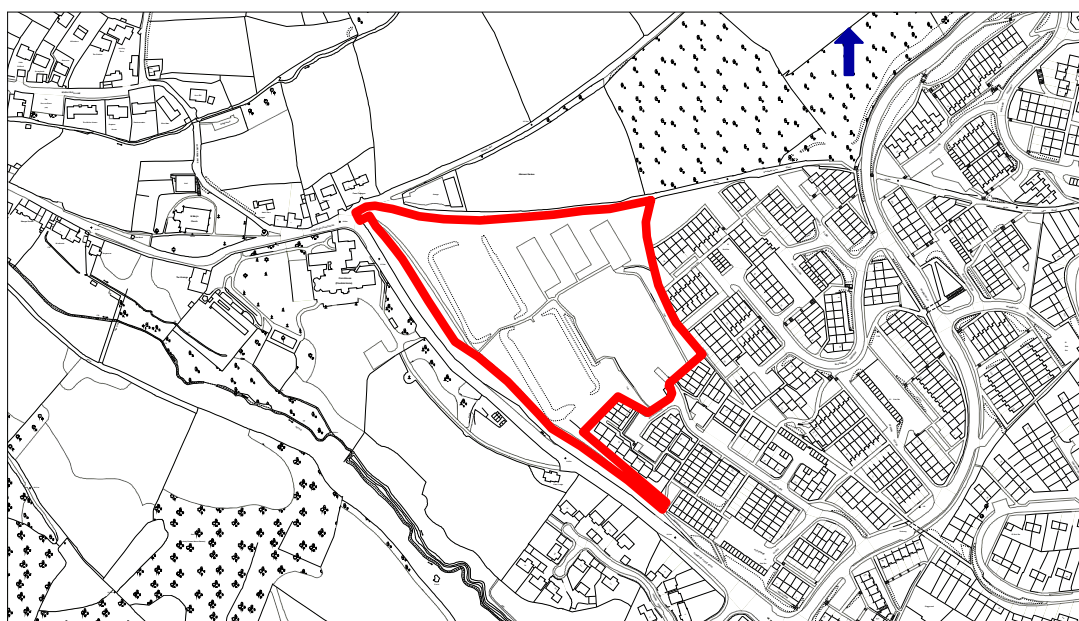
Item 03

Date Valid 29/07/2015

Ward Southway

Site Address	FORMER TAMERTON VALE SCHOOL, PLYMOUTH		
Proposal	Erection of 92 dwellings and associated infrastructure including public open space		
Applicant	Galliford Try Partnership Ltd & DCH		
Application Type	Full Application		
Target Date	28/10/2015	Committee Date	Planning Committee: 22 October 2015
Decision Category	Major - more than 5 Letters of Representation received		
Case Officer	Kate Saunders		
Recommendation	Grant conditionally subject to S106 agreement delegated to Assistant Director for Strategic Planning and Infrastructure to refuse if not signed by target date (28th October 2015) or other date agreed through an extension of time.		

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1. Description of site

This site was formerly occupied by Tamerton Foliot Primary School which consisted of the main school buildings, car parks and landscape areas, including some existing playing pitches, and isolated trees. The site covers approximately 2.9 hectares. The site is bounded by Tamerton Foliot Road to the south west and Coombe Lane to the north. The village of Tamerton Foliot lies to the north west, with a small strip of land along the southwest boundary lying within the Tamerton Foliot Conservation Area.

The site benefits from a gentle southerly aspect and extensive views over open countryside to the west. The south west and northern boundaries are both formed by mature shrubs and trees .

The site is surrounded by post-war housing to the east and south, primarily pre-fabricated two-storey flat roofed housing although the immediate areas around the site accommodate some more recent brick built housing with pitched roofs.

Vehicular access to the site is currently achieved through Rolston Close with pedestrian links from Coombe Lane, Waycott Walk and Blackmore Crescent.

2. Proposal description

Erection of 92 dwellings and associated infrastructure including public open space

The development will provide a mix of 92 new 1 bed apartments and 2 to 4 bedroom terraced, semi-detached and detached homes. The development will work with the existing contours of the site with the primary vehicular and spine road for the development extending from Rolston Close. The layout will maximise the good southerly aspect of the site and split level units will be used to minimise the need for cut and fill. The main spine road will accommodate on-street parking for a number of the new dwellings alongside areas of landscaping. Parking courts will be accommodated in the north east of the site.

A secondary access will be created from Coombe Lane to serve 13 of the dwellings on the site.

A play area and informal green space will be retained to the north west of the site and these areas will also be utilised to accommodate sustainable urban drainage systems to serve the development. The existing planted boundaries will be retained and enhanced through the proposals.

3. Pre-application enquiry

13/01375/MAJ - Use of vacant primary school for a residential development (30,000 Sqm)

An extensive pre-application enquiry took place over a number of months where consideration was given to the proposed layout, access and highway issues, quality of the accommodation, design, ecological mitigation and landscaping proposals. The Local Planning Authority adopted a positive, collaborative approach and a number of meetings were held with the applicant. Overall, officers considered the principle of the development was acceptable although further information and details would be required to support a formal application.

4. Relevant planning history

82/04289/C188 - Outline application to develop land for residential purposes (Regulation 10 consultation) – Granted conditionally

5. Consultation responses

Highways Authority – No objections subject to conditions to cover parking, street details and layout and access information

Historic England – Do not wish to raise any objections and advise that the application should be considered in relation to relevant national and local planning policy.

Public Protection Service – No objections subject to conditions covering noise and unexpected contamination

NHS England – No objections

Police Architectural Liaison Officer – No objections subject to conditions ensuring compliance with “secure by design” principles and the provision of locks to rear access gates.

Wales and West Utilities – No objections although they advise that apparatus is located in the area and they should be contacted before works commence on site

6. Representations

50 letters of representation have been received, 46 in objection, 3 with observations and 1 in support. The letter of support does however raise several concerns which are covered in the observations below.

The comments received are summarised below:

Highways

- Increased traffic
- Rolston Close already like a single road due to parked cars resulting in access problems
- An alternative access to the site should be provided potentially from Tamerton Foliot Road
- Access road is unsuitable for lorries
- Access for emergency vehicles (fire, ambulance) through Rolston Close is already difficult
- Construction traffic is likely to cause problems and an accident
- Traffic monitoring has been done in the wrong place
- Garages are undersized
- No provision for cycle storage
- No dedicated cycle paths
- Transport Statement is inaccurate particularly regarding distances for locations and cycle distances
- Cycle access to schools has not been considered
- Inadequate provision has been made to link to existing cycle routes
- All residential roads should have 20mph speed restrictions
- Coombe Lane access will compromise parking/accessibility for Cann Cottages
- Coombe Lane access will create safety issues and add to congestion
- Further details of any parking restrictions that might be imposed should be provided
- Improvements to bus services will be required

Greenspace

- Loss of the field will mean there is nowhere for children to play, walk dogs or for people to socialise generally
- Field is well used by elderly, disabled and children with additional needs who will find it difficult to access an alternative greenspace
- Alternative greenspaces are not within easy walking distance for residents
- Access to greenspace is important for mental health
- Existing site should be enhanced and more recreation facilities provided
- Siting of play area is not ideal due to its proximity to the road and it not being centrally located for all houses
- The proposed greenspace and trees need to be carefully managed
- No seating should be provided in the greenspaces as they will be vandalised
- Earlier proposals for the play area were more interesting
- The size and location of the proposed greenspace is inappropriate
- Need to put TPOs on the trees along the boundary

Biodiversity

- The site is a wildlife haven e.g. birds, bats, deer, insects
- Concern about damage to existing hedges and loss of trees
- The site is not brownfield and should not be built on
- Wildflowers will be damaged/removed including “Ladies Snook”

Layout/Housing

- No need for additional housing
- Housing would be better suited to the old industrial sites at the top of Southway
- Over-intensive development
- Need more space between the houses
- There should be more solar panels on the properties
- 4 bedroom houses are not affordable
- Housing should just be where the school, playground and car park was and not on the fields
- Plots 14-22 are substantially/wholly on greenfield land
- Houses should be of a similar design to those in Cheshire Drive
- Houses are located too close to existing properties in Rolston Close and there may be overlooking issues

Other

- No community facility is being provided
- Schools in the area are already at capacity so where will children go?
- The school should be reinstated
- The identity of the area will be lost
- Local doctors are already over capacity
- Existing litter problems in the area so maybe bins should be provided
- Increased risk of flooding to Tamerton Foliot
- Exacerbate existing drainage/sewage problems
- SI06/CIL payments should be requested for health, education and other community facilities
- Concerns regarding the consultation period for the application

The issue of house price devaluation has also been raised but this is not a material planning consideration.

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 was approved by the City Council in September 2015. The Plan, which incorporates draft development plan policy, has been prepared following a consultation process. 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 a relatively 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
- Planning Obligations & Affordable Housing 2nd Review Supplementary Planning Document

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.
2. The policies of most relevance to this application are CS01 (Sustainable Linked Communities), CS02 (Design), CS15 (Overall Housing Provision), CS18 (Plymouth's Green Space), CS19 (Wildlife), CS20 (Sustainable Resource Use), CS21 (Flood Risk), CS22 (Pollution), CS28 (Local Transport Considerations), CS30 (Sport, Recreation and Children's Play Facilities), CS32 (Designing Out Crime), CS33 (Community Benefits/Planning Obligations) and CS34 (Planning Application Considerations).
3. The main planning considerations in this case are considered to be highway safety; parking provision; biodiversity; loss of trees; housing provision, impact on residential amenity, loss of green space/playing fields and sustainability. These issues will be discussed in full below.

Principle of Development

4. The site was formerly occupied by Tamerton Vale Primary School however following a rationalisation of primary school education within the Southway ward the school was closed. Beechwood School, accommodated on the former Southway college campus provides new improved education facilities for children in the locality. This rationalisation process recognised that ultimately this would lead to Tamerton Vale and Southway Primary sites being released for other forms of development as they would no longer be required for educational purposes.
5. Prior to disposal of the site the Council had to submit a Section 77 application under the School Standards and Framework Act 1998 (as amended) to allow for the playing field land to be released. The Secretary of State for Education agreed the application on the understanding that monies from the sale of this site (alongside other sites at Southway Primary and Southway Campus) would be used to create a new "football hub" at Bond Street.
6. The Bond Street 'football hub' will incorporate 4 football pitches; 1 x senior (11v11) and 2 x junior (9v9 and 11v11) and 1 mini pitch (5v5 and 7v7), an access road, car parking and changing facilities. This will enhance and improve the football opportunities in this area of the city, improving and rationalising management of said pitches to a hub of 4 pitches.

7. Sport England were supportive of the Section 77 and have been consulted as part of this proposal and have confirmed that their position is unchanged
8. The letters of representation received have raised concerns about the use of the site for housing when they consider that education facilities in the area are overstretched. Some people suggest that a new school should be constructed on the site.
9. The education authority have confirmed that there is school capacity in the area and no contributions are required to provide further school places as a result of this development.
10. Officers therefore consider that redevelopment of the site for housing is acceptable and that the provision of new playing pitches at Bond Street is adequate mitigation for the loss of this site in accordance with Policy CS30.

Housing Provision

11. When determining applications for residential development it is important to give consideration to housing supply. It should be noted that this does include student accommodation developments that result in additional dwellings to the dwelling stock i.e. cluster flats).
12. Paragraph 47 of the NPPF stipulates that “to boost significantly the supply of housing, local planning authorities should...identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”
13. Paragraph 49 of the NPPF states that “housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”
14. For the reasons set out in the Authority’s Annual Monitoring Report (January 2015) Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2015-20 against the housing requirement set out in the Core Strategy which was set prior to the economic downturn. Plymouth can however identify a net supply of some 5,599 dwellings which equates to a supply of 3.1 years when set against the housing requirement as determined by the requirements of the NPPF or 2.5 years supply when a 20% buffer is also applied.
15. The NPPF (footnote 11) also specifies that to be considered deliverable, a site must be:
 - Available to develop now
 - Suitable for residential development in terms of its location and sustainability; and
 - Achievable, with a reasonable prospect that homes will be delivered on the site within five years and in particular that the development of the site is viable.
16. Paragraph 14 of the NPPF states “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.
17. For decision-taking this means:
 - approving development proposals that accord with the development plan without delay; and
 - 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, when assessed against the policies in this framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted”

18. As Plymouth cannot demonstrate a 5 year supply when set against the housing requirement as determined by the requirements of the NPPF, the city’s housing supply policy should not be considered up-to-date. Paragraph 14 of the NPPF is therefore engaged and substantial weight must be accorded to the need for housing in the planning balance when determining housing applications.

