



#plymplanning

Democratic Support

Plymouth City Council
Ballard House
West Hoe Road
Plymouth
PL1 3BJ

Please ask for Lynn Young/Kristin Barnes
T 304163/307903

E lynn.young@plymouth.gov.uk/
kristin.barnes@plymouth.gov.uk

www.plymouth.gov.uk/democracy

Published 28 June 2016

PLANNING COMMITTEE

Thursday 7 July 2016

2.00 pm

Council House, Plymouth

Members:

Councillor Wogens, Chair

Councillor Mrs Bridgeman, Vice Chair

Councillors Cook, Sam Davey, Fletcher, Kelly, Martin Leaves, Mrs Pengelly, Sparling, Stevens, Jon Taylor, Kate Taylor and Tuohy.

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

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Tracey Lee

Chief Executive

PLANNING COMMITTEE

AGENDA

PART I – PUBLIC MEETING

1. APOLOGIES

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

2. DECLARATIONS OF INTEREST

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

3. MINUTES

(Pages 1 - 8)

The Committee will be asked to confirm the minutes of the meeting held on 9 June 2016.

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. 90 Hyde Park Road, Plymouth - 16/00533/FUL

(Pages 9 - 14)

Applicant:	Miss Natalie Robertson
Ward:	Peverell
Recommendation:	Grant Conditionally

**6.2. Land at Redwood Drive and Poplar Close, Plymouth - (Pages 15 - 54)
16/00150/FUL**

Applicant: Barratt David Wilson Homes (Exeter) Ltd
Ward: Plympton Chaddlewood
Recommendation: Grant Conditionally Subject to a S106
Obligation, delegated to Assistant Director
for Strategic Planning and Infrastructure to
refuse if S106 is not signed by the target date
or other date agreed through an extension of
time

**6.3. Land to the north of Clittaford Road, Southway, (Pages 55 - 74)
Plymouth - 16/00644/FUL**

Applicant: Westward Housing Group Limited
Ward: Southway
Recommendation: Grant Conditionally Subject to a S106
Obligation, delegated to Assistant Director
for Strategic Planning and Infrastructure to
refuse if S106 is not signed by target date or
other date agreed through an extension of
time

6.4. 76 West Hill Road, Plymouth - 16/00568/FUL (Pages 75 - 84)

Applicant: Blue Sea Partnership LLP
Ward: Efford & Lipson
Recommendation: Grant Conditionally

6.5. 36 Burleigh Park Road, Plymouth - 16/01019/FUL (Pages 85 - 92)

Applicant: Ms Suzanne Dilorenzo
Ward: Peverell
Recommendation: Grant Conditionally

**6.6. Belgrave Snooker Club, 2 Belgrave Road, Plymouth - (Pages 93 - 116)
15/02137/FUL**

Applicant: JMP Integrations Ltd
Ward: Compton
Recommendation: Grant Conditionally Subject to a S106
Obligation, delegated to Assistant Director
for Strategic Planning and Infrastructure to
refuse if S106 is not signed by target date or
other date agreed through an extension of
time

**6.7. The Former China Clay Dryer Works, Coypool Road, (Pages 117 - 132)
Plymouth -16/00664/FUL**

Applicant: Marshmills Limited
Ward: Plympton St Mary
Recommendation: Refuse

7. PLANNING APPLICATION DECISIONS ISSUED (Pages 133 - 176)

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 27 May 2016 to 27 June 2016, 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 177 - 178)

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>

Planning Committee

Thursday 9 June 2016

PRESENT:

Councillor Wigen, in the Chair.

Councillor Mrs Bridgeman, Vice Chair.

Councillors Cook, Sam Davey, Fletcher, Kelly, Martin Leaves, Mrs Pengelly, Sparling, Stevens, Jon Taylor, Kate Taylor and Tuohy.

Also in attendance: Paul Barnard (Assistant Director for Planning & Infrastructure), Julie Parkin (Senior Lawyer), Chris Watson (Planning Consents & Compliance Manager) and Lynn Young (Democratic Support Manager).

The meeting started at 4.00 pm and finished at 6.57 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.

1. To note the appointment of Chair and Vice Chair

The Committee noted the appointment of Councillor Wigen as Chair and Councillor Mrs Bridgeman as Vice Chair of the Planning Committee for the municipal year 2016 – 2017.

2. Declarations of interest

Name	Minute No and Item	Reason	Interest
Councillor Kelly	7.4 – Riverford, Estover Close, Plymouth – 15/02379/FUL	Public speaker speaking in objection on this item is known to him	Personal
Councillor Cook	7.4 – Riverford, Estover Close, Plymouth – 15/02379/FUL	Public speaker speaking in objection on this item is known to him	Personal
Chris Watson	7.5 – Ridgeway School, Moorland Road, Plymouth	Parent of two children who attend the school	Personal
Councillor Wigen	7.9 – City Museum & Art Gallery, Drake Circus, Plymouth – 16/00393/FUL	Freeholder of adjacent building	Pecuniary

Councillor Wigans	7.10 – City Museum & Art Gallery, Drake Circus, Plymouth – I6/00394/LBC	Freeholder of adjacent building	Pecuniary
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3. **Minutes**

Agreed the minutes of the meeting held on 7 April 2016.

4. **Chair's urgent business**

There were no items of Chair's urgent business.

5. **Questions from members of the public**

There were no questions from members of the public.

6. **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.

7. **I39 Blandford Road, Plymouth - I6/00153/FUL**

Miss Clare Rushmere

Decision:

Application **GRANTED** conditionally.

8. **22 Radford Park Road, Plymstock, Plymouth - I6/00365/FUL**

Mr Leslie Allen

Decision:

Application **GRANTED** conditionally.

9. **The Garden House, Glen Road, Mannamead, Plymouth - I6/00444/FUL**

Mr Frederick Hill

Decision:

Application **GRANTED** conditionally.

10. **Riverford, Estover Close, Plymouth - I5/02379/FUL**

Mr David Daley

Decision:

Application **GRANTED** conditionally.

(The Committee heard representations against the application)

(The Committee heard from the applicant's agent)

11. **Ridgeway School, Moorland Road, Plymouth - I6/00039/FUL**

Ridgeway School

Decision:

Application **GRANTED** conditionally.

(The Committee heard from the applicant's agent)

(A Planning Committee site visit was held on Tuesday 7 June 2016 in respect of this application)

(Chris Watson, having made a personal declaration, was not present for this item. Paul Barnard, Assistant Director for Planning and Infrastructure took the lead officer role for this agenda item)

12. **Former Downham Special School, Horn Lane, Plymouth - I5/01520/FUL**

Rebecca Millman

Decision:

Application **GRANTED** conditionally subject to a S106 obligation delegated to Assistant Director for Strategic Planning and Infrastructure to refuse if S106 is not signed by target date (1 July 2016) or other date agreed through an extension of time.

(The Committee heard from the applicant's agent)

13. **Land adjacent Plumer Road, Plymouth - I6/00163/FUL**

Mr Anthony Gal

Decision:

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

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

(The Committee heard from the applicant's agent)

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

(Councillor Stevens' proposal to refuse on the grounds it was contrary to policies CS02, CS28 and CS34 sub-sections 4 and 8, having been seconded by Councillor Kate Taylor, was put to the vote and declared carried)

14. **Bretonside Bus Station, Bretonside, Plymouth - 15/01785/S257**

Peter Brett Associates

Decision:

Application agreed to **CONFIRM** the Public Path Stopping Up Order.

15. **City Museum & Art Gallery, Drake Circus, Plymouth - 16/00393/FUL**

Plymouth City Council

Decision:

Application **GRANTED** conditionally.

(The Committee heard representations in support of this application)

(The Committee heard from the applicant's agent)

16. **City Museum & Art Gallery, Drake Circus, Plymouth - 16/00394/LBC**

Plymouth City Council

Decision:

Application **GRANTED** conditionally.

(The Committee heard representations in support of this application)

(The Committee heard from the applicant's agent)

Councillor Mrs Bridgeman took the opportunity to thank Council officers for all the extensive work that had been put into the proposed development to date, and the application case officer (Olivia Wilson) for a thorough presentation at the meeting.

17. **Planning application decisions issued**

The Committee noted the report from the Assistant Director for Strategic Planning and Infrastructure on decisions issued for the period 13 April 2016 – 26 May 2016.

18. **Appeal decisions**

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

Councillor Wigens highlighted that the Planning Inspector had allowed an appeal in respect of Former Plymouth Preparatory School, Beechfield Grove, Plymouth and full costs were awarded to the appellant.

Moment of reflection - Alderman Mrs Connie Pascoe

Councillor Wigens referred to the recent death of Alderman Mrs Connie Pascoe, who had Chaired the Planning Committee for several years. The Committee stood in silence for one minute as a mark of respect.

Schedule of voting (Pages 5 - 6)

PLEASE NOTE

A schedule of voting relating to the meeting is attached as a supplement to these minutes.