Layout and Design

19. This site has been the subject of pre-application discussions and the layout and design have evolved to reflect comments received from both members of the public, through public consultation events, and consultees.
20. The applicant is seeking to create a high quality development that will positively contribute to the area and reflect some of the characteristics of Tamerton Foliot Village.
21. The development has had to be mindful of the sloping nature of the site and this has very much informed the layout. The majority of the development, 79 dwellings, will be accessed from the main spine road that will extend from Rolston Close. The road will be in the form of a shared surface street and will utilise block paving, tree planting and areas of landscaping to add to the character of the street. The road will accommodate a high level of on-street parking however officers consider the proposed landscaping will screen and soften the parking and integrate it into the street.
22. Two rows of housing will front the main spine road and create the desired sense of enclosure for the street. To parking courts will extend from the spine road towards the north east of the site. The applicant has given careful consideration to the quality of these areas and, has again used landscaping and a range of housing types, some of which will front on to the parking courts, to create a safe and secure environment.
23. The development will also accommodate a green space and play area to the west of the site, with the play area making use of the sloping nature of the land to add interest to the facilities provided. Many of the letters of representation suggest that the development of this site will mean that there will be no easy access to a green space for elderly, disabled or young residents for recreation purposes. The provision of both the general green space and play area will ensure that residents continue to have an area to walk their dogs and for informal recreation. Young families in the area will now also have the benefit of a readily accessible play area.
24. The layout has evolved to now also include a secondary access from the Coombe Lane/Tamerton Foliot Road junction. This access will serve 13 dwellings and has been incorporated in to the scheme following consultation with local residents who raised concerns about the volume of traffic that will be travelling along Rolston Close.
25. The applicant requires the secondary road to be adopted by the Highways Authority. However the road width has been minimised to reduce the impact on the quality of the green space being created. Officers consider the use of sensitive landscaping will further minimise the dominance of the road.
26. The larger detached and semi-detached properties accessed from the secondary road will provide good natural surveillance of the green space and play area.
27. The architectural design creates variety in the streetscene with focal buildings on key corners and junctions and a variation in materials that reflect the stone, slate and render colours within the village.

28. Officers consider the development therefore complies with Policies CS02 and CS34.

Standard of Accommodation

29. All the proposed dwellings will meet the internal space guidelines within the Development Guidelines SPD. Officers are confident that the accommodation will provide a full range of facilities and enjoy good levels of natural light and ventilation.

30. A schedule of the proposed garden sizes has been supplied and this indicates that 16 of the proposed dwellings will have gardens that fall below the recommended size standards in the Development Guidelines SPD. Whilst officers accept that this is not ideal the proposal does benefit from a large multi-functional green space area alongside a more formal play area that can be used by residents and will, officers consider, compensate for the smaller gardens.

31. Issues such as refuse storage have also been considered and appropriate provision provided within the development.

Affordable Housing

32. The site is one of the Council's "Plan for Homes" sites and therefore a key desire of selling the site is to deliver more affordable housing for the City. Policy CS15 advises that all development over 10 dwellings should provide 30% affordable housing. As members will be aware, given recent economic conditions, securing 30% affordable housing often proves difficult for viability reasons.

33. This application will deliver 35% affordable homes, which is fully welcomed by officers. The affordable housing will be dispersed around the site and will span the full range of dwellings and deliver a choice of tenures. The breakdown of the affordable housing is as follows:

Shared Ownership

7 x 2 Bed House

3 x 3 Bed House

Affordable Rented

6 x 1 Bed Flat

7 x 2 Bed House

4 x 3 Bed House

2 x 4 Bed House

34. The affordable housing provision exceeds the requirements of CS15 and will be secured through the S106 agreement.

Lifetime Homes

35. The Design and Access Statement confirms that the proposal will comply with Core Strategy Policy CS15 and 20% of the units will be lifetime home compliant albeit level access from the parking areas will not always be achievable. However this is accepted taking in to account the sloping nature of the site. Whilst lifetime homes will be superseded by Building Regulations on the 1st October, as this application was submitted during the lifetime home regime, then the proposed compliance with lifetime homes is considered acceptable.

Highways

36. The access and parking arrangements alongside some of the finer street details have been the subject of extensive discussion and resulted in some minor amendments through the application process.

37. The main spine road into the development off Rolston Close with reduced street dimensions is considered to be another form or variation on a 'Shared Surface Street', comprising of a

4.8 metre wide carriageway with a 1.35 footway/margin demarked along both sides by different colour block paving, but forming a single level surface (although this may need to be interrupted to facilitate and manage surface water drainage, which is currently not shown and would be subject to a requirement for technical details). And it should be noted that a second private 1.5 metre wide footway would also be provided along the fronts of the houses. It has been confirmed that the timber bollards to prevent cars from reversing over the footpath would be 100mm square, set in the private footway at the rear of the parking spaces, leaving 1.4 metres of clear (private) footway width, without impacting on the length of the parking spaces and function of the street. Street lighting would be positioned within the envelope of the prospective public highway subject to the approval of technical details. Officers consider, on balance, that this form of Shared Surface Street would provide sufficient utility of movement to safely function as a street.

38. Traffic impact is considered in the submitted Transport Statement (TS), and is basically concerned with the difference between the traffic generated by the previous use as a school and the proposed use as dwellings. Notably, a school use generates different traffic patterns and variations compared to dwellings. As a school the site was a facility serving the local community as a destination, and would have had a significant number of associated walking trips. But as dwellings, it would also become a point of origin no longer serving the local community, and instead adding to the overall housing density and generating their own new and additional commuting, school, and leisure trips, on the local road network during peak commuting periods.
39. Officers are satisfied from the information submitted that the traffic impact from the proposed dwellings would be low. It is estimated that there will be about 56 two-way vehicle trips in the peak hour through Rolston Close, less than one per minute (and 9 trips on the secondary access road). The relatively low number of vehicle trips would overall be largely imperceptible on the highway network, and the traffic impact is considered acceptable.
40. A number of letters of representation received raised concerns regarding emergency vehicle access to the site. A surface access-way will be provided that links the two cul-de-sac ends on together. This will now be provided to a width of 4.1 metres wide, and vehicle wheel-tracking drawings demonstrate that the route would be sufficient to safely accommodate emergency vehicles including a Fire Engine.
41. In order to promote sustainable modes of travel in accordance with Policies CS28 and CS34 a new pedestrian footpath route to the nearest bus stop situated just below the site on Tamerton Foliot Road will be provided. Although other bus stops are accessible from the application site they are located further away and the access routes to the stop in Church Lane are undesirable. The direct stepped access and creation of a pedestrian refuge to the stop on Tamerton Foliot Road will ensure bus travel is promoted as a viable alternative to the car.
42. Many of the representations received raise issues regarding the existing parking situation in the vicinity of the application site. Officers have therefore been keen to ensure that adequate parking provision is provided to serve the development. Each dwelling will have 2 allocated parking spaces, many of which will be situated on the street. Given the form and layout of the parking, officers initially had concerns that visitors would be unable to find suitable spaces to park when coming to the site. In response to these concerns the applicant has provided a further 11 visitor spaces that are located throughout the development. Officers also accept, as suggested by the applicant, that where a household has one car only, but two allocated parking spaces, then associated visitors would be likely to park in the second space. Car parking would be provided to maximum standards, providing overall sufficient numbers of parking spaces to meet the needs of the development. The applicant has also confirmed that

the sizes of garages and all open car parking spaces would be in accordance with best practice guidance, to ensure they are large enough to be conveniently used for car parking.

43. The provision of cycle links and storage has also been raised in a number of the representations received. The layout and form of the development has given due consideration to cycle movements and cycle storage will be provided where appropriate. It is not considered, given the viability issues surrounding the development, that the proposals should contribute to the provision of wider cycle networks in the area.
44. Officers are satisfied that the development will not prejudice the free flow of traffic in the area or raise highway safety concerns. Furthermore the development will meet its associated parking demand whilst promoting sustainable forms of travel in accordance with Policy CS28 and CS34.

Residential Amenity

45. Existing properties in Rolston Close will be most readily affected by the development. However, consideration has been given to the position and orientation of new dwellings, and the recommended minimum privacy and window to gable wall distances are met.
46. Properties to the east in Blackmore Crescent are also situated in relatively close proximity to the proposal but due to the sloping nature of the site they are located at a higher level and officers consider that the development will not have a detrimental impact.
47. The applicant has supplied a draft Construction Management Plan. Officer's note that the management plan details that access for construction traffic will be from Coombe Lane. This will ensure residents of Rolston Close and surrounding streets will not be unduly disturbed by construction traffic. Full consideration of the management plan has not however been possible prior to committee and a condition will therefore be imposed to ensure other elements of the construction process are appropriately managed.
48. In order to ensure the impact on neighbouring properties is not prejudiced in the future, taking in to account the relatively close relationship between properties, permitted development rights will be removed. This will prevent inappropriate extensions and roof alterations that may detrimentally affect light, outlook or privacy.

Biodiversity/Trees

49. The site is located within a Biodiversity Network Feature and is identified in the Greenscape Assessment (2004) where it is listed as being of District importance as an access corridor and Neighbourhood importance for visual amenity, sports, informal recreation, natural habitats/biodiversity, separation/buffer, and access corridors/links.
50. Policy CS18 (1) states that the Council will protect and support a diverse and multi-functional network of green space and waterscape, through identifying ... a network of strategically and locally important Greenscape Areas, and development on or adjacent to these Greenscape Areas will not be permitted where it would result in unacceptable conflict with the function(s) or characteristics of that area.
51. Policy CS19 (3) states that the council will promote effective stewardship of the city's wildlife through maintaining a citywide network of local wildlife sites and wildlife corridors, links and stepping stones between areas of natural greenspace.
52. The developer has given careful consideration to the biodiversity functions of the area which has resulted in the provision of a greenspace and play area within the development. An Ecological Impact Assessment and Ecological Mitigation and Enhancement Strategy (EMES) have been prepared by EPS Ecology to support the application.
53. The EMES is considered to provide sufficient mitigation and enhancement to safeguard the existing functions of the area in compliance with Policy CS18. The works will need to be

conditioned in accordance with the plan along with landscaping proposals including a Landscape and Ecology Management Plan (LEMP). The LEMP should clearly identify areas of management responsibility and outline in detail how each element of the landscape will be managed and maintained in perpetuity.

54. It is noted that some trees will need to be removed from the central area of the site but it is not considered that their loss will cause significant harm. Appropriate compensation will be offered in the form of increased new planting. The trees along the boundaries of the site are not being impacted by the proposal however any future formal request to place TPOs on these trees will be considered in the normal way.

Sustainability

55. The application is supported by an Energy Statement, prepared by AES Southern Ltd (June 2015). The report outlines how the 15% carbon savings, as required by Policy CS20, will be achieved through a mix of both fabric first and onsite renewable provision.
56. Although the fabric first approach is supported, Policy CS20 states that reductions in both regulated and unregulated carbon emissions should be achieved purely through on-site renewables.
57. The report outlines that the percentage saving achieved through on-site renewables is 11.5%. In this case, officers consider that the shortfall in carbon savings through renewable energy could not warrant refusal of the application. The development will provide in excess of the required 30% affordable housing provision and as a result detailed viability discussions have taken place. Requiring further provision of on-site renewable energy will be detrimental to the delivery of this scheme and given the current recreational value of the site it is considered that financial contributions should be directed towards greenspace and playing pitch projects in the locality. Acceptance of this small shortfall in carbon savings in these circumstances does not set an undesirable precedent in respect of developments elsewhere.

Flooding and Surface Water

58. A flood risk assessment and drainage strategy has been submitted to support the application. The principals outlined in the report and sustainable urban drainage solution that is being proposed is supported. The green space to the west of the site will house appropriate drainage infrastructure to accommodate highway surface water. Individual soakaways will then be provided to accommodate the surface water from each dwelling. Subject to further discussion and clarification on some of the specific drainage details officers are confident that the development will not increase the risk of flooding in the surrounding area in accordance with Policy CS21.

Public Protection Issues

59. A Phase 1 and 2 Environmental Report was submitted to accompany the application and officers are satisfied that there is unlikely to be any risk from contamination. A condition is however recommended to cover the issue of unexpected contamination during the construction process.
60. Furthermore in support the provision of high quality housing an informative is recommending advising the applicant of the appropriate internal noise levels.

Other Issues

61. The Police Architectural Liaison Officer has assessed the development and is satisfied that the proposal will create a safe and secure environment for future occupiers. Conditions are however recommended to around security and the rear access to properties.

62. Officers are satisfied that appropriate notification of the development took place and site notices were posted in a number of locations surrounding the site. In addition notification also took place in the local newspaper.
63. Concerns were raised regarding GP access in the locality. The NHS have been consulted as part of the application process and have advised that there is capacity on the area and no contributions are required from the development.

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 £257,026.34 (index-linking applied, but subject to change before final liability confirmed).

A breakdown of the final calculation will be shown in the liability notice once planning permission first permits the development (including all pre-commencement conditions details being agreed). The liable party(s) will be given the opportunity to apply for social housing relief or ask for a review of the calculation at that stage. There is no negotiation of CIL. The Levy is subject to change and will be index-linked. The applicant should check the current rates at the time planning permission first permits development (which includes agreement of details for any pre-commencement conditions) see www.plymouth.gov.uk/cil for guidance. The applicant has indicated they wish to apply for Social Housing relief. If successful the provisional liability will reduce to £ £175,847.54.