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PLANNING COMMITTEE – 9 June 2016

SCHEDULE OF VOTING

Minute number and Application		Voting for	Voting against	Abstained	Absent due to interest declared	Absent
7.1	139 Blandford Road, Plymouth - 16/00153/FUL	Unanimous				
7.2	22 Radford Park Road, Plymstock, Plymouth - 16/00365/FUL	Unanimous				
7.3	The Garden House, Glen Road, Mannamead, Plymouth - 16/00444/FUL	Unanimous				
7.4	Riverford, Estover Close, Plymouth - 15/02379/FUL	Councillors Mrs Bridgeman, Sam Davey, Martin Leaves, Mrs Pengelly, Sparling, Stevens, Jon Taylor, Kate Taylor and Tuohy		Councillors Cook, Fletcher and Kelly		
7.5	Ridgeway School, Moorland Road, Plymouth - 16/00039/FUL	Unanimous				
7.6	Former Downham Special School, Horn Lane, Plymouth - 15/01520/FUL	Unanimous				
7.7	Land adjacent Plumer Road, Plymouth - 16/00163/FUL Amended recommendation to Refuse	Councillors Mrs Bridgeman, Sam Davey, Stevens, Kate Taylor and Tuohy	Councillors Kelly, Mrs Pengelly and Wiggins	Councillors Cook, Fletcher, Martin Leaves and Sparling.	Councillor Jon Taylor	
7.8	Bretonside Bus Station, Bretonside, Plymouth - 15/01785/S257	Unanimous				
7.9	City Museum & Art Gallery, Drake Circus, Plymouth - 16/00393/FUL	Unanimous				
7.10	City Museum & Art Gallery, Drake Circus, Plymouth - 16/00394/LBC	Unanimous				

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PLANNING APPLICATION REPORT



Application Number 16/00533/FUL

Date Valid 12/05/2016

Item 01

Ward Peverell

Site Address 90 HYDE PARK ROAD PLYMOUTH

Proposal Retrospective application for external wall insulation on side elevation

Applicant Miss Natalie Robertson

Application Type Full Application

Target Date

07/07/2016

Committee Date

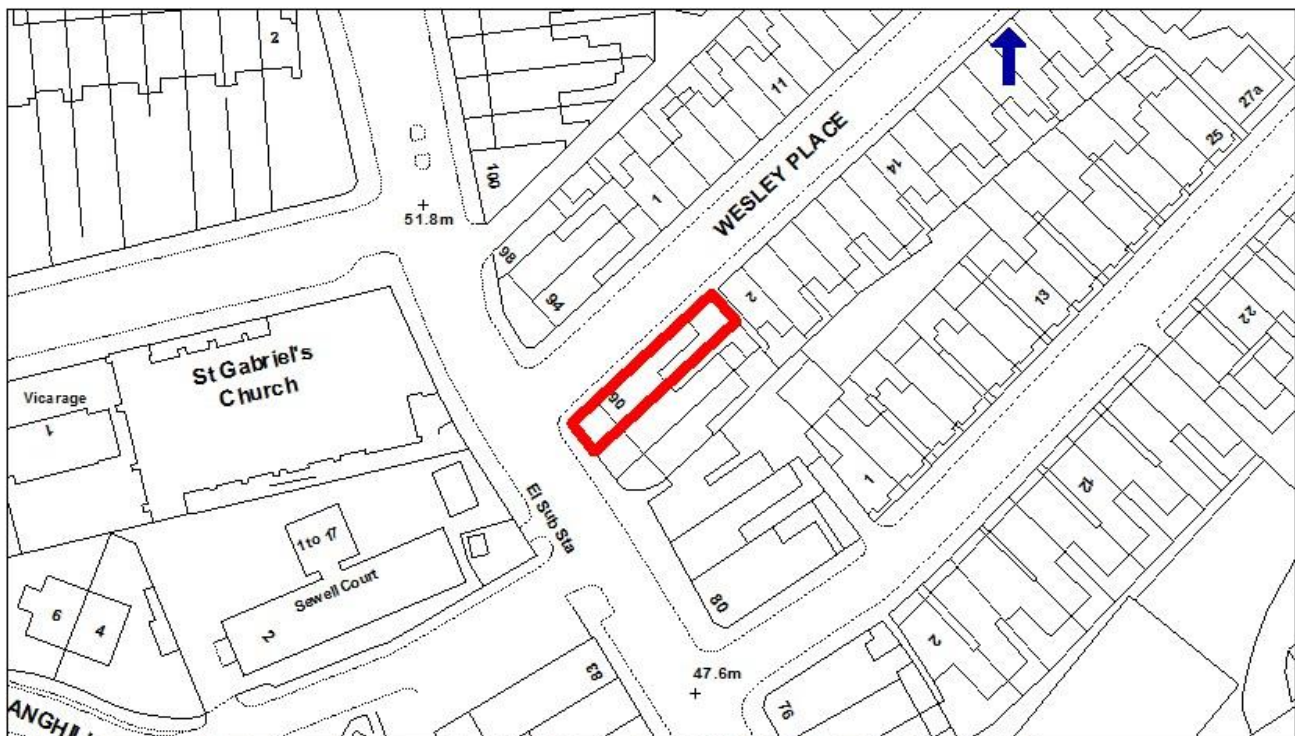
**Planning Committee: 07
July 2016**

Decision Category Member/PCC Employee

Case Officer Chris Cummings

Recommendation Grant Conditionally

Click for documents www.plymouth.gov.uk



This application has been referred to Planning Committee as the applicant is an employee of Plymouth City Council

1. Description of site

90 Hyde Park Road is an end terrace 2-storey dwelling house in the Peverell ward of Plymouth. It is situated on the corner of Hyde Park Road and Wesley Place, with the side elevation fronting directly onto Wesley Place.

2. Proposal description

Retrospective application for external wall insulation on Wesley Place side elevation only.

3. Pre-application enquiry

None

4. Relevant planning history

16/00284/OPR – Planning compliance case - External wall insulation – Current investigation.

5. Consultation responses

Local Highway Authority – Impact of impinging on the public footpath and public realm, on land that is outside of the applicant’s control. The external wall cladding compromises the safe use of the public footway. Object to the application, unless cladding is situated 2.4 metres above the surface of adjacent footway.

6. Representations

None received.

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

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. External wall insulation for a single-family dwelling such as this can be primarily dealt with under permitted development. However, the side elevation of this property faces directly onto Wesley Place so planning permission is required. External wall insulation has been applied only to this elevation.

Sustainability

3. External wall insulation is a widely used method of improving the thermal efficiency of buildings. This proposal supports Core Strategy Policy CS20 (Sustainable Resource Use), reducing the energy consumption of the property.

Design

4. The installed external wall insulation extends approximately 10 cm from the existing side elevation, with a render finish. It has been rendered grey, matching the colour of the other elevations. There is a small gap at the rear of the external wall insulation separating it from the pavement. There was an existing BT service cabinet positioned adjacent to the side

elevation, and the external wall insulation has gone around this, leaving a gap to allow access to the box. The existing streetscene on Wesley Place has a mix of render types along the street, limiting impact of this application's render. Despite the inset area surrounding the BT box, the cladding is not considered to significantly impact on the visual aspects of the streetscene.

Amenity

5. As advised by the Local Highways Authority the footway in Wesley Place is of the older standard width of 1.8 metres wide, while the new regulations are 2 metres. There is a BT service cabinet situated in the footway close to the wall of the house and the insulation has been fitted around the outside of the cabinet, which could cause difficulties should the cabinet need to be altered or upgraded to a different size. This is a consideration that speculates about possible impacts, rather than a confirmed material impact caused by the development.
6. The Local Highways Authority also advised that the cladding could harm the utility and safety of the local highway and object to the application. However, the external wall insulation only protrudes 10cm, covering the whole of the side elevation. Properties on Wesley Place face directly onto the pavement and have assorted cladding types, including pebbledash, so this protrusion is not considered to produce a significant impact on the existing highway safety.
7. The Local Highways Authority recommended that if approved the external wall insulation should be restricted to the first floor only, 2.4 metres from the surface of the public highway. This amendment is not considered appropriate as it would create a visually unusual side elevation and would be harmful to the appearance of the street.
8. Despite some very limited impact on the amenity of the area, the overall benefits of improving the energy efficiency of the existing property, in line with Paragraph 95 of the NPPF. These improvements, alongside the limited design impacts, are considered to outweigh the matters raised by the Local Highways Authority. As such, the application is recommended for approval.

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

No charge under current schedule

11. Planning Obligations

No planning obligations have been sought:

12. Equalities and Diversities

None

13. Conclusions

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

14. Recommendation

In respect of the application dated **12/05/2016** and the submitted drawings Site location plan, site plan, sectional plans, pre-work photographs, post-work photographs, it is recommended to: **Grant Conditionally**

15. Conditions

CONDITION: APPROVED PLANS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, site plan, sectional plans, pre-work photographs, post-work photographs.

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: 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).

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PLANNING APPLICATION REPORT



Application Number 16/00150/FUL

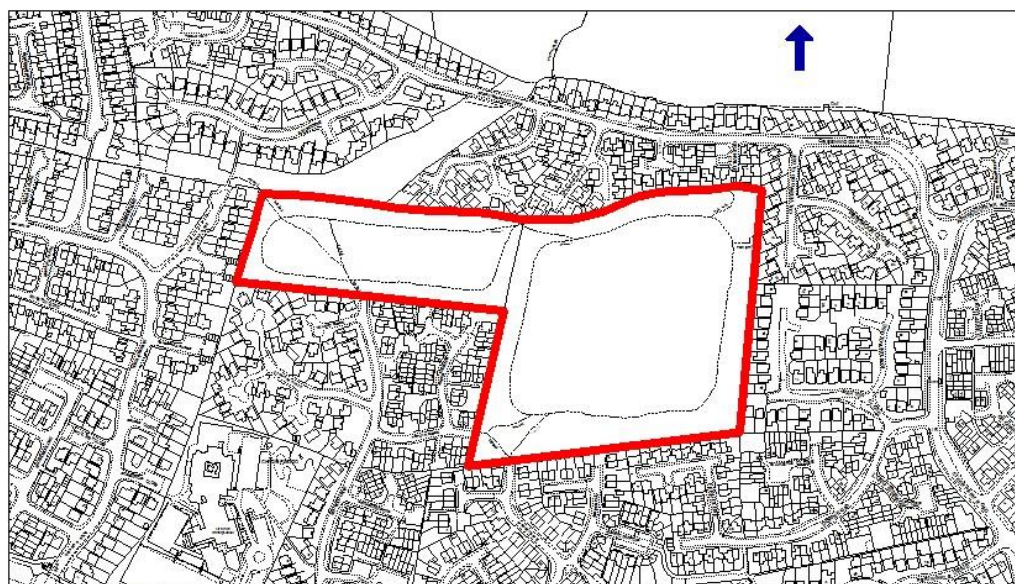
Date Valid 29/01/2016

Item 02

Ward Plympton Chaddlewood

Site Address	LAND AT REDWOOD DRIVE AND POPLAR CLOSE PLYMOUTH	
Proposal	Construction of 190 dwellings, public open space, a new community park with access from Poplar Close and Hickory Drive, an emergency access road within community park and associated infrastructure	
Applicant	Barratt David Wilson Homes (Exeter) Ltd	
Application Type	Full Application	
Target Date	03/08/2016	Committee Date Planning Committee: 07 July 2016
Decision Category	Major - more than 5 Letters of Representation received	
Case Officer	Simon Osborne	
Recommendation	Grant Conditionally Subject to a S106 Obligation, delegated to Assistant Director for Strategic Planning & Infrastructure to refuse if S106 is not signed by the target date or other date agreed through an extension of time.	

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1. Description of site

The site is an 'L-shaped' greenfield site known locally as 'Chaddlewood Fields'. It measures 6.403ha in area and is located in the largely residential area of Chaddlewood. The site is located less than 1km from the local retail provision and 2.5km east of Plympton Ridgeway.