11. Planning Obligations

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

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

- £28,129 for the provision and maintenance of greenspace and access improvements at Cann Woods Local Nature Reserve
- £34,140 for the provision and maintenance of playing pitch facilities at Aylesbury Crescent
- £62,731 for the provision and maintenance of greenspace and access improvements to connect Bircham Valley Local Nature Reserve with land adjacent to Poole Farm

These contributions have been secured following the submission of viability information and officers are confident that this level of mitigation is the maximum that could be achieved on this site without affecting delivery.

A further clause will also be added to the S106 agreement to cover the provision of the play area. This will read as follows:

- Before reaching DPC level a full specification and maintenance schedule for the new play area shall be submitted to and approved in writing by the Local Planning Authority. The specification for the play area shall be reflective of the details provided in the illustrative play area design shown in section 3.7 of the submitted Design and Access Statement. The play area shall be maintained by the applicant in perpetuity.

The following affordable housing provision will also be secured through the S106 agreement:

Shared Ownership

- 7 x 2 Bed House
- 3 x 3 Bed House

Affordable Rented

- 6 x 1 Bed Flat
- 7 x 2 Bed House
- 4 x 3 Bed House
- 2 x 4 Bed House

12. Equalities and Diversities

There are no further equality and diversity issues specifically related to this application although approving this proposal will facilitate the delivery of 92 dwellings. A percentage of these dwellings are being provided as affordable housing and will be available to people on the Council's Housing Register through a Registered Social Landlord and the rest will be offered for sale on the open market and therefore will be available to people from all backgrounds to purchase. No negative impact to any equality group is anticipated. A condition is also attached to ensure that 20% of the development will be made available as Lifetime Homes.

13. Conclusions

Officers consider, taking in to account the lack of a 5-year housing land supply, that the proposal will provide much needed market and affordable housing for the City. Careful consideration has been given to the potential impacts of the development and through changes to the proposed form and layout officers are confident that the proposal will not be unduly harmful to residential amenity or significantly impact the highway network.

The quality of the development being provided is appropriate in scale, form and design for the area. Furthermore the provision of a multi-functional green space and play area as part of the proposal will benefit both future occupiers and existing residents in the area. Appropriate mitigation has also been secured to benefit other local green spaces and playing pitch provision.

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 are therefore recommending approval subject to the completion of a S106 agreement delegated to Assistant Director for Strategic Planning and Infrastructure to refuse if not signed by target date (28th October 2015) or other date agreed through an extension of time.

14. Recommendation

In respect of the application dated **29/07/2015** and the submitted drawings Design and Access Statement – I2709_R01_Rev C

Arboricultural Impact Assessment - 04356 AIA 13.7.15

Transport Statement - R/C151195/TS/003

Planning Statement – PR.143

Energy and Carbon Reduction Strategy (Galliford Try Partnerships South West)

Ecological Appraisal (EPSecology Ltd) July 2015

Ecological Impact Assessment (EPSecology Ltd) September 2015

Flood Risk Assessment and Drainage Strategy - R/C151195/TS/001

Statement of Community Involvement

Ecology Mitigation and Enhancement Strategy - Revision A (EPSecology Ltd) September 2015

Supplementary Factual Investigation Report - RP5932

Phase 1 Desk Top Study and Phase 2 Geotechnical and Geo-Environmental Investigation Report – RP5844

Archaeological Desk Based Study (Context One Archaeological Services Ltd)

Topographical Survey – I2709_L01.08

Accommodation Schedule Rev H

Tree Survey – 04356

Tree Protection Plan – 04356TPP

Levels and Drainage Layout Sheet 1 – C151195/C/100 Rev C

Levels and Drainage Layout Sheet 2 – C151195/C/101 Rev C

Hardworks Plan – I2097 L93.01 Rev D

Proposed Boundary Treatment Plan - I2097 L93.02 Rev D

Softworks Plan and Planting Plan - I2097 L94.01 Rev D

Illustrative Bus Stop Access – I2079 L93.04

Typical Tree Pit and Planting Details – I2097 L94.02 Rev A

Boundary Wall Elevations - I2097 L93.03 Rev B

Proposed Site Layout – I2709 L01.01 Rev P

Site Location Plan - I2709 L01.03 Rev B

Proposed Illustrative Masterplan - I2709 L01.02 Rev F

Artists Perspective – I2709 SKI50612_01 Rev A

Artists Perspective – I2709 SKI50612_02 Rev A

Artists Perspective – I2709 SKI50612_03 Rev A

Street Elevations Sheet 01 – I2709_L01_05 Rev D

Street Elevations Sheet 02 – I2709_L01_06 Rev D

Street Elevations Sheet 03 – I2709_L01_07 Rev D

Proposed Site Sections – I2709_L01.08

Garden Compliance Plan – I27069_L94_03 Rev B

Housetype 304 A – Three Bed – LTH Compliant Ground Floor Plan - I2709 304 A 02.00

Housetype 304 A – Three Bed – LTH Compliant First Floor Plan - I2709 304 A 02.01

Housetype 304 A – Three Bed – LTH Compliant Elevations - I2709 304 A 04.00

Housetype 310 A – Three Bed Ground Floor Plan – I2709 310 A 02.00

Housetype 310 A – Three Bed First Floor Plan – I2709 310 A 02.01

Housetype 310 A – Three Bed Elevations – I2709 310 A 04.00

Housetype A10 A – One Bed – LTH Compliant Ground Floor Plan - I2709 A10 A 02.00 Housetype

A10 A – One Bed – LTH Compliant First Floor Plan - I2709 A10 A 02.01

Housetype A10 A – One Bed – LTH Compliant Elevations - I2709 A10 A 04.00

Housetype A10 B – One Bed – LTH Compliant Ground Floor Plan - I2709 A10 B 02.00 Housetype

A10 B – One Bed – LTH Compliant First Floor Plan - I2709 A10 B 02.01

Housetype A10 B – One Bed – LTH Compliant Elevations - I2709 A10 B 04.00

Housetype A23 A – Two Bed – LTH Compliant Ground Floor Plan - I2709 A23 A 02.00

Housetype A23 A – Two Bed – LTH Compliant First Floor Plan - I2709 A23 A 02.01

Housetype A23 A – Two Bed – LTH Compliant Elevations - I2709 A23 A 04.00

Housetype A25 A – Two Bed – LTH Compliant Ground Floor Plan - I2709 A25 A 02.00

Housetype A25 A – Two Bed – LTH Compliant First Floor Plan - I2709 A25 A 02.01

Housetype A25 A – Two Bed – LTH Compliant Elevations - I2709 A25 A 04.00

Housetype A32 A – Three Bed Ground Floor Plan – I2709 A32 A 02.00

Housetype A32 A – Three Bed First Floor Plan – I2709 A32 A 02.01

Housetype A32 A – Three Bed Elevations – I2709 A32 A 04.00

Housetype A36 A – Three Bed Ground Floor Plan – I2709 A36 A 02.00

Housetype A36 A – Three Bed First Floor Plan – I2709 A36 A 02.01

Housetype A36 A – Three Bed Elevations – I2709 A36 A 04.00

Housetype A41 A – Four Bed – LTH Compliant Ground Floor Plan - I2709 A41 A 02.00

Housetype A41 A – Four Bed – LTH Compliant First Floor Plan - I2709 A41 A 02.01

Housetype A41 A – Four Bed – LTH Compliant Elevations - I2709 A41 A 04.00

Housetype Flat C – One Bed – LTH Compliant Ground Floor Plan - I2709 Flat C 02.00 Housetype

Flat C – One Bed – LTH Compliant First Floor Plan - I2709 Flat C 02.01

Housetype Flat C – One Bed – LTH Compliant Elevations - I2709 Flat C 04.00

Housetype H09 A – Four Bed – Ground Floor Plan - I2709 H09 A 02.00

Housetype H09 A – Four Bed – First Floor Plan - I2709 H09 A 02.01

Housetype H09 A – Four Bed – Elevation Variations - I2709 H09 A 04.00

Housetype H09 A – Four Bed – Gable / Rear Elevation - I2709 H09 A 04.01

Housetype H10 A – Three Bed – Ground Floor Plan - I2709 H10 A 02.00

Housetype H10 A – Three Bed – First Floor Plan - I2709 H10 A 02.01

Housetype H10 A – Three Bed – Elevation - I2709 H10 A 04.00

Housetype H10 B – Three Bed – Ground Floor Plan - I2709 H10 B 02.00

Housetype H10 B – Three Bed – First Floor Plan - I2709 H10 B 02.01

Housetype H10 B – Three Bed – Elevation - I2709 H10 B 04.00

Housetype H14 A – Two Bed – Ground Floor Plan - I2709 H14 A 02.00

Housetype H14 A – Two Bed – First Floor Plan - I2709 H14 A 02.01

Housetype H14 A – Two Bed – Elevation - I2709 H14 A 04.00

Housetype H15 A – Two Bed – Ground Floor Plan - I2709 H15 A 02.00

Housetype H15 A – Two Bed – First Floor Plan - I2709 H15 A 02.01

Housetype H15 A – Two Bed – Elevation Variations - I2709 H15 A 04.00

Housetype H15 A – Two Bed – Gable / Rear Elevation - I2709 H15 A 04.01

Housetype H15 B – Two Bed – Ground Floor Plan - I2709 H15 B 02.00

Housetype H15 B – Two Bed – First Floor Plan - I2709 H15 B 02.01

Housetype H15 B – Two Bed – Elevations - I2709 H15 B 04.00

Housetype H18 A – Two Bed – Ground Floor Plan - I2709 H18 A 02.00

Housetype H18 A – Two Bed – First Floor Plan - I2709 H18 A 02.01

Housetype H18 A – Two Bed – Elevation Variations - I2709 H18 A 04.00

Housetype H22 A – Four Bed – Ground Floor Plan - I2709 H22 A 02.00

Housetype H22 A – Four Bed – First Floor Plan - I2709 H22 A 02.01

Housetype H22 A – Four Bed – Elevation Variations - I2709 H22 A 04.00, it is recommended to: **Grant Conditionally Subject to a S106 Obligation** Recommending approval subject to the completion of a S106 agreement delegated to Assistant Director for Strategic Planning and Infrastructure to refuse if not signed by target date (28th October 2015) or other date agreed through an extension of time.

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:

Topographical Survey – I2709_L01.08

Tree Protection Plan – 04356TPP

Levels and Drainage Layout Sheet 1 – C151195/C/100 Rev C

Levels and Drainage Layout Sheet 2 – C151195/C/101 Rev C

Hardworks Plan – I2097 L93.01 Rev D

Proposed Boundary Treatment Plan - I2097 L93.02 Rev D

Softworks Plan and Planting Plan - I2097 L94.01 Rev D

Illustrative Bus Stop Access – I2079 L93.04

Typical Tree Pit and Planting Details – I2097 L94.02 Rev A

Boundary Wall Elevations - I2097 L93.03 Rev B

Proposed Site Layout – I2709 L01.01 Rev P

Site Location Plan - I2709 L01.03 Rev B

Proposed Illustrative Masterplan - I2709 L01.02 Rev F

Artists Perspective – I2709 SKI50612_01 Rev A

Artists Perspective – I2709 SKI50612_02 Rev A

Artists Perspective – I2709 SKI50612_03 Rev A

Street Elevations Sheet 01 – I2709_L01_05 Rev D

Street Elevations Sheet 02 – I2709_L01_06 Rev D

Street Elevations Sheet 03 – I2709_L01_07 Rev D

Proposed Site Sections – I2709_L01.01

Garden Compliance Plan – I27069_L94_03 Rev B

Housetype 304 A – Three Bed – LTH Compliant Ground Floor Plan - I2709 304 A 02.00

Housetype 304 A – Three Bed – LTH Compliant First Floor Plan - I2709 304 A 02.01

Housetype 304 A – Three Bed – LTH Compliant Elevations - I2709 304 A 04.00

Housetype 310 A – Three Bed Ground Floor Plan – I2709 310 A 02.00

Housetype 310 A – Three Bed First Floor Plan – I2709 310 A 02.01

Housetype 310 A – Three Bed Elevations – I2709 310 A 04.00

Housetype A10 A – One Bed – LTH Compliant Ground Floor Plan - I2709 A10 A 02.00 Housetype

A10 A – One Bed – LTH Compliant First Floor Plan - I2709 A10 A 02.01

Housetype A10 A – One Bed – LTH Compliant Elevations - I2709 A10 A 04.00

Housetype A10 B – One Bed – LTH Compliant Ground Floor Plan - I2709 A10 B 02.00 Housetype