The application effectively splits the site into a smaller rectangular western parcel and a larger square shaped eastern parcel. The western parcel is 1.8329ha and is bounded to the north by residential development associated with Raleigh Court. A significant woodland area is located in the North West corner running in a south west to north east direction and between Almond Drive and Raleigh Court. This wooded area links to further green space to the north of Greenwood Park Road. Residential development associated with Walnut Close, Redwood Drive and Aspen Gardens is located to the south with Litchfield close to the West.

The Eastern larger parcel of land is 4.5701ha and is bounded to the north by residential development associated with Grenville Court, Gilbert Court and Walsingham Court, to the east by Barton Close and Culverwood Close, to the south by Hickory Drive, Juniper Way, and Fern Close and to the west by Poplar Close, Aspen Gardens and the western land parcel.

Both field parcels are currently divided by a hedgerow. The boundaries are typically defined by mature hedgerows, which support the occasional mature hedgerow tree. Devon banks are located on the north, east and south boundaries of the eastern land parcel.

2. Proposal description

Construction of 190 dwellings, public open space, a new community park with access from Poplar Close and Hickory Drive, an emergency access road within the Community Park and associated infrastructure.

57 of the dwellings would be Affordable Housing equating to 30% of the total.

Car parking would comprise of a mixture of private on-plot spaces, private off-street blocks of parking spaces, including 34 visitor parking spaces, 26 of which would be within the proposed public highway. This would provide a total of 420 spaces to serve the 190 dwellings, an overall parking ratio of 2.2 parking spaces per dwelling.

The new community park would include a circular path for walking, running and cycling, open viewing platforms, seating and planting areas.

3. Pre-application enquiry

This site was the subject of a Site Planning Statement as part of the Plan for Homes initiative. 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 considers there was a positive, collaborative approach with the applicant and a number of meetings were held.

The proposal was also taken to the South West Design Review Plan which included a site visit. The panel made a series of statements and recommendations which resulted in a series of revisions. As part of the South West Design Review Process the applicant expressed a desire for the scheme to achieve 'Building for Life 12' accreditation, a government endorsed industry standard for well-designed homes and neighbourhoods. The Design Review Panel undertook an assessment of the scheme which assesses the scheme using 12 criteria and a "traffic light" system of quality. In order to achieve accreditation a scheme must avoid any 'red'. The Panel concluded that the scheme at that stage would have a score of 11 green and 1 amber with the amber being connectivity which is out of the control of the applicant.

As detailed in the submitted Statement of Community Involvement prior to submission of the application extensive public consultation has taken place. Local stakeholders and community groups were contacted, an advert placed in the local newspaper and a leaflet dropped to 2400 householders making residents aware of consultation events. These included individual meetings with residents whose properties bordered the site, meetings with councillors and a consultation day event held on the 14th of November. A website has also been setup to provide access to all the application documents.

Further follow up meetings have taken place with the public since the submission of the application which has resulted in some changes to the relationship of existing dwellings to the proposed development.

4. Relevant planning history

There is no previous planning application history for this site

5. Consultation responses

Public Protection Service – No objections subject to conditions

Natural Infrastructure Team – No objections subject to conditions and s106 contributions.

Local Education Authority – no objections subject to s106 contribution.

NHS – No objections subject to s106 contribution.

Local Highway Authority – No objections subject to conditions and s106 contribution.

Low Carbon Team – No objections.

Lead Local Flood Authority – No objections subject to condition.

Environment Agency – No objections subject to condition.

Police Architectural Liaison Officer - No objections subject to conditions.

Urban Design Officer - No objections.

Historic Environment Officer – No objections subject to condition.

Housing Delivery Team – Support.

Economic Development Officer – No objections.

Tree Officer – No objections subject to condition.

6. Representations

In total 356 letters of objection and 1 letter of support have been received regarding this application. This includes two petitions with 22 and 29 signatories.

333 of these were received during the original consultation period. The application was re-advertised on 2 occasions following receipt of amended details resulting in an additional 16 and 7 representations.

The issues raised are:

Green space and biodiversity and drainage

1. Loss of public space for enjoyment, popular with dog walkers, not enough green space in area.
2. Councils and Government should be forced to use ALL available brown field sites before contemplating using green field sites. Just because it's cheaper and easier for developers to build on green field.
3. Environmental impacts of losing grassland and trees with subsequent loss of water retention in root systems, thereby further increasing the risk of flooding due to higher water flow to surrounding areas
4. Drainage and water runoff.
5. Loss of natural habitat (The fields are a haven for local wildlife such as hedgehogs, squirrels, foxes, skylarks, swifts, house martins, kestrels, worms, weasels and many other wild creature.) Protected species bats/slowworms etc.
6. It is the only 'fresh air lung of Chaddlewood.
7. Concern regarding oak tree at 16 Culverwood Close.
8. The whole site should be used to create a recreation park similar to other larger parks.
9. Other precious fields in Plymouth have been developed without listening to residents.
10. Who will maintain suds system?
11. Drainage affecting fern close.
12. The fields are an informal community asset. A formal park is more likely to attract antisocial behaviour.
13. Wildlife report is flawed.
14. An EIA should be required
15. The proposed park is inadequate for local needs.
16. The park is not an improvement on what we have already.
17. Past developments stated that this area would be enhanced.
18. Loss of study/educational and social opportunities for children.
19. Impact on Health and wellbeing.

Highway Issues

20. Stress on highway infrastructure particularly with Sherford. Localised (Glen Road/Redwood Drive Hickory Drive and Poplar Close) and Deep lane junction, St Marys bridge and Marsh Mills.
21. Additional housing in the Chaddlewood area will cause local congestion and exacerbate the traffic issues which the Sherford construction will create. A major concern is the inadequate access to the new development and the hazard that will be created due to parking around Glen Park School. This is a safety issue for pedestrians and in particular children going to and from school.
22. Bus stops will be a long way from people the other side of the development
23. No cycle path.
24. Concerns over inadequate access for emergency vehicles.
25. Parking provision is too low.
26. Walking as a mode of transport is highly unlikely given distance from amenities.
27. If the development is allowed there is another access from Downs Road.
28. Parking and requirement for additional roadside parking by future occupants.
29. Impact of construction traffic.
30. Damage to roads and properties from construction vehicles.
31. Inadequate narrow accesses – unsafe for pedestrians with the school nearby.
32. Access should be off of the closes off Greenwood Park Road.
33. Congestion at schools will be worse.
34. No cycle paths.
35. Para 29 from the NPPF School should be within walking distance (Not Yealmstone Farm which I understand is due to have an extension)
36. Inadequate car surveys.
37. Despite the Traffic Plan – in reality people will use cars.
38. Not all homes are within 400m of a bus stop.

Impact on Infrastructure Provision

39. Local infrastructure cannot cope as identified in the Plympton tool kit which identifies the need for a new school, lack of greenspace, and lack of health infrastructure in Chaddlewood.
40. Local schools are already full and some children are having to travel out of area which is unacceptable. There is only one Doctors surgery and one Chemist in the Chaddlewood area. These are already operating at capacity.
41. No cohesive plan for the city, infrastructure problems should be addressed first.
42. Poor consultation with local medical facilities.
43. Lack of social provision such as pubs and shops in the area.

Impact on Existing Dwellings

44. Rear of 12 and 16 Culverwood Close have been exposed instead of a private locked gate.
45. Plot 48 is too close to 16 Culverwood Close.

46. Boundary issues and maintenance responsibilities at 24 fern close.
47. Impact on light of 5 Grenville court.
48. No ridge height analysis.
49. Loss of light to houses to the east.
50. 3 storey dwellings out of character and will blight views.
51. Impact of 3 storey dwellings backing onto Aspen Gardens, privacy.
52. Impact of construction.

Other issues

53. Detriment to local character and community and 'doughnut effect'.
54. The scheme is over development.
55. The Boringdon site has the same reasons for rejecting the house building proposals. This has been rejected.
56. 3 storey buildings would intrude on the skyline and be unacceptable.
57. No first time buyer schemes.
58. There is a mine shaft on the site.
59. Improper consultation.
60. No up to date monitoring of air quality.
61. Air pollution due to increase traffic.
62. Stress caused by south west water meters on footpaths.
63. Concerns regarding the efficiency of sewerage and water services.
64. Pay council tax. I do not pay this to provide developers with land to build on Increase in robberies and burglaries.
65. We don't need houses in the area.
66. There are other brownfield sites in Plympton.
67. Question as to who will buy the houses, Londoners?
68. All new homes requirement should be accomplished by the new Sherford Town.
69. Not sustainable like Sherford.
70. Conflict with local plan including SO3 and SO11.
71. Who knows that in ten years' time when we are all short of food those fields will be needed again to grow food?
72. Unthinkable.
73. General feeling that proposal is being driven forward in an underhand way, conducting secretive negotiations which were only revealed after FOI requests.

Non Material Issues

74. Will expect reduction council rates during construction.
75. Devalue house prices.

1. Land was given to Devon County Council and Plymouth City Council for recreational and educational purposes not for dwellings.
2. Object to council selling the site and the process involved.
3. Past council leaderships have promised Chaddlewood Fields would be enhanced as a natural open space.
4. Just greed.
5. Will take PCC and developer to court over any damages to property
6. Because the council own the land they will recommend approval.

Letters received after re-advertisement

76. Amendments do not alleviate concerns.
77. Issues above were generally reiterated - No additional issues to those above were raised.

Support

1. Support the plan as there aren't many affordable homes in Plympton and Chaddlewood. There are still many parks and play areas locally and lots to do for Children.

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; housing provision, impact on residential amenity, impact on infrastructure such as schools and health provision, green space, and sustainability. These issues will be discussed in full below.

Principle of Development

4. Currently the land is not allocated for any specific development within the Core Strategy.
5. The site is located in a residential area and therefore the principle of residential development is considered acceptable subject to the considerations discussed below.

Housing Supply

6. When determining applications for residential development it is important to give consideration to housing supply.
7. 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”
8. 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.”
9. For the reasons set out in the Authority’s Annual Monitoring Report (January 2016) Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2016-21 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 4,163 dwellings which equates to a supply of 2.17 years when set against the housing requirement as determined by the requirements of the NPPF or 1.8 years supply when a 20% buffer is also applied.
10. 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.
11. 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...”
12. 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”
13. 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.