A10 B – One Bed – LTH Compliant First Floor Plan - I2709 A10 B 02.01

Housetype A10 B – One Bed – LTH Compliant Elevations - I2709 A10 B 04.00

Housetype A23 A – Two Bed – LTH Compliant Ground Floor Plan - I2709 A23 A 02.00

Housetype A23 A – Two Bed – LTH Compliant First Floor Plan - I2709 A23 A 02.01

Housetype A23 A – Two Bed – LTH Compliant Elevations - I2709 A23 A 04.00

Housetype A25 A – Two Bed – LTH Compliant Ground Floor Plan - I2709 A25 A 02.00

Housetype A25 A – Two Bed – LTH Compliant First Floor Plan - I2709 A25 A 02.01

Housetype A25 A – Two Bed – LTH Compliant Elevations - I2709 A25 A 04.00

Housetype A32 A – Three Bed Ground Floor Plan – I2709 A32 A 02.00

Housetype A32 A – Three Bed First Floor Plan – I2709 A32 A 02.01

Housetype A32 A – Three Bed Elevations – I2709 A32 A 04.00

Housetype A36 A – Three Bed Ground Floor Plan – I2709 A36 A 02.00

Housetype A36 A – Three Bed First Floor Plan – I2709 A36 A 02.01

Housetype A36 A – Three Bed Elevations – I2709 A36 A 04.00

Housetype A41 A – Four Bed – LTH Compliant Ground Floor Plan - I2709 A41 A 02.00

Housetype A41 A – Four Bed – LTH Compliant First Floor Plan - I2709 A41 A 02.01

Housetype A41 A – Four Bed – LTH Compliant Elevations - I2709 A41 A 04.00

Housetype Flat C – One Bed – LTH Compliant Ground Floor Plan - I2709 Flat C 02.00 Housetype

Flat C – One Bed – LTH Compliant First Floor Plan - I2709 Flat C 02.01

Housetype Flat C – One Bed – LTH Compliant Elevations - I2709 Flat C 04.00

Housetype H09 A – Four Bed – Ground Floor Plan - I2709 H09 A 02.00

Housetype H09 A – Four Bed – First Floor Plan - I2709 H09 A 02.01

Housetype H09 A – Four Bed – Elevation Variations - I2709 H09 A 04.00

Housetype H09 A – Four Bed – Gable / Rear Elevation - I2709 H09 A 04.01

Housetype H10 A – Three Bed – Ground Floor Plan - I2709 H10 A 02.00
Housetype H10 A – Three Bed – First Floor Plan - I2709 H10 A 02.01
Housetype H10 A – Three Bed – Elevation - I2709 H10 A 04.00
Housetype H10 B – Three Bed – Ground Floor Plan - I2709 H10 B 02.00
Housetype H10 B – Three Bed – First Floor Plan - I2709 H10 B 02.01
Housetype H10 B – Three Bed – Elevation - I2709 H10 B 04.00
Housetype H14 A – Two Bed – Ground Floor Plan - I2709 H14 A 02.00
Housetype H14 A – Two Bed – First Floor Plan - I2709 H14 A 02.01
Housetype H14 A – Two Bed – Elevation - I2709 H14 A 04.00
Housetype H15 A – Two Bed – Ground Floor Plan - I2709 H15 A 02.00
Housetype H15 A – Two Bed – First Floor Plan - I2709 H15 A 02.01
Housetype H15 A – Two Bed – Elevation Variations - I2709 H15 A 04.00
Housetype H15 A – Two Bed – Gable / Rear Elevation - I2709 H15 A 04.01
Housetype H15 B – Two Bed – Ground Floor Plan - I2709 H15 B 02.00
Housetype H15 B – Two Bed – First Floor Plan - I2709 H15 B 02.01
Housetype H15 B – Two Bed – Elevations - I2709 H15 B 04.00
Housetype H18 A – Two Bed – Ground Floor Plan - I2709 H18 A 02.00
Housetype H18 A – Two Bed – First Floor Plan - I2709 H18 A 02.01
Housetype H18 A – Two Bed – Elevation Variations - I2709 H18 A 04.00
Housetype H22 A – Four Bed – Ground Floor Plan - I2709 H22 A 02.00
Housetype H22 A – Four Bed – First Floor Plan - I2709 H22 A 02.01
Housetype H22 A – Four Bed – Elevation Variations - I2709 H22 A 04.00

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 details of the proposals for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development 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.

Justification for Pre-commencement:

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.

PRE-COMMENCEMENT: CONDITION: CODE OF PRACTICE DURING CONSTRUCTION

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

Reason:

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

Justification for Pre-commencement

To ensure that the construction phase does not unduly impact on local amenity such as disturbance to local residents or disruption to traffic and parking.

PRE-COMMENCEMENT: FURTHER DETAILS

(5) No development shall take place until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, Street Lighting; wheel tracking plans and details of the widening of the

shared surface access-way that links the two cul-de-sac ends together; associated

junction alterations in Coombe Lane; provision of a pedestrian footpath link and

improvements to the closest bus stop on Tamerton Foliot Road to the southwest of the

application site . The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66, 109, 110 and 123 of the National Planning Policy Framework 2012 .

Justification for Pre-commencement

To ensure that the development can reasonably accommodate the external design / layout / levels / gradients / materials etc that are acceptable to the local planning authority.

PRE-COMMENCEMENT: STREET DETAILS

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

Reason:

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

Justification for Pre-commencement

To ensure that the development can reasonably accommodate the external design / layout / levels / gradients / materials etc that are acceptable to the local planning authority

PRE-COMMENCEMENT: SECTION 106

(7) Prior to the commencement of development (and upon the Council as local planning authority confirming that it has executed the attached form of Agreement to be entered into pursuant to Section 106 of the Town and Country Planning Act 1990 in readiness and that it is prepared to complete the same unconditionally) the freehold owner(s) of the site the subject of this Permission shall enter into the said Agreement with the Council.

Reason:

In order to safeguard the validity of the legal agreement in accordance with Policy CS33 of the Local Development Framework Core Strategy (2006-2021) 2007.

Justification for Pre-commencement

To ensure all legal issues are adequately resolved.

PRE-DPC LEVEL: SURFACING MATERIALS

(8) No development above DPC level shall take place until details, including samples, of all materials to be used to surface external areas have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

PRE-DPC LEVEL: SUSTAINABILITY

(9) No development above DPC level shall take place until details have been submitted to and approved in writing by the Local Planning Authority of how the 15% carbon savings will be delivered. The details shall accord with the submitted Energy and Carbon Reduction Strategy. The development shall be carried out in accordance with the approved details and the on-site renewable energy methods installed prior to occupation of the dwellings.

Reason:

To deliver on-site renewable energy in accordance with policy CS20 of the Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

PRE-DPC LEVEL: LIFETIME HOMES

(10) No development above DPC level shall take place until full details demonstrating how the proposed development will deliver 20% of residential units to Lifetime Homes criteria and showing how each of these dwellings meets all possible criteria for Lifetime Homes. The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that 20% of the dwellings on site are built to Lifetime Homes standards to comply with policy CS15 of the adopted City of Plymouth Core Strategy Development Plan Document 2007 and Government advice contained in the NPPF.

Pre-occupation Conditions

PRE-OCCUPATION: CAR PARKING PROVISION

(11) The dwellings shall not be occupied until the car parking areas shown on the approved plans has been drained and surfaced in accordance with the approved details, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

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

PRE-OCCUPATION: LANDSCAPE WORKS IMPLEMENTATION

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

Reason:

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

PRE-OCCUPATION: LANDSCAPE AND ECOLOGY MANAGEMENT PLAN

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

Reason:

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

PRE-OCCUPATION: REAR PROPERTY ACCESS

(14) All gates to private pathways and the rear of properties shall have gates and locks installed with key access further details of which shall be submitted to and approved in writing by the Local Planning Authority. The locks/gates shall be installed prior to occupation and shall conform to the approved details.

Reason:

To ensure that satisfactory measures are put in place to help design out crime, in accordance with Policy CS32 of the Plymouth Local Development framework Core Strategy and Government advice contained in the NPPF.

Other Conditions

CONDITION: EXTERNAL MATERIALS

(15) The development shall be carried out in accordance with the approved external materials (HardiePlank Timber Bark, Heathered Moss and Iron Gray, Russell Tile Slate Finish, Ibstock Ivanhoe Katrina Multi). No changes to the approved materials shall take place unless previously agreed in writing by the Local Planning Authority.

Reason:

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

CONDITION: RESTRICTIONS ON PERMITTED DEVELOPMENT

(16) Notwithstanding the provisions of Article 3 and Classes A, B, C and D 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, and porches shall be constructed to the dwellings hereby approved.

Reason:

In order to protect the residential and general amenity of the area, 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.

CONDITION: REPORTING OF UNEXPECTED CONTAMINATION

(17) 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.

CONDITION: COMPLETION OF ROADS AND FOOTWAYS

(18) All roads and footways forming part of the development hereby permitted shall be completed in accordance with the details approved under condition 6 above before the first occupation of the penultimate dwelling.

Reason:

To ensure that an appropriate and safe access is provided 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.

CONDITION: DRIVEWAY GRADIENT

(19) The driveway to the dwelling(s) hereby permitted shall not be steeper than 1 in 10 at any point.

Reason:

To ensure that safe and usable off street parking facilities are provided 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.

CONDITION: BIODIVERSITY

(20) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy Revision A (EPS Ecology, September 2015).

Reason

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in the NPPF paragraphs 109, 118.

CONDITION: SECURE BY DESIGN

(21) The development shall achieve Parts 1 and 2 of the Secure By Design award in accordance with the approved details.

Reason:

To ensure that satisfactory measures are put in place to help design out crime, in accordance with Policy CS32 of the Plymouth Local Development framework Core Strategy and Government advice contained in the NPPF.

Informatives

INFORMATIVE: [CIL LIABLE] 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 "planning permission first permits development" as defined by the CIL Regulations. You must ensure that you submit any relevant forms and get any pre-commencement details agreed before commencing work. Failure to do so may result in surcharges or enforcement action.

INFORMATIVE: CONDITIONAL APPROVAL WITH NEGOTIATION

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

INFORMATIVE: PUBLIC HIGHWAY ENGINEERING DETAILS

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

INFORMATIVE: PUBLIC HIGHWAY APPROVAL

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

INFORMATIVE: NOISE

(5) The applicant is advised that BS8233:2014 recommends that sound insulation against externally generated noise should be present so as to achieve the levels as described in Table 4 of the guidance. Meaning there must be no more than 35 dB LAeq for living rooms and bedrooms (0700 to 2300 daytime) and 30 dB LAeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided. Levels of 45 dB LAf.max shall not be exceeded in bedrooms (2300 to 0700 night-time).

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PLANNING APPLICATION REPORT

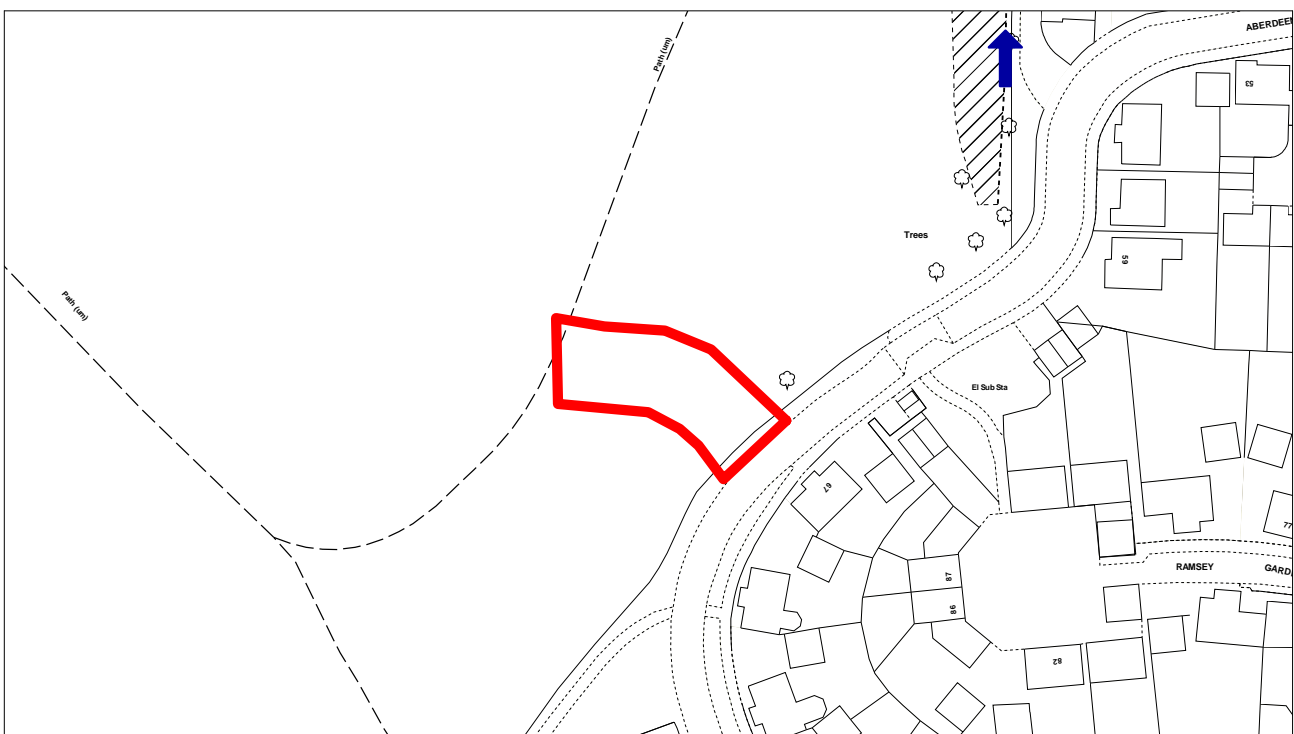


Application Number	15/01380/FUL
Date Valid	30/07/2015

Item	04
Ward	Eggbuckland

Site Address	LAND FORMERLY ASSOCIATED WITH THE RNEC, ABERDEEN AVENUE, PLYMOUTH		
Proposal	Provision of new vehicular access from Aberdeen Avenue to serve proposed residential development (Planning permission 14/00152/OUT)		
Applicant	Beavertail Ltd		
Application Type	Full Application		
Target Date	23/10/2015	Committee Date	Planning Committee: 22 October 2015
Decision Category	Member Referral		
Case Officer	Kate Saunders		
Recommendation	Grant conditionally subject to S106 agreement delegated to Assistant Director for Strategic Planning and Infrastructure to refuse if not signed by target date (23rd October 2015) or other date agreed through an extension of time		

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This application has been referred to Planning Committee by Councillor Ian Bowyer.