14. Due to the need to accelerate housing delivery a 2 year consent rather than a 3 year consent has been secured by condition. This is in accordance with Strategic Objective 10(8) (Delivering Adequate Housing Supply) and paragraphs 10.34, 17.1 and 7.13 of the Core Strategy and Policy 46 of the Plymouth Plan.

Greenspace

15. The site is identified in the Greenspace Assessment (2000/2004) where it is listed as being of Neighbourhood importance for biodiversity and a separation buffer and district importance for visual amenity.
16. Policy CS18 (1) states that the Council will protect and support a diverse and multi-functional network of green space and waterscape, through identifying network of strategically and locally important Greenspace Areas, Development on or adjacent to these Greenspace Areas will not be permitted where it would result in unacceptable conflict with the function(s) or characteristics of that area.
17. 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.
18. NPPF paragraph 74 states that:

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

 - an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
19. The Council's 2008-2023 Greenspace Strategy provides an analysis of accessible greenspace. It provides a local standard for quantity, quality and accessibility of greenspaces. In terms of quantity there are 4 different standards: Informal Greenspace, Parks and Gardens, Local Nature Reserves and Natural Green Space. The sum of these standards also provides an additional overall standard for Accessible Greenspace.
20. The Neighbourhood Analysis of Plymouth's Green Spaces (2009) identifies that Chaddlewood fails the overall standard for Plymouth Green Space 'quantity standard' with a ratio of 3.07 hectares of accessible green space per 1000 population instead of 5.09 hectares per 1000. The quality of green spaces in the area is identified as being either medium or high.

21. The location of the accessible green spaces ensures almost all of Chaddlewood meets the Plymouth green space 'access standard' (an accessible green space within 400m of every home)
22. The site is identified in the Neighbourhood Analysis as being Informal Greenspace.
23. Although Chaddlewood fails the overall total standard for accessible greenspace it currently exceeds the standard for Informal Greenspace. Factoring in the proposed development including the increase in population Chaddlewood would still exceed the Informal Greenspace standard.
24. Chaddlewood currently falls below Plymouths standard for Parks and Gardens having only 1 area defined in this category (Chaddlewood Open Space). The proposed park would increase this provision by 1.8329Ha. Even after factoring in the population increase from the development this increases the current parks provision and results in a quantitative improvement.
25. Officers consider the new park will be a high quality facility. The s106 will secure a commuted maintenance sum to maintain it at a high standard. Further to this a Strategic Greenspace contribution of £264,408 has been secured for improvements to the city's strategic greenscape at Hardwick Woods or Chelsdon Meadow.
26. Given that informal greenspace in the area would still exceed the councils standard and that parks provision would be improved it is considered that in terms of greenspace the proposal complies with the requirements of policy CS18, SO11 and the NPPF.

Local Green Space designation

27. The NPPF created the opportunity for local communities to nominate areas for protection akin to greenbelt through the Local Green Space designation. The site has been nominated 6 times for Local Green Space designation as part of the consultation for the Plymouth Plan Part 2 which closed on 8th January 2016. This will be considered as part of the Plymouth Plan process.

Play

28. The applicant is not providing play provision on site and hence a S106 Play contribution of £82,050 for provision on the Public Open Space at Redwood Drive to mitigate the impact of new residents using this facility has been requested and agreed in full by the applicant.

Sport

29. The site is not suitable for a Playing pitch (PCCs strategy is to invest in strategic sports hubs rather than create isolated sites). A S106 contribution of £215,059 for provision and maintenance of playing pitch facilities at Plympton St Mary Recreation Ground has been requested and agreed in full by the applicant to mitigate the impacts of the new residents.

Biodiversity

30. Sufficient survey and reporting has been submitted with the Ecological Enhancement and Mitigation Strategy. The site contains two species poor semi improved grassland fields bounded by species rich hedgebanks. The fields are considered to have low ecological value and the hedgerow will be largely retained and enhanced with only limited sections removed.

31. Habitat creation Ecological mitigation proposed includes:

Informal Park including a meadow mix, pollen and nectar mix and tussock grassland mix.

-To provide a seed mix containing wetland meadow and other pond species around the attenuation areas.

-To manage retained areas.

-To create new areas of native woodland and orchard together with park trees.

Species Surveys

Bats:

32. No bat roosts were recorded on the site and the trees were considered to have negligible potential to support bat roosts. The species rich hedgerows provide suitable flightlines and foraging habitats for bat species but the grassland is likely to represent low quality foraging areas. Furthermore the site is likely to be subject to light spill from the exiting surrounding development.

Badgers:

33. Due to its nature the site is considered suitable for foraging badgers but no activity including setts were found in the area.

Birds:

34. The hedgerows are considered to have high potential to support nesting birds. The denser grassland is considered to have limited potential for ground nesting birds.

Dormice:

35. The Devon Biological Records Centre does not identify any records of dormice within a 1km radius of the survey area. The hedgerows do have potential to support dormice however the light spill and isolation from surrounding development is likely to deter dormice. It is therefore unlikely that a population of dormice could be supported on the site.

Reptiles:

36. The grassland which dominates the site was identified as supporting a breeding population of slowworm.

Section 41 species (list of rarest and threatened species):

37. The site offers suitable habitat for hedgehogs.

Species Mitigation

38. In addition to habitat creation and management described above ecological mitigation/enhancement includes:
- 20 bat roosting provisions.
 - Nest box provision including boxes, nest bricks and swift bricks averaging at -least 1 per dwelling.
 - Reptile translocation to a suitable receptor site (including enhancement of site).
 - Installation of habitat piles (piles of dead wood and plants to provide habitats for wildlife)
39. It is considered that the measures proposed would ensure that all protected species are safeguarded and that the development will result in net biodiversity gain in line with Policy CS19.

Education

40. The proposed site geographically sits in the catchment area for the Plympton locality of the city. There are three schools located within the area which would be affected by the development of the site; Glen Park Primary, Chaddlewood Primary and Yealmpstone Farm Primary. These schools fill up on point of entry admissions. All three sites are fairly restricted for expansion due to being built within fairly high residential areas.
41. Glen Park Primary School is a popular 2 form entry school, located in close proximity to the proposed development, 0.4 km. The school is currently full with a waiting list. The site has limited room to expand and has identified that they do not wish to expand at this time.
42. Chaddlewood Primary School is a popular 2 form entry school also located within close proximity to the proposed development, 0.6 km. The school is also full with a waiting list. The one storey school is built on different levels due to the gradients of the site and has some temporary accommodation and has a nursery housed in a separate building. The site would be difficult to expand due to the severely varying ground levels. The school has indicated that they do not wish to expand at this time.
43. Yealmpstone Farm Primary is a popular one form entry school. It is located further away from the proposed development than the other schools at 1.3 km (as the crow flies). The school is full but does not have a waiting list. The school is built on a sloping site but the grounds have the potential space for expansion. The school is willing to expand to a 2 form entry and has several ideas as to how this can be achieved.
44. A form of entry is 30 pupils, per year group, a 2 form entry would be 60 pupils per year group, this is also identified in the planned admission number (PAN). This locality has been identified as currently having insufficient capacity based on the birth-rate and the popularity of the area.
45. Any additional dwellings built within this area will add pressure on places at these schools. The only school wishing to expand currently is Yealmpstone Farm. The expansion of this

school would be beneficial to the area as it would allow for the additional capacity to be available in Plympton for Plympton pupils.

46. In order to mitigate the impact of the development on primary schools a contribution of £454,793 towards the proposed expansion at Yealmpstone Farm Primary School to become a 2 form entry school is required and has been agreed in full by the applicant.
47. Secondary contributions have not been sought as Secondary education needs can be met by the City and the impact of the continued growth in primary school numbers will not impact upon the secondary schools until approximately 2018.
48. The Local Education Authority considers the proposal can be adequately mitigated through the financial contribution and therefore has not objected to the proposal providing the financial contribution is agreed.

Health infrastructure

49. The NHS has indicated that there are capacity issues within existing GP surgeries within Plympton including Glenside surgery, which is currently 47% undersized.
50. The proposed development will add to the demand for patient places within Plympton and as such officers consider it is appropriate to request a financial contribution to mitigate the impact of the proposal. Glenside Surgery has submitted an expansion proposal to the Clinical Commissioning Group for approval who is currently reviewing their Strategic Plan for Plympton. The NHS has therefore requested £80,148 towards health care provision in Plympton. This has been calculated from figures provided by NHS England, and benchmarked against other authorities. They are based on a health provision standard of 500 sqm per 6,000 people. Average household size and the capital cost of £2,000 per sq m have been used to generate a cost per dwelling size. The applicant has agreed this in full.
51. The NHS considers the proposal can be adequately mitigated through the financial contribution and therefore has not objected to the proposal providing the financial contribution is agreed.

Highways

52. The main pedestrian and vehicle access points into the site would be at its southwest corner via the ends of the two cul-de-sacs known as Poplar Close and Hickory Drive, where standard carriageways and footways would be provided linking the application site to the wider footway and road network. There would also be a pedestrian, cycle, and emergency vehicle link, from the west side of the development that would run through the remainder of the Public Open space, linking the development with the north end of Redwood Drive.
53. Local bus stops serving the application site are situated on Glen Road, close to the junction with Hickory Drive, approximately 400 metres away from the entrance points into the site. The east bound bus stop is considered satisfactory but the west bound bus stop on Glen Road for travel toward the district centre of Plympton and the City Centre currently provides a poor arrangement that also lacks a bus shelter, and is situated on the opposite side of Glen Road (south side) from the site. The pedestrian crossing point is poor, and there

isn't any footway along the south side of Glen Road, just a relatively narrow bus stop refuge, with poor accessibility. Therefore currently it is considered relatively inaccessible, discouraging and making the safe use of sustainable travel to and from the site by bus more difficult. To help mitigate this, the proposal includes necessary up-grades to the crossing point, and the bus stop arrangement there.