1. Description of site

The application site covers just a small strip of land off the eastern most section of Aberdeen Avenue, opposite no. 67. The land currently forms part of a larger greenspace with a line of protected trees being located along the frontage of Aberdeen Avenue.

2. Proposal description

Provision of new vehicular access from Aberdeen Avenue to serve proposed residential development (Planning permission 14/00152/OUT)

Planning permission was approved on 2nd December 2014 for the provision of 86 dwellings on approximately 3.9 hectares of greenspace located adjacent to Aberdeen Avenue. This consent approved access to the site from St Peters Road however given legal difficulties in delivering this access, which will be explained further below; the applicant is now seeking to secure access from Aberdeen Avenue.

3. Pre-application enquiry

Informal discussions have taken place with the former case officer of this site prior to the submission of this application.

4. Relevant planning history

14/00152/OUT - Outline application with details of access submitted (via St Peters Road) for the erection of up to 86 dwellings with associated public open space, sustainable urban drainage system, car parking and associated works (details of appearance, landscaping, layout and scale reserved for future consideration) – Granted conditionally subject to S106

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

02/00622/OUT – Outline application to develop private playing field land between St Peters Road and Aberdeen Avenue by creation of new all-weather sports pitch and new housing – Refused and dismissed at appeal

5. Consultation responses

Highways Officer – No objections subject to conditions

6. Representations

114 letters of representation have been received. 110 letters are objecting to the development and raise the following issues:

Highways

- Extra traffic will be detrimental to the area
- Extra traffic will damage roads and pedestrianised areas in the region

- Access to the area by car, bike and foot will be hindered by this development
- More traffic will lead to an increased risk of vehicle accidents
- More traffic will lead to increased risk of accidents involving children
- The new road is on a bend and cars already drive too fast in that area
- The existing roads/courtyards on the estate are narrow and the use of bollards also restricts traffic movements. The proposal will simply force more traffic through problems areas.
- Streets in the area are already heavily parked with cars making many of them only one vehicle wide.
- Car parking on pavements is already an issue in the area
- Traffic lights at St Boniface already cause long delays and this will be exacerbated by the additional vehicles
- Extra traffic will be a particular hazard to school pupils and playground users
- If access cannot be provided off St Peters Road then then houses should not be built
- Manadon Park roads are unsuitable for construction vehicles
- Construction traffic will cause noise, dust and fumes.
- Estate is already used as a “rat run” with people failing to comply with the “bus only” access from Frobisher Approach to St Peters Road and this problem is likely to be heightened by development
- Opening bus gate will be ineffective and not help with existing congestion problems or create more capacity
- Use of the bus gate should be trialled
- A “No Entry” sign should be placed at the end of Temeraire Road where it joins Aberdeen Avenue to ensure cars use Frobisher Approach to access Aberdeen Avenue as was originally intended.
- Who will repair the damage roads after construction as the roads are not adopted?
- Increased traffic will lead to pollution problems (noise/fumes)
- Vanguard Close exists with just access from St Peters Road so why does this development need access from Aberdeen Avenue
- Traffic survey underestimates the likely impact/additional number of cars
- Pedestrian crossing needed to access playground given the increase in traffic
- Development will put increased pressure on other junctions in area through people trying to access Manadon Park from the Southbound A386.
- New junction is close to footpath linking Ramsey Gardens with Aberdeen Ave which is used by children
- Development may increase likelihood of parents driving children to school due to safety concerns
- Inadequate parking on new estate
- Existing trees will restrict visibility from the new junction
- Extra/construction traffic will cause delays for emergency vehicles trying to enter/exit the area.

- Roads are used by local schools for cycle training and extra traffic will pose a hazard
- Key cycle lane on Tavistock Road will be at risk from additional traffic
- St Peters Road access is not deliverable due to building work on Chaucer Way school site.

Housing

- The housing that will be served by this road is not required
- New access is only being proposed so the housing can be advertised as more exclusive
- New access will lead to increased house prices for new dwellings
- Existing dwellings in Manadon Park are situated close to the road and therefore increased traffic will cause disturbance for residents
- There are 3 “Care in The Community” homes on the estate which should be taken in to account

Other

- This is a “sneaky” application by the developer
- Application shows disregard for the planning process
- Waste of council’s time considering this application
- Unacceptable loss of greenspace and wildlife
- Tree has been killed where no road is proposed
- This access road has been previously declined permission and nothing has changed
- Insufficient site notices and consultation over busy holiday period
- Covenant prevents in and outbound traffic to Frobisher Approach
- Extra traffic/people poses an increased security risk
- Application forms have been completed incorrectly as trees will be affected by the development
- Point 10 of the application form says no new parking will be created but the new road will be parked if double yellow lines are not added
- Car insurance for homeowners in the area is already high due to number of collisions/accidents.
- Devaluation of house
- The developer appears to have influential channels to affect planning process
- Developers view should not be afforded more weight than local taxpayers
- Disappointed the decision could be delegated to officers and not taken to committee
- Local schools and medical facilities are already oversubscribed
- There was no discussion with the local community prior to the submission of this application
- Loss of sports facilities

4 Letters of support have been received and suggest that the opening up of the bus gate will be of benefit to existing residents of Manadon Park.

Several of the comments summarised above are clearly not material planning considerations and cannot be taken in to account in the consideration of this application.

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 was approved by the City Council in September 2015. The Plan, which incorporates draft development plan policy, has been prepared following a consultation process. 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 a relatively 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

- Planning Obligations & Affordable Housing 2nd Review Supplementary Planning Document

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.
2. The policies of most relevance to this application are CS15 (Overall Housing Provision), CS18 (Plymouth's Greenspace), CS19 (Wildlife), CS22 (Pollution), CS28 (Local Transport Considerations), CS33 (Community Benefits/Planning Obligations) and CS34 (Planning Application Considerations).
3. Outline planning permission has previously been approved for up to 86 dwellings on a proportion of the larger area of greenspace, spanning 3.87 hectares, which was formerly part of the Royal Naval Engineering College. This previous application was debated three times at Planning Committee before being approved with full details of the access being approved from St Peters Road. This application considered the loss of greenspace, the impact on sports facilities, affordable housing, biodiversity and sustainable energy. These issues will not be considered further as part of this application; only the direct impacts of this new access will be considered these being the effect on residential and general amenity and highway safety.

Issues Surrounding Delivering the St Peters Road Access

4. Officers are aware that the issue of the access to the wider site to provide the new dwellings was the subject of extensive discussion at Planning Committee. Members deferred the application on two occasions so officers could investigate the feasibility of providing vehicular access from St Peters Road and this was eventually secured and the application was approved.
5. Unfortunately there are legal issues with delivering the St Peters Road access, which are currently being dealt with but it is not clear if and when these will be resolved. However, these issues are not relevant to the determination of this particular application.

Highways Issues

6. This application has been accompanied by a Transport Assessment which has been fully assessed by the Highways Authority.
7. Whilst the proposed development of a maximum of 86 units would only generate around 45 trips during each of the peak traffic hours (14 arrivals and 31 departures during the am and 29 arrivals and 16 departures during the pm), traffic modelling work undertaken by the applicant's traffic consultant has revealed that any increase in traffic movements (however small) at the Bladder Lane/A386 junction would have a significant impact upon its' operation.
8. As outlined in the previous application, the applicant is seeking to reduce the level of impact upon the operation of the Bladder Lane/A386 junction by removing the existing bus gate on

Frobisher Approach which prevents residents of the wider Manadon Park Estate from either exiting or entering the estate from St Peters Road.

9. The results of the traffic modelling work undertaken reveals that the removal of the bus gate does improve capacity of the Bladder Lane/A386 junction on the Bladder Lane arm of the junction whilst the inclusion of background growth leads to the Tavistock Road (South) arm remaining over-capacity in all scenario's (both in the am and pm peaks). However the removal of the bus gate does lead to a slight improvement on the Tavistock Road (North) arm.
10. The previously consented scheme with all vehicular access off St Peters Road resulted in an additional 20 movements through the Manadon Roundabout during the peak traffic hours on the basis of traffic being distributed through the use of Census Data. By removing the bus gate and allowing access to Manadon Park via St Peters Road, the number of movements through Manadon increases to 37 outbound and 11 inbound trips in the am peak and 35 inbound and 15 outbound during the pm peak (roughly an extra 15-20 trips on St Peters Road).
11. An additional 37 outbound trips equates to just 1 extra vehicle passing through the junction every 100 seconds. Independent surveys commissioned revealed that just 3-4 vehicles per minute travel along St Peters Road between 0730-0900 with a maximum queue of just 7 vehicles recorded across 2 lanes of traffic at the junction of St Peters Road with Manadon Roundabout. However this queue reduces down to just 3 vehicles across 2 lanes of traffic for the majority of the survey period.
12. Therefore the additional movements passing through this junction as a result of the removal of the bus gate will not lead to any capacity issues at the junction which would justify a highway recommendation of refusal on the basis of the associated traffic impacts being 'severe'.
13. Furthermore as right turn movements off the A386 are restricted at the Bladder Lane junction, the removal of the bus gate also provides a significant benefit to those making trips to and from the north of the City (Derriford, Southway etc.) as vehicles travelling southbound along the A386 would be able to access Manadon Park via Crownhill Road and St Peters Road rather than having to U-turn around Manadon Roundabout. This would ultimately result in a reduction in trips occurring around Manadon Roundabout in the peak traffic hours.
14. Officers are therefore satisfied that despite concerns raised by residents the development would not have a significant adverse impact on the free flow of traffic in the area or prejudice highway safety.

Residential Amenity

15. A number of the letters of representation received raise concerns regarding the potential impact of construction traffic. When the outline application was originally submitted it proposed access for Aberdeen Avenue but it was the intention that construction traffic would access the site from St Peters Road. It remains the intention of the applicant to secure construction access from St Peters Road and this would be agreed through the

Construction Traffic Management Condition. Even if difficulties did arise in securing construction access from St Peters Road officers are confident that the impact on existing residents could be carefully managed through the appropriate outline planning conditions.

Trees

16. The line of trees located along the boundary of the informal greenspace and Aberdeen Avenue are protected by Tree Preservation Order. The location originally proposed for the new access road would have necessitated the removal of an early mature sycamore. Although officers considered the loss of this tree could have potentially been mitigated through new planting this would have not been ideal. The applicant has therefore slightly amended the position of the road to allow the sycamore to be retained. Another tree will have to be lost however this tree is already dead and officers consider its removal will not have a detrimental impact on the visual quality of the area.

Other Issues

17. Many of the letters received suggest that this application is a “waste of time” as the merits of this access have been debated before. Officers accept that access discussions with both officers and members took place last year when the previous outline application was being considered however the applicant has never received a formal decision notice refusing access from Aberdeen Avenue.
18. Early concerns were raised with officers concerning the level of notification surrounding this application. As a result officers placed 10 further site notices around Manadon Park to notify the wider area of the development. Officers note the comments regarding the consultation period being over the summer but unfortunately this is a matter which is beyond our control. Members of the public did however receive an additional 2 week consultation period during October once the road layout was amended to allow the retention of the Sycamore tree.

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

There are no financial considerations specifically related to this application although approving this proposal will facilitate the delivery of up to 86 dwellings which will generate in the region of £250,000 Community Infrastructure Levy liability. However the final figure will not be finalised until reserved matters stage.

11. Planning Obligations

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

The S106 for the approved outline permission I4/00152/OUT is still of relevance. The obligations for this agreement are as follows:

- Provision of a 4 team changing pavilion with ancillary clubroom at a final location to be agreed at land north of the site on the adjacent Cricket Pitch, to be used in connection with the existing Council owned cricket and football facilities. Details to be agreed and approved by the Local Planning Authority and shall conform to Sport England guidance.
- Minimum of 24% of total number of dwellings to be provided as affordable homes to be sold to be managed by an RSL and occupied by local people in housing need.