Street Layout

54. The Street layout and design of the proposed development would comprise of a primary perimeter street of a rectangular form, with two secondary cross-streets orientated north/south. Along with two cross intersecting narrow links orientated east/west, linking one of the cross-street to the perimeter street, on the east side of the development. A hard-surfaced shared pedestrian and cycle path would run east/west through the development and across the streets, and on into the public open space.
55. Pavements are in place on one side of the street only with low kerbs and clearly marked pedestrian routes on the other side of the street. Officers consider that further design is needed to ensure best safety practices. The Local Highway consider that sufficient space can be found in the street and consider such details can be secured by way of a condition.
56. The narrow street layout is designed to slow traffic and give pedestrians priority. The roads would be unable to conveniently accommodate two-way vehicle movements by any vehicle larger than a car, and larger vehicles would need to give-and-take throughout the majority of the new streets. Given that the development does not serve as a through route to other areas of the city and the aspiration for pedestrian priority this is considered acceptable in this case.
57. Tracking plans have been provided demonstrating that a refuse lorry and fire engine would be able to negotiate and travel around the new streets, but would need to use the whole width of the road, particularly when turning but beyond the design and planning stage, the streets of the new development will need to safely meet the needs of all users so that they can be adopted as public highway providing for the free flow of all traffic to 'pass and re-pass' (Highways Act 1980). The developer proposes that the streets are adopted as public streets, and any adoption agreement, under section 38 of the Highways Act, would include a maintenance period, which would show up any issues in the street construction design and use that might need further consideration.

Traffic Movements

58. The traffic impacts have been covered in the various submitted Transport Assessment (TA) documents, which forecast the proposed 190 dwellings would be expected on an average day to generate 120 vehicle trips in the morning peak, and 130 vehicle movements (in and out) in the afternoon peak (an average of between 2.0- 2.2 cars per minute). The forecast vehicle split and direction of travel to various locations has been subject of much consideration, particularly in terms of the impacts on the busier road junctions. The initial TA and modelling submitted was considered to have a number of shortcomings. To resolve this the

applicant has worked with the Council revising the traffic modelling in order to achieve a robust TA that is in accordance with best practice guidance.

59. Depending on their destination the majority of the cars leaving the application site during the morning peak hour between 08:00& 09:00 would be expected to travel west, 76% or 91 cars toward the City Centre via Marsh Mills (with only 24% travelling east or 29 Cars), split either along the A38 Parkway, or via Glen Road and Plymouth Road, adding to the existing traffic queues during peak hour traffic flows at some of the junctions along Glen Road, including the junctions of Strode Road, Moorland Road, Plymbridge Road/St Marys Bridge, and Plymouth Road.
60. The associated traffic impact of the proposed housing development could in reality be slightly less than forecast along the Glen Road Corridor during busy periods, with some drivers likely instead to divert and travel via the Deep Lane junction onto the A38 Parkway, in order to avoid the slow moving traffic through Plympton. Although the associated cumulative traffic increase along the Glen Road Corridor would not be immediately mitigated by the development the development would be expected to make a Section 106 Strategic Transport contribution in accordance with current council guidance of £742,578, toward the Councils 'Eastern Corridor' initiative to help reduce traffic delays through Plympton including along the Glen Road/Plymouth Road corridor in the longer term, in accordance with the planning obligations SPD. The applicant has agreed this in full.
61. The traffic modelling has also forecast that the traffic generated by the proposed new housing development would add more significantly to traffic queues at the roundabout junction of Glen Road/Hillcrest Drive, which is much closer to the application site; and which the development proposes to mitigate with highway works principally by providing a new short left turn lane at the roundabout to improve the flow.
62. Any traffic from the new housing development travelling via the Deep Lane junction (including along Sandy Road) would benefit from the junction alterations to improve traffic flows and capacity that are currently being carried out as part of the 'Sherford' housing development, and would utilise some of that improved vehicle traffic capacity. Therefore in the immediate and short term the associated traffic uplift at Deep Lane junction would likely be imperceptible.
63. Further, the expectation is that a small percentage of the vehicle traffic from the development would be likely to dissipate more evenly across the local road network, in particular where they are travelling within the Plympton area, or where they have more than one destination, for example, where a parent might be dropping off a child at school, prior to carrying on to work, or elsewhere. In this case it is understood that the nearest primary school that would have available school places (after expansion) would be Yealmpstone Farm Primary School. Situated between approximately 2.3 – 3.0 kilometres (by road) to the south of the applications site, off Hooksbury Avenue, and considered to be beyond reasonable walking distance from the application site and travel would likely be by car. Incidentally, the two closest primary schools, namely, 'Glen Park Primary School' and 'Chaddlewood Primary School' are both within easy walking distance of the application site, (approximately 250 & 800 metres respectively) but currently lack capacity for any additional children.
64. The new traffic leaving the housing development during the 08:00 – 09:00 morning peak (averagely an additional two cars per minute) would encounter short delays along Redwood

Drive and Hickory drive, caused by other cars and pedestrians dropping-off children at Glen Park Primary School, where at times the hap-hazard school-run car parking creates traffic difficulties and short term delays during the morning peak. However, the congestion and delays would be relatively brief, and confined to the cul-de-sac streets that would not to any great extent impact upon the wider road network.

65. The Local Highway Authority considers that in the longer term (five years or more) the obligation of the Sherford development to provide a new Park & Ride facility (triggered by 1300 dwellings being built) on the south side of the Deep Lane junction, would to some extent be likely to generally reduce car travel through Plympton to the wider area, including along the Glen Road/Plymouth Road corridor.

Cycle storage and refuse storage

66. All units will have access to rear gardens for refuse bin and bike storage. Houses without garages would have a secure shed for cycle and general storage, whilst flats would have a communal bike and bin store. Bin storage would be provided in accordance with the Councils SPD, each dwelling having storage space for two standard size (240ltr) wheeled bins.

Car parking

67. Car parking would comprise of a mixture of private on-plot spaces, private off-street banks of parking spaces, including 34 visitor parking spaces, 26 of which would be within the proposed public highway. That altogether would provide a total of 420 spaces to serve the 190 dwellings, an overall parking ratio of 2.2 parking spaces per dwelling.
68. The overall average car parking ratio of 2.2 cars per dwelling appear generous, but the balance of parking distribution and allocation varies across the site from between 1 to 3 parking spaces per dwelling, including 25 garages. Parking provision, both on and off-street, is further constrained by the street layout, and overall is considered finely balanced across the site. For this reason it would be important for visitor parking spaces to be conditionally retained as part of the public realm, free for all to use on a first come first serve basis.

Highway conclusions

69. Given the location of the proposed housing development close to the east edge of the city, and from the available information it is considered that the housing development would likely be heavily reliant on the use of a car for most journeys, although there would be some level of sustainable travel options available to future residents, and a Travel Plan forms part of this application, to encourage sustainable means of travel.
70. Paragraph 32 of the National Planning Policy Framework, concludes that, 'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'. In this case it is considered from analysis of the traffic modelling that the cumulative vehicle traffic impact would to some extent be dissipated across the local road network, with drivers also having options to divert, including using convenient access to the A38 Parkway via Deep Lane junction. Further, the development would physically address certain traffic impacts, by improving the accessibility to and

arrangements at the bus stop on the south side of Glen Road to encouraging bus use, and by improving vehicle traffic flow locally with the addition of a left-turn flair lane at the roundabout junction of Glen Road/Hillcrest Drive. Additionally the development would provide a strategic transport contribution toward mitigating traffic impacts in the longer term.

71. The application site setting, and range of connections, might be considered somewhat limited in terms of sustainable travel opportunities but the expected cumulative traffic impact of the proposed housing development isn't considered to be severe. Notwithstanding the application details, further refinements including to the street layout arrangements and assignment of space could be achieved by way of the planning condition added. Accordingly on balance the Local Highway Authority has not raised any objections in principal to planning permission being granted subject to appropriate planning conditions and agreement of the financial contribution, a view shared by your officers.

72. Design, Density, and Layout

73. The NPPF attaches great importance to the design of the built environment. Core Strategy policy CS02 promotes well designed developments to promote the image of the city through enhanced city and local gateway locations and key approach corridors.

Density

74. Density calculations can be a crude measurement in determining the quality of schemes but do provide a broad benchmark in their assessment. The density of development surrounding the site is generally medium being 38 dwellings per hectare (dph) in the Hemerdon Heights area, 36dph in the Redwood Drive area and 29dph in and around Culverwood Close Westmoor Close Barton Close and Boulden Close. This compares with the proposal being 41 dph in the developed parcel. Density alone cannot be a reasonable reason for refusal unless it gives rise to manifest shortcomings. The NPPF states that LPAs should set out their own approach to housing density to reflect local circumstances. Strategic Objective 10.2 aims to promote the highest density compatible with the creation of an attractive living environment. Core Strategy policy CS01.2 states that development must be delivered at the appropriate type form, scale, mix and density in relation to its location relative to the neighbourhood's centre. In this respect officers consider that subject to the layout and design issues discussed below the density is appropriate for this location.

Layout and design

75. The design concept proposes a primary route which is located around the periphery of the developed part of the site, which links to two secondary streets that run north to south. A central green connection for pedestrians and cycles runs from the western land parcel, through the proposed public open space and to the eastern edge of the proposed community park.

76. A perimeter block approach to the internal layout of the site gives the development strong street frontages and building lines. There is clear distinction between public and private spaces and the proposed layout has been designed so that the rear gardens of the proposed new dwellings back onto the rear gardens of the other dwellings located within the perimeter blocks that define the layout of the site. This ensures the provision of a safe and secure

environment, omitting the need for small back lanes, and is in accordance with the principles of Secured by Design.

77. The primary route is defined by a strong frontage comprising of 2 storey or 2.5 storey small terraces and semi-detached dwellings with regular tree planting along the route.
78. The 2 'lanes' that run north to south through the development are defined by larger loose-knit dwellings again 2 or 2.5 storeys in height. The set back of the dwellings are larger than on the primary route providing a more informal character and reinforcing their secondary nature.
79. The 'green' connection runs from east to west through the development providing a tree lined connection between the development, the green public open space, and the community park and also provides views of the wider countryside beyond. The units fronting the park are 2 or 2.5 storey dwellings with 3 storey flats. The 3 storey flats are the only 3 storey buildings proposed which provides prominence to the park frontage and natural surveillance of the park, both recognised urban design principles.
80. The mix of 2 and 2.5 storey dwellings helps to provide some variation to the street frontage and massing of the development whilst providing continuity of building height so that the proposal has balance and uniformity with regards to building heights across the site.
81. The whole site follows the same general design approach and the different dwelling types and apartment block contain some similar features that ensures that the scheme has balance and symmetry, through subtle repetition of features and materials. The façade detailing and proportioning throughout the site is simple to allow the creative use of materials to define the streetscenes and different character areas. The contemporary approach is highlighted by the use of simple porches and canopies to define entrances whilst groundfloor projecting bay windows or full gables add variation to the depth of the elevations and help to give the facades rhythm and distinction.
82. The primary routes would have a prominence of render (with buff brick and artstone features and grey roof tiles). To differentiate the character of the lanes the primary material would be buff brick with the creative use of render as a feature material and a different shade of roof tile. The green connection would be similar to the primary route but replacing the buff brick with local stone. The details will be secured through a condition.
83. Officers consider that the development would deliver a high quality of landscape treatment and design. The layout would include the introduction of trees and shrub planting. Planting to front gardens will be varied between the different character areas. Boundary treatment would range from railings, soft landscaping and hedges; timber rails and brick screen walls.
84. Whilst the development site is largely surrounded by existing development which provides an opportunity to differentiate from the existing architecture of the surrounding streets, the proposal would form a contemporary approach while respecting some of the features and materials such as brick found in the area.

85. In summary, it is considered that the proposals will provide a well thought out development that is easy to move through and around (for vehicles, cyclists and pedestrians) and has public and private spaces that are safe, attractive, easily distinguished and accessible. The layout and design of the development is therefore considered acceptable and in accordance with Core Strategy policy CS02, CS34, SO3 and part 4 of the Design SPD.

Neighbouring amenity

86. The proposed developed area of the site would be surrounded by existing properties on all sides apart from the new community park. The development should therefore ensure the impact of privacy, light and outlook of these properties is properly considered. The proposal ensures that the distances between the proposed dwellings meet or exceed the guidance in the Council's adopted SPD with regard to distances between directly facing windows (21 metres) and spaces between primary windows and blank elevations (12 metres). Furthermore much of the existing boundary vegetation would be retained providing some screening of the development. Following comments received during the application process the proposal has also been amended to address some concerns of residents for example those expressed from the resident of 16 Culverwood which would now have a more desired back to back relationship with the proposed dwellings rather than a back to gable as originally proposed.

87. It is considered that the impact on existing dwellings surrounding the site is acceptable and is in line with adopted guidance. In this respect the proposal is considered to comply with policy CS34 of the Core Strategy.

Living conditions

88. As described above it is important that all new residential development should be designed to ensure that the degree of privacy enjoyed by existing nearby properties is not unacceptably reduced and that new problems of overlooking are not created. It is also imperative that the relationship between the new dwellings proposed is acceptable and that each property has an adequate level of privacy and natural light.

89. The proposed dwellings would be of a reasonable size to provide adequate living space for the number of bedrooms proposed. Two house types would fall marginally (4 sqm) below the space standard guidance in the SPD however this is considered acceptable in the context of the overall development.

90. With regards to the relationships created between the new dwellings proposed within the site, the layout has been designed so that all new dwellings will benefit from adequate levels of outdoor space. All but 29 dwellings (15%) would exceed or be in accordance with the guidance contained within the Council's Adopted Development Guidelines SPD. The 15% which are not strictly in accordance with the guidelines is largely where houses originally proposed as terraced have been amended to semi-detached which then comes under the larger standard for a semi-detached house. These gardens are still reasonably large and would still provide an acceptable level of outdoor space for the size of the dwellings.

91. All of the proposed dwellings would be adequate distances apart to ensure amenity levels in terms of outlook, light and overlooking are acceptable. Bin stores and cycle storage are also included within the development, in accordance with the guidance contained within the Development Guidelines SPD.

Flooding and Drainage

92. The site lies within Flood Zone 1 and therefore has a low probability of flooding from fluvial and tidal sources. A Flood Risk Assessment and Drainage Strategy was provided as part of the application which has been updated following comments from the Environment Agency and the Lead Local Flood Authority.
93. Ground investigations of the site have taken place including multiple trial pits. Surface water will be conveyed to two separate soakaway systems, the largest within the proposed community park and another near to the entrance of the proposed residential area. The soakaway systems will be maintained by a management company the details of which will be secured through a S106 agreement. The Environment Agency and Lead Local Flood Authority are now satisfied that with the inclusion of a condition requiring further details of the drainage scheme the proposal is acceptable and complies with policy CS21 of the Core Strategy.

Affordable Housing

94. The proposal is for 190 dwellings, of which 30% will be affordable housing, representing a total of 57 homes.
95. The proposal is in line with the requirements of the adopted Core Strategy policy CS15, as well as the emerging Plymouth Plan, both of which require at least 30% affordable housing on all qualifying developments. Therefore the affordable housing proposal is welcomed.
- The proposed tenure mix is as follows:
- 17 social rented properties
 - 7 affordable rent properties
 - 6 shared-ownership properties
 - 27 Rentplus properties ('rent to buy' affordable housing)
96. Policy guidance contained in the Planning Obligations and Affordable Housing SPD (second review 2012) promotes a 60/40 split between rented and shared ownership units. This guidance however, pre-dates the inclusion of the Rentplus model within the Council's approved National Planning Policy Framework (NPPF) compliant forms of affordable housing.
97. The 27 Rentplus units in the development provide an alternative form of both affordable rent and sales opportunities, enabling residents to purchase their property over a 20 year period.
98. The 17 social rent properties proposed within this application are particularly welcomed, given that they represent the most affordable model of rented housing, and are increasingly difficult to deliver through the S106 mechanism. The additional 13 units for affordable rent and shared ownership sale also comply with national and local planning policy requirements. The Housing Delivery Team consider that the proposed housing mix will meet known

housing needs for both rent and low cost homeownership in the city as identified by the Strategic Housing Market Needs Assessment (2013) which identified an annual need of 1,323 affordable dwellings per annum. This view is supported by level of need captured in the Devon Home Choice housing register. In March 2016 there were 13,251 households on the register for affordable housing in the city.

99. It is noted that all 14 flats are proposed as being social rented housing. Whilst this is not a representative mix when considered in the context of the mix for the whole development the 1 bedroomed flats in particular will be valuable to enable those impacted by the Spare Room Subsidy (or 'Bedroom Tax') rules relocate to an appropriate sized property.
100. The majority of the 190 properties (92%) however are designed as family accommodation, with the largest number being 3 bedroomed 5 person properties. This unit mix is therefore generally in line with the character of the surrounding area and is therefore appropriate to its context. It is also noted that the Affordable homes are designed so as to be indistinguishable from the open market units, which is welcomed.
101. Therefore officers consider that this proposal offers a broad range of affordable housing products that meet the need for both rented and low-cost homeownership in the city, and will therefore contribute to the delivery of mixed sustainable communities as required by policy CS15 and the NPPF.

Sustainable Resource Use

102. Policy CS20 (Sustainable Resource Use) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) requires all new residential developments of 10 units or more to incorporate onsite renewable energy production equipment to offset at least 15% of predicted carbon emissions for the period 2010 – 2016.
103. An Energy Statement has been submitted with the application which along with other energy saving measures proposes to incorporate photovoltaic panels (372 panels) on a portion of the development to generate sufficient energy to offset 41,347.05kg/year of CO₂, this representing 15% of the site's energy efficient baseline. This will be secured through a condition. The proposal therefore complies with policy CS20 and SO3.

Public protection issues

Air Quality

104. An air quality report has been submitted with the application. The report concludes that the impact of traffic generated by the construction of the proposed development on local air quality will be negligible therefore no specific mitigation is deemed necessary for the operational phase.
105. Modelling has taken place to assess the impact of the development once completed. The modelling indicates that the proposed development is likely to result in a negligible increase in concentrations of road traffic related pollutants (NO₂, PM₁₀ and PM_{2.5}) at the receptor locations considered in the assessment; the proposed development is not predicted to cause

any exceedances of the statutory air quality objectives. Pollutant concentrations predicted within the application site itself are also well below the relevant objective levels. Based on the assessment significance criteria the effect of the proposed development is considered to be negligible for all pollutants and no specific mitigation measures are required.

106. The Public Protection Service agree with the measures set out in the report which concludes that the residual effects of dust and particulate matter generated by construction activities following the application of the proposed mitigation measures as well as having good site practice is considered to be negligible. A condition is attached ensuring that the proposed construction mitigation is carried out.

Construction Environmental Management Plan

107. A Construction Environmental Management Plan has been submitted with the application In terms of construction impact on residents the mitigation proposed within the report which includes hours of construction, and means to control mud and dust is acceptable and will be secured through a condition.

Contaminated Land

108. A contaminated Land Assessment (including further information regarding the concentration of Tin and Arsenic) which identifies what intrusive investigations were undertaken and what the sample analysis identified has been submitted with the application. The council's Public Protection Service is in agreement with the report's findings that no further remediation is required. An unexpected contamination condition is attached should any unforeseen issues arise.

Other issues

Archaeology

109. A Desk Based Assessment has been submitted with the application which concluded that there are a small number of assets of prehistoric and Romano-British date recorded on the Plymouth and Devon records within the study area surrounding the site. Recent geophysical survey and excavation work associated with the Choakford to Langage Gas Pipeline and with the construction of the Langage Energy Centre and Energy Park has revealed further evidence for activity of Prehistoric and Romano-British dates within the area immediately to the east of the study area. There are also a number of records relating to Domesday manors within the study area. The potential for the presence and/or survival of below-ground deposits is generally considered to be good, with the possibility, albeit speculative, of encountering remains of prehistoric and Romano-British date based on evidence recovered from the wider landscape surrounding the site. There is also considered to be potential for remains of possible medieval date associated with the former Domesday manors to be present within the application area, although these are likely to relate to agricultural features if present.
110. Historic maps show that the proposed housing development lies within a field whose boundaries can be identified on the 1864-1895 map (but would have been established earlier) with the proposed community park occupying the northern portion of the field to the west. The Historic Environment Record shows no entries within the development area. Between 300m and 400m to the south/south-west of the site lies a Grade II listed manor and a medieval farmstead.

111. In response to the Council's Historic Environment Officer the applicant has submitted a scheme of investigation. The main aim of the geophysical survey and any trial trenching proposed will be to establish the presence or absence, extent, depth, character and date of any archaeological features, deposits or finds within the site. The results of the work will be reviewed and used to inform any subsequent mitigation. The general aim of any follow-up work will be to preserve by record any archaeological features or deposits present on the site.

Economy and employment

112. An employment and skills strategy has been submitted with the application which seeks to ensure that local people and local businesses benefit from the development through new job opportunities, apprenticeships, work experience opportunities, business supply chain opportunities and training opportunities. The Council's Economic Development Department is in agreement with such an approach. The proposals within the document shall be secured by condition.