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

- Education contribution of £125, 000 towards the identified expansion of Pennycross Primary School.
- Greenspace contribution of £33, 000 for children's play space towards improvements to the Bladder Meadow play space.
- Transport contribution of £35, 000 for identified Travel Plan measures and the funding of installation of a bus boarder at the outbound bus stop on St Peters Road.
- Contribution of £20, 000 for siting and ongoing maintenance of Manadon Spire

A supplementary agreement will be required to link this current application to the previously approved scheme. It is noted that a number of representations received advise that if access to this development is provided from Aberdeen Avenue the new dwellings will command a higher value. Whilst officers accept that this is likely it does not mean that higher levels of affordable housing or infrastructure payments can be achieved.

The original S106 was negotiated when access was proposed from Aberdeen Avenue. The applicant did not seek to re-negotiate the S106 when the access was changed to come from St Peters Road. Officers are therefore satisfied that the existing S106 provides the maximum benefit to the local community.

12. Equalities and Diversities

There are no further equality and diversity issues specifically related to this application although approving this proposal will facilitate the delivery of up to 86 dwellings. A percentage of these dwellings are being provided as affordable housing and will be available to people on the Council's Housing Register through a Registered Social Landlord and the rest will be offered for sale on the open market and therefore will be available to people from all backgrounds to purchase. No negative impact to any equality group is anticipated. A condition is also secured attached to the outline to ensure that 20% of the development will be made available as Lifetime Homes.

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 it is therefore recommended to grant conditionally subject to the completion of the supplementary S106 agreement.

Officers consider that the development will not have a severe impact on the free flow of traffic in the vicinity of the application site and will not raise significant highway safety concerns. Appropriate conditions imposed on the linked outline application will ensure that the impacts of the proposal on surrounding residents will be kept to a minimum and the general amenity of the area will not be compromised.

14. Recommendation

In respect of the application dated **30/07/2015** and the submitted drawings Location Plan I2705 L 01 02, Proposed access I5215/700/P2, Access redline I2705 L 02 01, Tree protection plan I3.051.2.TPP, Arboricultural Statement by Devon Tree Services dated 28th September 2015, Ecological Mitigation and Enhancement Strategy Addendum dated 17th July 2015, Planning Statement dated July 2015, Transport Assessment W15215/TAR01/A dated July 2015 and accompanying addendum to design and access statement dated October 2015, it is recommended to: **Grant conditionally subject to S106 Obligation** Recommending approval subject to the completion of a S106 agreement delegated to Assistant Director for Strategic Planning and Infrastructure to refuse if not signed by target date (23rd October 2015) or other date agreed through an extension of time

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: Location Plan I2705 L 01 02, Proposed access I5215/700/P2, Access redline I2705 L 02 01, Tree protection plan I3.051.2.TPP.

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.

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). However the related outline consent 14/00152/OUT will be CIL liable.

INFORMATIVE: CONDITIONAL APPROVAL [WITH NEGOTIATION]

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

INFORMATIVE: OUTLINE PERMISSION 14/00152/OUT

(3) The applicant should note that the supplementary planning agreement completed as part of this application links this permission to planning permission 14/00152/OUT. No development can therefore commence on this application until development commences on the associated outline. Furthermore the agreement states that no work shall begin from 6 months from the date of this permission to give the Council time to try and secure access from St Peters Road.

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Item No 3

Application Number: 15/00804/FUL **Applicant:** Plymouth Science Park Limited
Application Type: Full Application
Description of Development: New three storey office building with shared break out spaces, ancillary accommodation, plant room, and parking and associated landscaping
Site Address 1 RESEARCH WAY PLYMOUTH
Case Officer: Christopher King
Decision Date: 01/10/2015
Decision: Grant Subject to S106 Obligation - Full

Item No 4

Application Number: 15/00811/FUL **Applicant:** Mr & Mrs Rosie & Simon Fergus
Application Type: Full Application
Description of Development: Conversion from 1 dwelling to a 2-bedroom flat with maisonette above with associated reconfiguration
Site Address 90 DURNFORD STREET PLYMOUTH
Case Officer: Kate Price
Decision Date: 07/10/2015
Decision: Grant Conditionally

Item No 5

Application Number: 15/00812/LBC **Applicant:** Mr & Mrs Rosie & Simon Fergus
Application Type: Listed Building
Description of Development: Conversion from 1 dwelling to a 2-bedroom flat with maisonette above with associated re-configuration
Site Address 90 DURNFORD STREET PLYMOUTH
Case Officer: Kate Price
Decision Date: 07/10/2015
Decision: Grant Conditionally

Item No 9

Application Number: 15/01075/FUL **Applicant:** Mr Stuart Charles
Application Type: Full Application
Description of Development: Rebuild of existing house
Site Address 13 CARLTON CLOSE PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 01/10/2015
Decision: Application Withdrawn

Item No 10

Application Number: 15/01080/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Change of use to form new Plymouth Central Library, including shop front and window alterations at ground, first and second floors
Site Address TAYLOR MAXWELL HOUSE, 167-171 ARMADA WAY PLYMOUTH
Case Officer: Christopher King
Decision Date: 22/09/2015
Decision: Grant Conditionally

Item No 11

Application Number: 15/01130/FUL **Applicant:** Northport Argyle Limited
Application Type: Full Application
Description of Development: Conversion of residential care home (occupation by young persons) into 6 No. one and two bedroom dwellings and associated works, including external alterations and off-street car parking off Earls Acre and Delahay Avenue
Site Address VACANT RESIDENTIAL CARE HOME - FORMERLY 99-101 ALMA ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 18/09/2015
Decision: Grant Conditionally

Item No 12

Application Number: 15/01154/FUL **Applicant:** Aster Homes
Application Type: Full Application
Description of Development: Variation of condition 2 of planning application 14/01686/FUL to allow for amended drawings, including removal of first floor bay window on west elevation, stepped access to bin store and a screen around bin store and stone band to lower level removed
Site Address FORMER COMMUNITY CENTRE, DUXFORD CLOSE
PLYMOUTH
Case Officer: Adam Williams
Decision Date: 22/09/2015
Decision: Grant Conditionally

Item No 13

Application Number: 15/01158/LBC **Applicant:** Exeter Diocesan Board of Finan
Application Type: Listed Building
Description of Development: Removal of staircase, installation of new staircase and stair lift, internal reconfiguration, installation of shower room and installation of 2 x conservation roof lights
Site Address 1 PARK PLACE LANE PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 17/09/2015
Decision: Grant Conditionally

Item No 14

Application Number: 15/01163/FUL **Applicant:** Drake Circus Leisure Ltd
Application Type: Full Application
Description of Development: Variation of conditions 2 (approved plans), 9 (Extinguishment of the Highway), 14 (Landscape Design proposals), 15 (Soft Landscaping works), 19 (Cycle Storage), and 21 (Exeter Street viaduct) of planning permission 15/00159/FUL to allow for minor material amendments to the design and layout of the main cinema block, landscaping and associated highway works
Site Address BRETONSIDE BUS STATION, BRETONSIDE PLYMOUTH
Case Officer: Robert Heard
Decision Date: 16/09/2015
Decision: Grant Subject to S106 Obligation - Full

Item No 15

Application Number: 15/01191/FUL **Applicant:** Mr Ian Swabey
Application Type: Full Application
Description of Development: Installation of internal spray booth and 4 chimney stacks
Site Address UNDERHILL ENGINEERING LTD, PLYMBRIDGE ROAD
ESTOVER PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 08/10/2015
Decision: Grant Conditionally

Item No 16

Application Number: 15/01206/FUL **Applicant:** Mrs Judith Tyerman
Application Type: Full Application
Description of Development: Retrospective application for a stainless steel chimney
Site Address 7 CLAREMONT HOUSE, 5 NELSON GARDENS
PLYMOUTH
Case Officer: Kate Price
Decision Date: 01/10/2015
Decision: Grant Conditionally

Item No 17

Application Number: 15/01211/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Proposed installation of additional lighting for Mayflower Steps
Site Address MAYFLOWER STEPS PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 17/09/2015
Decision: Grant Conditionally

Item No 18

Application Number: 15/01213/LBC **Applicant:** Plymouth City Council
Application Type: Listed Building
Description of Development: Proposed installation of additional lighting for Mayflower Steps
Site Address MAYFLOWER STEPS PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 17/09/2015
Decision: Grant Conditionally

Item No 19

Application Number: 15/01238/FUL **Applicant:** Miss Anina O'Brien
Application Type: Full Application
Description of Development: Detached three bedroom house with integral garage and off street parking
Site Address SEFTON AVENUE PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 24/09/2015
Decision: Refuse

Item No 20

Application Number: 15/01249/FUL **Applicant:** Mr Lewis Prouse
Application Type: Full Application
Description of Development: Retrospective application for use as small house in multiple occupation (HMO) use class C4
Site Address 16 ILBERT STREET PLYMOUTH
Case Officer: Liz Wells
Decision Date: 21/09/2015
Decision: Grant Conditionally

Item No 21

Application Number: 15/01251/FUL **Applicant:** GE Developments Ltd
Application Type: Full Application
Description of Development: Demolition of existing building and replace with student accommodation (39 apartments)
Site Address 47A NORTH ROAD EAST PLYMOUTH
Case Officer: Christopher King
Decision Date: 30/09/2015
Decision: Refuse

Item No 22

Application Number: 15/01297/FUL **Applicant:** Millbridge Car Wash
Application Type: Full Application
Description of Development: Renewal of temporary consent 12/00539/FUL to use site as a hand car wash for up to ten years
Site Address MILLBRIDGE GARAGE, WILTON ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 16/09/2015
Decision: Grant Conditionally

Item No 23

Application Number: 15/01301/FUL **Applicant:** Mr Peter Bowden
Application Type: Full Application
Description of Development: Extension to garden comprising change of use from part of woodland to domestic garden use
Site Address 8 WOODLAND AVENUE PLYMOUTH
Case Officer: Kate Price
Decision Date: 25/09/2015
Decision: Refuse

Item No 24

Application Number: 15/01314/ADV **Applicant:** Bestway Group
Application Type: Advertisement
Description of Development: Internally illuminated fascia and projecting sign, window poster, menu board and 2no window vinyl graphics
Site Address 146 EGGBUCKLAND ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 15/09/2015
Decision: Grant Conditionally

Item No 25

Application Number: 15/01317/FUL **Applicant:** Mrs Judith Sheehy
Application Type: Full Application
Description of Development: Two storey side extension, renewal of approval 12/00149/FUL
Site Address 3 VINE CRESCENT PLYMOUTH
Case Officer: Mike Stone
Decision Date: 29/09/2015
Decision: Grant Conditionally

Item No 26

Application Number: 15/01329/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Demolition of six dwellings and construction of eight new affordable homes with associated gardens and parking
Site Address GOODWIN CRESCENT PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 17/09/2015
Decision: Grant Conditionally

Item No 27

Application Number: 15/01333/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Demolition of four dwellings and construction of four new affordable homes with associated parking
Site Address ALLENBY ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 17/09/2015
Decision: Grant Conditionally

Item No 28

Application Number: 15/01335/FUL **Applicant:** Sutton Harbour Projects LTD
Application Type: Full Application
Description of Development: Continuation of use as a temporary car park for 24 months
Site Address EAST QUAYS, SUTTON ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 09/10/2015
Decision: Grant Conditionally

Item No 29

Application Number: 15/01336/FUL **Applicant:** Mr Paul Wooldridge
Application Type: Full Application
Description of Development: Change of use from one residential five bed roomed house into 2x one bedroom units and 1x two bed units, with cycle/motorcycle shed and rear extension to new flat to obtain 39sqm required for space standards
Site Address 85 UNION STREET PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 07/10/2015
Decision: Grant Conditionally

Item No 30

Application Number: 15/01349/FUL **Applicant:** Mr Stephen Mogford
Application Type: Full Application
Description of Development: Change of use from C3 single dwelling to C4 house in multiple occupation
Site Address 27 SYDNEY STREET PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 05/10/2015
Decision: Grant Conditionally

Item No 31

Application Number: 15/01368/LBC **Applicant:** Mr Paris Oxiniou
Application Type: Listed Building
Description of Development: Retrospective construction of decking and balustrading
Site Address MEZE GRILL, SUTTON HARBOUR MARINA, SUTTON WHARF PLYMOUTH
Case Officer: Kate Price
Decision Date: 18/09/2015
Decision: Application Withdrawn

Item No 32

Application Number: 15/01369/FUL **Applicant:** Mr Phil Studden
Application Type: Full Application
Description of Development: Rear two storey extension with rear terrace, and detached garage and hard-standing
Site Address 80 LAKE VIEW DRIVE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 24/09/2015
Decision: Application Withdrawn

Item No 33

Application Number: 15/01370/TPO **Applicant:** Mrs Jodie Myles
Application Type: Tree Preservation
Description of Development: Removal of 1 Ash tree and 5 Sycamore trees
Site Address 28 LONGWOOD CLOSE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 22/09/2015
Decision: Refuse

Item No 34

Application Number: 15/01377/FUL **Applicant:** PEC Renewables Ltd
Application Type: Full Application
Description of Development: Solar Photo Voltaic farm development, capable of generating 4.1MW electricity including perimeter fencing, PV array and racking system, inverter houses, sub-stations, access track, CCTV and infra-red lighting, cabling, temporary construction compound and associated landscape and ecological mitigation and enhancement measures.
Site Address SITE TO THE WEST OF ERNESETTLE LANE PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 25/09/2015
Decision: Grant Conditionally

Item No 35

Application Number: 15/01378/PRDE **Applicant:** Mrs Sandra Cummings
Application Type: LDC Proposed Develop
Description of Development: Replacement of existing side window and rear doors with full depth corner window
Site Address 25 BELLE VUE RISE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 16/09/2015
Decision: Issue Certificate - Lawful Use (Pro)

Item No 36

Application Number: 15/01391/TPO **Applicant:** Mr Christopher Coultas
Application Type: Tree Preservation
Description of Development: 5 sweet chestnut and 1 sycamore tree - reduction/pruning works
Site Address 3 BLUE HAZE CLOSE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 28/09/2015
Decision: Application Withdrawn

Item No 37

Application Number: 15/01398/FUL **Applicant:** Exeter Diocesan Board of Finan
Application Type: Full Application
Description of Development: Installation of roof lights
Site Address 1 PARK PLACE LANE PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 17/09/2015
Decision: Grant Conditionally

Item No 38

Application Number: 15/01408/TPO **Applicant:** Mrs Zoe Boote
Application Type: Tree Preservation
Description of Development: Silver birch - Fell to ground level
Site Address 40 OWEN DRIVE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 21/09/2015
Decision: Refuse

Item No 39

Application Number: 15/01409/TPO **Applicant:** Mr Kevin Lee
Application Type: Tree Preservation
Description of Development: 7x Oak Trees - Reduction and pruning works
Site Address 56 SOUTHWAY LANE SOUTHWAY PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 21/09/2015
Decision: Refuse

Item No 40

Application Number: 15/01410/FUL **Applicant:** Durley Lifetime SIPP
Application Type: Full Application
Description of Development: Sub division of existing commercial property to create: Reduced estate agent premises, new accountants premises (Use Class A2), new Café (Use Class A3), new Hair Salon (Use Class A1), change of use from Bistro to Financial Services (Use Class A3 to A2), part retrospective.
Site Address GROUND FLOOR, 5-11 MILLBAY ROAD PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 24/09/2015
Decision: Grant Conditionally

Item No 41

Application Number: 15/01416/ADV **Applicant:** Plymouth City Council
Application Type: Advertisement
Description of Development: Advert consent for various underpasses throughout city
Site Address VARIOUS UNDERPASSES THROUGHOUT CITY PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 02/10/2015
Decision: Advertisement Split Decision

Item No 42

Application Number: 15/01418/PRDE **Applicant:** Mr Roy Stephenson
Application Type: LDC Proposed Develop
Description of Development: Construction of decking in rear garden
Site Address 4 WAIN PARK PLYMOUTH
Case Officer: Kate Price
Decision Date: 18/09/2015
Decision: Issue Certificate - Lawful Use (Pro)

Item No 43

Application Number: 15/01422/TPO **Applicant:** Mrs Rose
Application Type: Tree Preservation
Description of Development: Sycamore - Reduce by 3-4 metres
Site Address 30 WARWICK ORCHARD CLOSE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 21/09/2015
Decision: Refuse

Item No 44

Application Number: 15/01426/FUL **Applicant:** Mr Guy Pennington
Application Type: Full Application
Description of Development: Conversion of unused first and second floor space to create 2 no. 2 bedroom flats
Site Address 7 MARLBOROUGH STREET PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 29/09/2015
Decision: Grant Conditionally

Item No 45

Application Number: 15/01427/ADV **Applicant:** Mercedes Benz
Application Type: Advertisement
Description of Development: Various advertisements on the premises including illuminated signs
Site Address 4 HOWESON LANE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 16/09/2015
Decision: Grant Conditionally

Item No 46

Application Number: 15/01450/FUL **Applicant:** Mr William Gay
Application Type: Full Application
Description of Development: Retrospective application for side extension to rear
Site Address 18 STURDEE ROAD PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 17/09/2015
Decision: Grant Conditionally

Item No 47

Application Number: 15/01452/TPO **Applicant:** Taylor Wimpey
Application Type: Tree Preservation
Description of Development: One beech tree - Fell
Site Address NORTH END OF LAVINGTON CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 24/09/2015
Decision: Refuse

Item No 48

Application Number: 15/01455/FUL **Applicant:** Mr Matthew Taylor
Application Type: Full Application
Description of Development: Change of use from family dwelling (C3) to HMO (C4)
Site Address 30 ETON PLACE PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 24/09/2015
Decision: Grant Conditionally

Item No 49

Application Number: 15/01459/FUL **Applicant:** Mr Peter Scantlebury
Application Type: Full Application
Description of Development: Proposed two storey side extension
Site Address 51 ABNEY CRESCENT PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 17/09/2015
Decision: Grant Conditionally

Item No 50

Application Number: 15/01460/FUL **Applicant:** Mr Colin Bishop
Application Type: Full Application
Description of Development: Hardstand to the front elevation of the property
Site Address 87 HAM DRIVE PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 18/09/2015
Decision: Refuse

Item No 51

Application Number: 15/01461/PRDE **Applicant:** Mr Steve Demuth
Application Type: LDC Proposed Develop
Description of Development: Single storey rear extension
Site Address 19 ANNS PLACE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 17/09/2015
Decision: Issue Certificate - Lawful Use (Pro)

Item No 52

Application Number: 15/01462/PRDE **Applicant:** Mr Steve Demuth
Application Type: LDC Proposed Develop
Description of Development: Insertion and blocking up of windows and blocking up of one doorway
Site Address 19 ANNS PLACE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 30/09/2015
Decision: Issue Certificate - Lawful Use (Pro)

Item No 53

Application Number: 15/01463/TPO **Applicant:** Plymouth City Council
Application Type: Tree Preservation
Description of Development: Tree management works including coppicing of Hazel and pruning /reduction of Elm trees over path and gardens. Removal of one Sycamore.
Site Address R/O 44-72 HONITON WALK WHITLEIGH PLYMOUTH
Case Officer: Jane Turner
Decision Date: 29/09/2015
Decision: Grant Conditionally

Item No 54

Application Number: 15/01464/TPO **Applicant:** Plymouth City Council
Application Type: Tree Preservation
Description of Development: Sycamore 'Leopoldii'- Pruning works
Site Address 98 GRANBY STREET DEVONPORT PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 28/09/2015
Decision: Grant Conditionally

Item No 55

Application Number: 15/01467/FUL **Applicant:** WM Morrison Supermarkets Plc
Application Type: Full Application
Description of Development: Variation of condition 8 of application 97/00673/FUL to permit the delivery of goods between 5am and 11pm Monday to Saturday; and 7am to 11pm Sundays and Bank Holidays
Site Address POMPHLETT MILL QUARRY POMPHLETT ROAD PLYMOUTH
Case Officer: Christopher King
Decision Date: 30/09/2015
Decision: Application Withdrawn

Item No 56

Application Number: 15/01469/TPO **Applicant:** Mrs Julia Tindall-Jones
Application Type: Tree Preservation
Description of Development: Sycamore Tree - Raise crown by 1 metre to give a clear height over the highway (not footway) of 5.2 metres, reduce over-extended side branches by 2-3 metres in lower to mid-crown* only (*up to 9 metres above ground)- no work to shorter laterals in upper crown i.e. area above 9m from ground
Site Address 35 EFFORD ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 02/10/2015
Decision: Grant Conditionally

Item No 57

Application Number: 15/01475/FUL **Applicant:** Mr Terry Coxon
Application Type: Full Application
Description of Development: Change of use from offices (Class B1) to residential dwelling (Class C3)
Site Address THE CATACOMBS, 6 FRIARS LANE PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 28/09/2015
Decision: Grant Conditionally

Item No 58

Application Number: 15/01476/FUL **Applicant:** Mr M Clarke
Application Type: Full Application
Description of Development: Amendment to permission 14/01535/FUL for changes to the design of plot 1 dwelling
Site Address RIVERFORD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 01/10/2015
Decision: Grant Conditionally

Item No 59

Application Number: 15/01478/ADV **Applicant:** Plymouth City Council
Application Type: Advertisement
Description of Development: Advertising consent for multiple public toilets/changing room sites in Plymouth
Site Address MULTIPLE PUBLIC TOILETS/CHANGING ROOM SITES IN PLYMOUTH PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 01/10/2015
Decision: Advertisement Split Decision

Item No 60

Application Number: 15/01479/ADV **Applicant:** Plymouth City Council
Application Type: Advertisement
Description of Development: Consent to display advertisements on waste bins in various locations across the city
Site Address MULTIPLE RUBBISH/WASTE BIN SITES IN PLYMOUTH PLYMOUTH
Case Officer: Mike Stone
Decision Date: 28/09/2015
Decision: Advertisement Split Decision

Item No 61

Application Number: 15/01486/TPO **Applicant:** Mr Ian Parsons
Application Type: Tree Preservation
Description of Development: Oak tree - reduce by 5 metres
Site Address 68 HAWTHORN WAY PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 02/10/2015
Decision: Refuse

Item No 62

Application Number: 15/01501/FUL **Applicant:** Mrs Michelle Bishop
Application Type: Full Application
Description of Development: Create hard stand in front garden for off street parking
Site Address 40 ROGATE DRIVE PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 17/09/2015
Decision: Refuse

Item No 63

Application Number: 15/01503/FUL **Applicant:** Mr Daniel Axworthy
Application Type: Full Application
Description of Development: Retrospective application for a conservatory to rear of property
Site Address 76 BEARSDOWN ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 17/09/2015
Decision: Grant Conditionally

Item No 64

Application Number: 15/01504/FUL **Applicant:** Mr Lee Nethercott
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 61 MOOR LANE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 17/09/2015
Decision: Grant Conditionally

Item No 65

Application Number: 15/01505/FUL **Applicant:** Vodafone Limited
Application Type: Full Application
Description of Development: The replacement of the existing 12.5m monopole with a new 12.5m monopole, the replacement of 1 no equipment cabinet, along with minor ancillary development
Site Address TA CENTRE STONEHOUSE, PROSPECT PLACE MILLBAY DOCKS PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 17/09/2015
Decision: Grant Conditionally

Item No 66

Application Number: 15/01514/LBC **Applicant:** Mr William Stirling
Application Type: Listed Building
Description of Development: Removal of existing, and replacement of rope roller bed
Site Address TARRED YARN STORES, 240 JAMES STREET SOUTH YARD PLYMOUTH
Case Officer: Kate Price
Decision Date: 02/10/2015
Decision: Grant Conditionally

Item No 67

Application Number: 15/01515/FUL **Applicant:** Mr Roy Critchlow
Application Type: Full Application
Description of Development: Erection of one detached dwelling
Site Address PLOT 1 SHIRBURN ROAD EGGBUCKLAND PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 02/10/2015
Decision: Grant Conditionally

Item No 68

Application Number: 15/01522/ADV **Applicant:** Mr Ian Jenner
Application Type: Advertisement
Description of Development: Advert consent for multiple roundabouts, reservations and garden sites in Plymouth
Site Address MULTIPLE ROUNDABOUT - RESERVATION - GARDEN SITES IN PLYMOUTH PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 06/10/2015
Decision: Advertisement Split Decision

Item No 69

Application Number: 15/01523/FUL **Applicant:** Mr Adam Hulcoop
Application Type: Full Application
Description of Development: Single storey front porch, two storey side extension, and single storey rear extension
Site Address 242 ST PANCRAS AVENUE PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 08/10/2015
Decision: Grant Conditionally

Item No 70

Application Number: 15/01524/FUL **Applicant:** Mr Ian O'Gorman
Application Type: Full Application
Description of Development: Alterations and extensions at the existing Lidl food store
Site Address TRANSIT WAY PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 24/09/2015
Decision: Grant Conditionally

Item No 71

Application Number: 15/01525/FUL **Applicant:** Mrs E Howell
Application Type: Full Application
Description of Development: Replacement of existing aluminium windows and door screen with similar double glazed units
Site Address 31 HARBOURSIDE COURT, HAWKERS AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 24/09/2015
Decision: Grant Conditionally

Item No 72

Application Number: 15/01529/FUL **Applicant:** Mr Dave Hocking
Application Type: Full Application
Description of Development: Single storey side extension
Site Address 222 NORTH PROSPECT ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 01/10/2015
Decision: Grant Conditionally

Item No 73

Application Number: 15/01534/FUL **Applicant:** Mr Peter Stapleton
Application Type: Full Application
Description of Development: First floor rear extension over existing tenement
Site Address 38 ORESTON ROAD PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 30/09/2015
Decision: Grant Conditionally

Item No 74

Application Number: 15/01535/FUL **Applicant:** Miss Joanna Mikus
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 6 CATALINA VILLAS TURNCHAPEL PLYMOUTH
Case Officer: Liz Wells
Decision Date: 28/09/2015
Decision: Grant Conditionally