Other issues raised in Letters of Representation

Mineshafts

113. Residents have raised concern regarding the possibility of a mineshaft on the site. As such the applicant has submitted a Mineshaft Statement which states the property is situated to the south of a metalliferous mining area centred on Hemerdon Ball. It does not lie within a historically established former mining lease boundary and plans and records do not indicate the presence of any mine workings, shafts or mineral deposits under, within or adjacent to the boundaries of the property.

114. The nearest recorded mine workings are situated approximately 1.3 kilometres north-northeast of the property at a nineteenth century tin mine known as Wheal Mary Hutchings. Wheal Mary Hutchings worked a tin deposit until the 1800s. An unnamed trial for tin is indicated to lie approximately 1.4 kilometres north-northwest of the property. Based on the documentary evidence available, the report concludes there is no reason to believe that the property is likely to be affected by subsidence caused by historic extractive metalliferous mining. Officers have no reason to disagree with these findings.

Land Sale

115. A number of letters have raised concerns over the Council's disposal of the site. This is a separate matter from planning and has not been and cannot be considered as part of this application.

Consultation

116. As described in section 3 above the applicant has carried out extensive public consultation. The Local Planning Authority has also advertised the application in accordance with the current consultation protocol. This includes 14 Site Notices on the streets surrounding the site and a Newspaper advert. The application has also been re-advertised a further 2 times when in receipt of amended details.

Environmental Impact Assessment

117. A number of concerns have been raised regarding the lack of an Environmental Impact Assessment (EIA). Prior to submitting the application the applicant formally requested a screening opinion as to whether an EIA would be required. After careful consideration of the legislation and responses from relevant agencies including amongst others the Environment Agency and Natural England the Council concluded that an EIA is not required. The requirement for the EIA is largely determined by legislation and guidance and in fact very few developments require an EIA.
118. As detailed previously in this section the applicant was still required to submit ecological surveys and an Ecological Mitigation and Enhancement Strategy, along with Transport Assessments and Air Quality assessments. The impact on the environment has therefore been fully considered.

Policy Background

119. Representations have been made regarding the fields being retained for recreational and education purposes in the past. The planning policy history since 1996 has been as follows.
120. In the 1996 Adopted Plan (no longer in force), the site was allocated as a possible site for 'New School Playing Fields' under Proposal ACR4 "New Detached Playing Fields are proposed at Chaddlewood" in the event of there being a need for additional provision.
121. In the First Deposit Local Plan (1996 to 2011) – (which was never adopted and therefore only ever had very little weight) the site was proposed as a District Park. The intention of this proposal was to improve the site, which was at that time still scrubland, giving consideration to the sporting and recreational needs of the area.
122. These documents have been superseded and the proposal must be determined against the current Core Strategy which as discussed does not include any specific restrictive policies for this site.

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 £650,902.90 (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 has indicated that they intend to apply for Social Housing Relief, which if agreed, will reduce the final liability to £491,537.95.

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:

- £82,050 for the provision and maintenance of play facilities at Redwood Drive'
- £215,059 for the provision and maintenance of playing pitch facilities at Plympton St Mary Recreation Ground.
- £264,408 towards delivery of enhancements to Hardwick Woods or Chelson Meadow as set out in the Saltram Masterplan
- £454,000 towards the proposed expansion at Yealmpstone Farm Primary School
- 742,578 towards highway improvements on Plymouth Road between Marsh Mills roundabout and the site including improvements at Marsh Mills, Cothill junction and St Marys Bridge.
- £80,148.18 towards increasing capacity at Glenside Surgery.
- A S106 management fee will also be secured representing £667/ s106 clause.

The applicant has agreed the obligations in full and therefore the impact of the proposal on infrastructure would be fully mitigated.

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 190 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.

The proposal includes 38 lifetime homes (20%) in line with policy. A condition has been added securing compliance with Part M4 (2) (Accessible and Adaptable Dwellings) which has effectively replaced Lifetime Homes.

13. Conclusions

The quality of the development being provided is appropriate in scale, form and design for the area.

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. The proposal will also deliver a community park in an area where parks are lacking. Careful consideration has been given to the potential impacts of the development including the impact on existing properties, green infrastructure, highways issues, education and healthcare infrastructure and appropriate financial contributions has also been secured to adequately mitigate the impacts of the proposal.

Officers have taken account of the NPPF and S38 (6) of the Planning and Compulsory Purchase Act 2004 and concluded that on balance the proposal accords policy and national guidance. The application is therefore recommended to grant conditionally subject to a S106 obligation.

14. Recommendation

In respect of the application dated **29/01/2016** and the submitted drawings Planning Layout 1706:100:T

Planning Layout (uncoloured) 1706:100:T

Storey Heights Plan 1706:101:E

Materials Plan 1706:102:D

Parking Plan 1706:103:D

Affordable Housing Plan 1706:104:E

Enclosures Plan 1706:105:D

Land Ownership Plan 1706:106:D

Rear Amenity Plan 1706:107:F

Landscape Strategy 1706:108:D

External Works Plan 1706:109:E

Waste Collection Plan 1706:110:D

Location Plan 1706:1002

200_House Type A 1706:200:C

201_House Type A 1706:201:B

202_House Type A 1706:202:B

203_House Type A 1706:203:B

204_House Type A 1706:204:B

205_House Type A 1706:205:B

206_House Type B 1706:206:B

207_House Type B 1706:207:B

208_House Type B 1706:208:A

209_House Type B 1706:209:A

210_House Type B 1706:210:B

211_House Type B 1706:211:B

212_House Type C 1706:212:B

213_House Type C 1706:213:A

214_House Type C I706:214:A
215_House Type C I706:215:A
216_House Type D I706:216:B
217_House Type D I706:217:A
218_House Type D I706:218:C
219_House Type E I706:219:C
220_House Type E I706:220:B
221_House Type F I706:221:B
222_House Type F I706:222:C
223_House Type G I706:223:B
224_House Type G I706:224:A
225_House Type G I706:225:B
226_House Type H I706:226:A
227_House Type H I706:227:B
228_House Type J I706:228:A
229_House Type J I706:229:B
230_House Type K I706:230:A
231_House Type K I706:231:A
232_House Type L I706:232:B
233_House Type L I706:233:C
234_House Type L I706:234:A
235_House Type L I706:235:C
236_House Type L I706:236:B
237_House Type M I706:237:A
238_House Type M I706:238:A
239_House Type M I706:239:A
240_House Type N I706:240:A
241_House Type N I706:241:B
242_House Type P I706:242:A
243_House Type J I706:243:
244_House Type J I706:244:A
250_Redwood Drive_Single Garage Brick I706:250:A
251_Redwood Drive_Twin Garage Brick I706:251:
252_Redwood Drive_Twin Garage Brick I706:252:A
253_Redwood Drive_Single Garage Brick I706:253
260_Redwod Drive_Substation I706_260
300_1.8m Brick Screen Wall I706:300

301_1.8m Boundary Hedge I706:301
302_1.2m Horizontal Railing I706:302
303_Trip Rail I706:303
304_1.8m Larch Lap Panel Fence with Gate I706:304
400:Sections and Streetscenes I706:400:A
401:Boundary Sections I706:401:B
Highway & Private Parking Layout I5004:010:B
Highway Long Sections Sheet 1 of 3 I5004:020
Highway Long Sections Sheet 2 of 3 I5004:021
Private Parking & Emergency Access LS Sheet 3 of 3 I5004:022
Vehicle Tracking Overall Plan I5004:050:C
Vehicle Tracking Junction Plans Sheet 1 of 2 I5004:051:C
Vehicle Tracking Junction Plans Sheet 2 of 2 I5004:052:C
Proposed S104 Drainage Layout I5004:100:B
Proposed S104 Foul LS Sheet 1 of 2 I5004:110:A
Proposed S104 Foul LS Sheet 2 of 2 I5004:111:A
Proposed S104 SW Long Sections Sheet 1 of 3 I5004:120
Proposed S104 SW Long Sections Sheet 2 of 3 I5004:121
Proposed S104 SW Long Sections Sheet 3 of 3 I5004:122
Proposed FFL & External Levels Sheet 1 of 5 I5004:200:B
Proposed FFL & External Levels Sheet 2 of 5 I5004:201:B
Proposed FFL & External Levels Sheet 3 of 5 I5004:202:B
Proposed FFL & External Levels Sheet 4 of 5 I5004:203:B
Proposed FFL & External Levels Sheet 5 of 5 I5004:204:B
Proposed Service Strips I5004:000:D
Composite Landscape Masterplan TAs I48 MPI:N
Strategic Landscape Management Plan TAs I48 LMI:G
Internal Planting Plan (North) TAs I48 PP3:N
Internal Planting Plan (South) TAs I48 PP2:K
Strategic Open Space Planting Plan TAs I48 Strat POS PPI:j
Tree Pit Details TAs I48 CD1:A
Topography Survey I5277 cv-02
Tree Protection Plan (1 of 2) D2 64 P4 Rev B 1 of 2
Tree Protection Plan (2 of 2) D2 64 P4 Rev B 2 of 2
Affordable Housing Statement 05 January 2016
Air Quality Assessment 12 January 2016
Arsenic and Tin 8th June 2015

Arboricultural Constraints Report December 2015
Written Scheme of Investigation for a Programme of Archaeological Works May 2016
Construction Environmental Management Plan Rev B
Contaminated Land Assessment 05 January 2016
Development Overview Document
Ecological Mitigation & Enhancement Strategy 05 January 2016
Employment and Skills Strategy 19 May 2016
Energy Statement Rev A
Foul Sewage and Utilities Statement 05 January 2016
Flood Risk Assessment I5004 – Rev B
Green Space Assessment 5th January 2016
Historic Environment Assessment April 2016
Lighting Strategy 9 December 2015
Landscape Management Report December 2015
Lifetime Homes Statement 21 December 2015
Material Appraisal Document
Mineshaft Statement 5th January 2016
Planning Statement 05 January 2016
Secured by Design Statement 23 December 2015
Site Waste Management Plan I4549
Statement of Community Involvement 5th January 2016
Transport Assessment 13th May 2016
Travel Plan 13th May 2016
Table detailing work submitted to avoid need for pre-commencement conditions April 2016.
Statement of Community Involvement – Post Submission Activity Addendum
01 April 2016, and accompanying Design and Access Statement 5th January 2016, it is recommended to: **Grant Conditionally Subject to a S106 Obligation, delegated to Assistant Director for Strategic Planning & Infrastructure to refuse if S106 is not signed by the target date or other date agreed through an extension of time.**

15. Conditions

CONDITION: DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004, and due to concessions in Planning Obligation contributions/requirements under Plymouth's temporary Market Recovery measures.