Item No 75

Application Number: 15/01538/GPD **Applicant:** Keith Elliot
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 6m, has a maximum height of 2.4m, and has an eaves height of 2.1m
Site Address 53 SHORTWOOD CRESCENT PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 18/09/2015
Decision: Prior approval not req

Item No 76

Application Number: 15/01539/FUL **Applicant:** Mr & Mrs Jon Smith
Application Type: Full Application
Description of Development: Two storey side extension with rear dormer
Site Address 386 TAUNTON AVENUE WHITLEIGH PLYMOUTH
Case Officer: Mike Stone
Decision Date: 22/09/2015
Decision: Application Withdrawn

Item No 77

Application Number: 15/01541/TCO **Applicant:** Mr Brian Kemp
Application Type: Trees in Cons Area
Description of Development: 4 Trees - Crown lift to 4 metres above ground level
Site Address GARDEN FLAT, MUTLEY PARK HOUSE, MUTLEY ROAD
PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 28/09/2015
Decision: Grant Conditionally

Item No 78

Application Number: 15/01546/FUL **Applicant:** Mr & Mrs Michael Hawke
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 2 WOODFORD ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 05/10/2015
Decision: Grant Conditionally

Item No 79

Application Number: 15/01550/FUL **Applicant:** Mr P Penrose
Application Type: Full Application
Description of Development: Flexible use to allow use classes B1/B2/B8
Site Address 1 & 2 BROXTON DRIVE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 01/10/2015
Decision: Grant Conditionally

Item No 80

Application Number: 15/01551/ADV **Applicant:** Ms Deanna Yates
Application Type: Advertisement
Description of Development: Erection of fascia sign and projecting sign
Site Address 12-13 ST STEPHENS PLACE PLYMPTON PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 17/09/2015
Decision: Grant Conditionally

Item No 81

Application Number: 15/01553/GPD **Applicant:** Ms Deanna Yates
Application Type: GPDO Request
Description of Development: Change of use from Betting Office (Sui Generis) to Café (A3)
Site Address 12-13 ST STEPHENS PLACE PLYMPTON PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 29/09/2015
Decision: Prior approval not req

Item No 82

Application Number: 15/01556/FUL **Applicant:** Miss Sian Crookes
Application Type: Full Application
Description of Development: Conversion of 5 bedroom flat to 2 no. two bedroom flats
Site Address 33 GRAND PARADE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 02/10/2015
Decision: Grant Conditionally

Item No 83

Application Number: 15/01557/LBC **Applicant:** Miss Sian Crookes
Application Type: Listed Building
Description of Development: Conversion of 5 bedroom flat to 2 no. two bedroom flats
Site Address 33 GRAND PARADE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 02/10/2015
Decision: Grant Conditionally

Item No 84

Application Number: 15/01558/FUL **Applicant:** The Co-operative Group
Application Type: Full Application
Description of Development: The installation of new roller shutters, alterations to the existing fascia to facilitate the installation
Site Address 288 BEACON PARK ROAD PLYMOUTH
Case Officer: Debbie Fuller
Decision Date: 01/10/2015
Decision: Grant Conditionally

Item No 85

Application Number: 15/01559/PRDE **Applicant:** Mr & Mrs Terry Luscombe
Application Type: LDC Proposed Develop
Description of Development: Single storey side extension
Site Address 14 LANCASTER GARDENS PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 30/09/2015
Decision: Issue Certificate - Lawful Use (Pro)

Item No 86

Application Number: 15/01560/FUL **Applicant:** Marks and Spencer Plc
Application Type: Full Application
Description of Development: Proposed canopy
Site Address CROWNHILL PLYMOUTH SIMPLY FOOD, UNIT 4,
CROWNHILL RETAIL PARK PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 24/09/2015
Decision: Grant Conditionally

Item No 87

Application Number: 15/01561/TCO **Applicant:** Mr Eric Bates
Application Type: Trees in Cons Area
Description of Development: Cherry Laurel - reduce by 2-3 metres
Site Address ANDERLY LODGE, FERNLEIGH ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 24/09/2015
Decision: Grant Conditionally

Item No 88

Application Number: 15/01562/TPO **Applicant:** Mr A Wardhaugh
Application Type: Tree Preservation
Description of Development: 2 Ash - Fell
Site Address REDLEN, CROSSWAY PLYMOUTH
Case Officer: Jane Turner
Decision Date: 05/10/2015
Decision: Grant Conditionally

Item No 89

Application Number: 15/01567/ADV **Applicant:** Plymouth City Council
Application Type: Advertisement
Description of Development: 2x non-illuminated signs
Site Address KNOWLE PRIMARY SCHOOL, RINGMORE WAY
PLYMOUTH
Case Officer: Mike Stone
Decision Date: 25/09/2015
Decision: Grant Conditionally

Item No 90

Application Number: 15/01568/FUL **Applicant:** Plymouth Leisure Ltd
Application Type: Full Application
Description of Development: Change of use to adult gaming centre (Sui Generis)
Site Address 7-9 EXETER STREET PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 25/09/2015
Decision: Grant Conditionally

Item No 91

Application Number: 15/01570/LBC **Applicant:** Mrs Catherine Tank
Application Type: Listed Building
Description of Development: Repainting the exterior of the property in concrete grey with white woodwork and a black skirt
Site Address PENLEE HOUSE, 89 MOLESWORTH ROAD STOKE
PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 24/09/2015
Decision: Grant Conditionally

Item No 92

Application Number: 15/01578/FUL **Applicant:** Mr & Mrs D Skews
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 21 SEGRAVE ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 29/09/2015
Decision: Grant Conditionally

Item No 93

Application Number: 15/01586/FUL **Applicant:** Mr & Mrs P Gerry
Application Type: Full Application
Description of Development: Demolition of existing garage and shed, construction of replacement garage with home office over and addition of timber fence to boundary wall.
Site Address SEYMOUR HOUSE, SEYMOUR ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 09/10/2015
Decision: Grant Conditionally

Item No 94

Application Number: 15/01593/FUL **Applicant:** Mr Gary Bradley
Application Type: Full Application
Description of Development: Erect driveway to front of property
Site Address 93 HAM DRIVE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 08/10/2015
Decision: Refuse

Item No 95

Application Number: 15/01594/FUL **Applicant:** Collings
Application Type: Full Application
Description of Development: Formation of rear dormer
Site Address 81 STADDISCOMBE ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 08/10/2015
Decision: Grant Conditionally

Item No 96

Application Number: 15/01604/TCO **Applicant:** J S Lee Ltd
Application Type: Trees in Cons Area
Description of Development: Various tree management works including removal of 1 Bay tree
Site Address ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 05/10/2015
Decision: Grant Conditionally

Item No 97

Application Number: 15/01605/TCO **Applicant:** Mr Andrew Mercer
Application Type: Trees in Cons Area
Description of Development: Hazel - Fell
Conifer - Fell
Hazel Reduce by 2m
Site Address BREDHURST DENE, OFF ROCK HILL TAMERTON FOLIOT
PLYMOUTH
Case Officer: Jane Turner
Decision Date: 05/10/2015
Decision: Grant Conditionally

Item No 98

Application Number: 15/01606/ADV **Applicant:** IDH Group Limited
Application Type: Advertisement
Description of Development: 1 x non-illuminated fascia sign and 2 x wall mounted signs
Site Address 153 RIDGEWAY PLYMOUTH
Case Officer: Mike Stone
Decision Date: 01/10/2015
Decision: Grant Conditionally

Item No 99

Application Number: 15/01607/GPD **Applicant:** Plymouth Community Homes
Application Type: GPDO Request
Description of Development: Change of use from B1 office(s) to C3 residential – (1 dwelling)
Site Address 462 BUDSHEAD ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 30/09/2015
Decision: Prior approval not req

Item No 100

Application Number: 15/01608/FUL **Applicant:** Mr & Mrs Price
Application Type: Full Application
Description of Development: Two storey side extension and detached garage
Site Address 1 SOUTH VIEW PARK PLYMPTON PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 09/10/2015
Decision: Refuse

Item No 101

Application Number: 15/01611/TCO **Applicant:** Mr Fisher
Application Type: Trees in Cons Area
Description of Development: 2 Sycamore - Fell
Site Address 13 BEAUMONT PLACE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 05/10/2015
Decision: Grant Conditionally

Item No 102

Application Number: 15/01620/FUL **Applicant:** Mr and Mrs Simon O'Neil
Application Type: Full Application
Description of Development: Addition of pitched roof to front dormer, single storey rear extension and roof light to rear of roof
Site Address 32 THORN PARK PLYMOUTH
Case Officer: Mike Stone
Decision Date: 08/10/2015
Decision: Grant Conditionally

Item No 103

Application Number: 15/01621/TCO **Applicant:** Mrs Tina Hajiyani
Application Type: Trees in Cons Area
Description of Development: Holm oak tree - Fell
Site Address 9 COLLINGWOOD VILLAS, COLLINGWOOD ROAD
Case Officer: Chris Knapman
Decision Date: 05/10/2015
Decision: Application Withdrawn

Item No 104

Application Number: 15/01623/TCO **Applicant:** Mrs Ann Reid
Application Type: Trees in Cons Area
Description of Development: 5 Sycamore Trees - Reduce the first two trees closest to the entrance by up to 4 metres and bring the other trees in the group down to the same height.
Site Address EDGECOMBE COURT, OSBORNE ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 08/10/2015
Decision: Grant Conditionally

Item No 105

Application Number: 15/01625/TCO **Applicant:** Mrs Ellie Habeeb
Application Type: Trees in Cons Area
Description of Development: Beech Tree - shorten secondary branch by 1 metre to give clearance from shed
Site Address 43 THORN PARK PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 08/10/2015
Decision: Grant Conditionally

Item No 106

Application Number: 15/01628/TPO **Applicant:** Tamar Valley View Residents Co
Application Type: Tree Preservation
Description of Development: Group of ash trees and one lime tree - Tree management works
Site Address 123 CUNNINGHAM ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 05/10/2015
Decision: Application Withdrawn

Item No 107

Application Number: 15/01636/GPD **Applicant:** Mr Martin Richards
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 5.00m, has a maximum height of 3.85m, and has an eaves height of 2.75m.
Site Address LYNCROFT, 22 LYNDHURST ROAD PEVERELL PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 02/10/2015
Decision: Prior approval not req

Item No 108

Application Number: 15/01638/FUL **Applicant:** Mr Mark Hart
Application Type: Full Application
Description of Development: Side garage
Site Address 2 GREATLANDS PLACE MILEHOUSE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 09/10/2015
Decision: Grant Conditionally

Item No 109

Application Number: 15/01643/ESR10 **Applicant:** LRM Planning Limited
Application Type: Environmental Ass
Description of Development: Request for an EIA screening opinion for proposed residential development
Site Address LAND AT REDWOOD DRIVE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 24/09/2015
Decision: ESRI - Completed

Item No 110

Application Number: 15/01651/TCO **Applicant:** Mrs Tina Hajiyani
Application Type: Trees in Cons Area
Description of Development: 2 leyland conifers - fell and 2 leyland conifers - reduce by 6 metres
Site Address 9 COLLINGWOOD VILLAS, COLLINGWOOD ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 01/10/2015
Decision: Grant Conditionally

Item No 111

Application Number: 15/01658/FUL **Applicant:** Tesco Stores Ltd
Application Type: Full Application
Description of Development: Installation of bollards
Site Address FORMER VALE SERVICE STATION, ALEXANDRA ROAD
MUTLEY PLYMOUTH
Case Officer: Mike Stone
Decision Date: 08/10/2015
Decision: Grant Conditionally

Item No 112

Application Number: 15/01659/FUL **Applicant:** Tesco Stores Ltd
Application Type: Full Application
Description of Development: Installation of ATM
Site Address FORMER VALE SERVICE STATION, ALEXANDRA ROAD
MUTLEY PLYMOUTH
Case Officer: Mike Stone
Decision Date: 08/10/2015
Decision: Grant Conditionally

Item No 113

Application Number: 15/01662/FUL **Applicant:** Tesco Stores Ltd
Application Type: Full Application
Description of Development: Installation of plant to rear of site
Site Address FORMER VALE SERVICE STATION, ALEXANDRA ROAD
MUTLEY PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 08/10/2015
Decision: Grant Conditionally

Item No 114

Application Number: 15/01666/FUL **Applicant:** Mr and Mrs K Keyes
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 109 COMPTON AVENUE MANNAMEAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 08/10/2015
Decision: Application Withdrawn

Item No 115

Application Number: 15/01671/FUL **Applicant:** Mr Susan Anthony
Application Type: Full Application
Description of Development: Single storey side extension
Site Address 22 ROCKINGHAM ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 08/10/2015
Decision: Grant Conditionally

Item No 116

Application Number: 15/01676/GPD **Applicant:** Mr Nick Williamson
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4.25m, has a maximum height of 3.46m, and has an eaves height of 3.164m.
Site Address 10 NEWMAN ROAD PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 30/09/2015
Decision: Prior approval not req

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