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Planning Layout I706:100:T

Planning Layout (uncoloured) I706:100:T

Storey Heights Plan I706:101:E

Materials Plan I706:102:D

Parking Plan I706:103:D

Affordable Housing Plan I706:104:E

Enclosures Plan I706:105:D

Land Ownership Plan I706:106:D

Rear Amenity Plan I706:107:F

Landscape Strategy I706:108:D

External Works Plan I706:109:E

Waste Collection Plan I706:110:D

Location Plan I706:1002

200_House Type A I706:200:C

201_House Type A I706:201:B

202_House Type A I706:202:B

203_House Type A I706:203:B

204_House Type A I706:204:B

205_House Type A I706:205:B

206_House Type B I706:206:B

207_House Type B I706:207:B

208_House Type B I706:208:A

209_House Type B I706:209:A

210_House Type B I706:210:B

211_House Type B I706:211:B

212_House Type C I706:212:B

213_House Type C I706:213:A

214_House Type C I706:214:A

215_House Type C I706:215:A

216_House Type D I706:216:B

217_House Type D I706:217:A

218_House Type D I706:218:C
219_House Type E I706:219:C
220_House Type E I706:220:B
221_House Type F I706:221:B
222_House Type F I706:222:C
223_House Type G I706:223:B
224_House Type G I706:224:A
225_House Type G I706:225:B
226_House Type H I706:226:A
227_House Type H I706:227:B
228_House Type J I706:228:A
229_House Type J I706:229:B
230_House Type K I706:230:A
231_House Type K I706:231:A
232_House Type L I706:232:B
233_House Type L I706:233:C
234_House Type L I706:234:A
235_House Type L I706:235:C
236_House Type L I706:236:B
237_House Type M I706:237:A
238_House Type M I706:238:A
239_House Type M I706:239:A
240_House Type N I706:240:A
241_House Type N I706:241:B
242_House Type P I706:242:A
243_House Type J I706:243:
244_House Type J I706:244:A
250_Redwood Drive_Single Garage Brick I706:250:A
251_Redwood Drive_Twin Garage Brick I706:251:
252_Redwood Drive_Twin Garage Brick I706:252:A
253_Redwood Drive_Single Garage Brick I706:253
260_Redwod Drive_Substation I706_260
300_1.8m Brick Screen Wall I706:300
301_1.8m Boundary Hedge I706:301
302_1.2m Horizontal Railing I706:302
303_Trip Rail I706:303
304_1.8m Larch Lap Panel Fence with Gate I706:304

400:Sections and Streetscenes I706:400:A
401:Boundary Sections I706:401:B
Highway & Private Parking Layout I5004:010:B
Highway Long Sections Sheet 1 of 3 I5004:020
Highway Long Sections Sheet 2 of 3 I5004:021
Private Parking & Emergency Access LS Sheet 3 of 3 I5004:022
Vehicle Tracking Overall Plan I5004:050:C
Vehicle Tracking Junction Plans Sheet 1 of 2 I5004:051:C
Vehicle Tracking Junction Plans Sheet 2 of 2 I5004:052:C
Proposed S104 Drainage Layout I5004:100:B
Proposed S104 Foul LS Sheet 1 of 2 I5004:110:A
Proposed S104 Foul LS Sheet 2 of 2 I5004:111:A
Proposed S104 SW Long Sections Sheet 1 of 3 I5004:120
Proposed S104 SW Long Sections Sheet 2 of 3 I5004:121
Proposed S104 SW Long Sections Sheet 3 of 3 I5004:122
Proposed FFL & External Levels Sheet 1 of 5 I5004:200:B
Proposed FFL & External Levels Sheet 2 of 5 I5004:201:B
Proposed FFL & External Levels Sheet 3 of 5 I5004:202:B
Proposed FFL & External Levels Sheet 4 of 5 I5004:203:B
Proposed FFL & External Levels Sheet 5 of 5 I5004:204:B
Proposed Service Strips I5004:000:D
Composite Landscape Masterplan Tas I48 MPI:N
Strategic Landscape Management Plan Tas I48 LMI:G
Internal Planting Plan (North) Tas I48 PP3:N
Internal Planting Plan (South) Tas I48 PP2:K
Strategic Open Space Planting Plan Tas I48 Strat POS PPI:j
Tree Pit Details Tas I48 CDI:A
Topography Survey I5277 cv-02
Tree Protection Plan (1 of 2) D2 64 P4 Rev B 1 of 2
Tree Protection Plan (2 of 2) D2 64 P4 Rev B 2 of 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: DRAINAGE

(3) Prior to the commencement of development, a detailed scheme for surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- details of the design of the proposed earthworks forming the attenuation ponds and bunds
- details of the final drainage scheme
- a plan for the future maintenance and management of the system and overland flow routes.
- a Health & Safety Assessment and review including any mitigation required.

The approved drainage scheme for each dwelling shall be provided prior to its occupation. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development in accordance with the requirements of Policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007

Pre-commencement Justification: To ensure that the drainage scheme required for the development is deliverable prior to any work commencing.

PRE COMMENCEMENT: ARCHAEOLOGY

(4) No development shall be commenced until a programme of archaeological work aimed at providing information on the location, nature, state of preservation and extent of any archaeological remains which may be present has been implemented in strict accordance with the approved Written Scheme of Investigation for a Programme of Archaeological works ACD1362/2/0 May 2016.

Reason:

The site is considered likely to contain archaeological deposits that warrant appropriate investigation and/or recording 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

Pre-commencement Justification: To ensure any archaeology at the site is appropriately investigated and recorded.

Pre-Damp Proof Course Conditions

PRE DPC LEVEL- LANDSCAPE DELIVERY PROGRAMME

(5) All hard and soft landscape works including the Public Open Space and Community Park and construction of the suds features shall be carried out in accordance with the approved details.

Prior to the commencement above DPC a programme of works shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried in accordance in accordance with the agreed details.

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.

PRE DPC LEVEL: MATERIALS

(6) No development shall commence above DPC level until further details and samples of the approved materials to be used on the external surfaces of the development have been submitted to and approved 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.

PRE DPC LEVEL: RENEWABLE ENERGY

(7) The development shall be completed in accordance with the submitted Energy Statement rev a prepared by JSP Sustainability Ltd (dated January 2016). The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

Prior to development above DPC level details of the locations of the on-site renewable energy production methods (in this case Photovoltaic Cells) shall be submitted to and approved in writing by the Local Planning Authority. The on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the associated dwelling and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to offset at least 15% of predicted carbon emissions for the development in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, the draft Plymouth Plan Policy 25 and relevant Central Government guidance contained within the NPPF.

PRE DPC LEVEL: LANDSCAPE MANAGEMENT PLAN

(8) Unless otherwise previously agreed in writing with the Local Planning Authority, prior to the development commencing above DPC level, a 10 year Landscape Management Plan will be submitted for approval and implemented as agreed. For the avoidance of doubt this document shall be consistent with the Landscape Management Report (dated December 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, CS18, CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, the draft Plymouth Plan and relevant Central Government guidance contained within the NPPF

Pre-occupation Conditions

PRE OCCUPATION: COMPLETION OF ROADS AND FOOTWAYS

(9) Notwithstanding previously submitted details all roads and footways forming part of the development hereby permitted shall be completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority (including with any non material amendments previously agreed in writing by the Local Planning Authority) before the first occupation of the penultimate dwelling. 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 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 the draft Plymouth Plan and relevant Central Government guidance contained within the NPPF

PRE OCCUPATION: ACCESS/HIGHWAY IMPROVEMENTS

(10) The proposed access and other required improvements to the existing highway including improvements to the bus stop on the south side of Glen road and the roundabout junction of Glen Road /Hillcrest Drive shall be completed by the occupation of the 20th dwelling in accordance with details to be submitted for approval in writing by the Local Planning Authority .

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, the draft Plymouth Plan and relevant Central Government guidance contained within the NPPF

PRE OCCUPATION: PROVISION OF PARKING AREA

(11) Each parking space shown on the approved plans including garages shall be constructed, drained, surfaced and made available for use before the unit of accommodation that it serves is first occupied and thereafter that parking space shall not be used for any purpose other than the parking of vehicles. The designated visitor parking spaces shown on the approved plans shall thereafter be retained for the intended purpose of visitor parking and general public use on a first-come first-served basis.

Reason:

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

PRE OCCUPATION: CYCLE PROVISION

(12) No dwelling shall be occupied until space has been laid out within the site in accordance with the approved details for bicycles to be securely stored. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

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

PRE OCCUPATION: SECURE BY DESIGN

(13) All gates to private pathways shall have gates that have locks with key access.

Details of these shall be submitted to and approved in writing by the Local Planning Authority and shall be installed before any of the residential units requiring the use of the respective private pathways are occupied.

Reason:

To ensure that satisfactory measures are put in place to design out crime, in accordance with Policy CS32 of the Plymouth Local Development Framework Core Strategy (2006-2021).

Other Conditions

CONDITION: COMPLIANCE WITH APPROVED DOCUMENTS (14)

(14) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the following approved documents (and such documents listed with the application on the Decision Notice) including all provisions and mitigation proposals :

- Ecological Mitigation and Enhancement Strategy (dated 5 January 2016) ;
- Employment and Skills Strategy dated 19th May;
- WSP Parsons Brinckerhoff Air Quality Assessment, dated 12th January 2016 Project no: 70015879;
- CEMP Revision B dated May 2016 reference number BAR/RDPC/00/Ceb;
- Travel Plan 13th May 2016.

Reason:

In the interests 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. To ensure employment and skills development in accordance with Strategic Objective 6 and Policy CS04 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and in accordance with Policy 19 of the Plymouth Plan Part One (2011-2031). To protect the residential and general amenity of the area from any harmfully polluting effects, including emissions to air and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021). To protect residents from construction impacts and to avoid conflict with Policy CS22 of the

Plymouth Local Development Framework Core Strategy (2006-2021) 2007. in the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CONDITION: REPORTING OF UNEXPECTED CONTAMINATION

(15) 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

(16) 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 approved plans and particulars plan nos. D2 64 P4 Rev (2 sheets) 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: LIFETIME HOMES/PART M4(2)

(17) Unless agreed in writing the dwellings indentified as lifetime homes in the Lifetime Homes Statement (21/12/2015) shall be Part M4(2) compliant.

Reason:

To ensure that 20% of the dwellings on site are built to the equivalent of 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.

Informatives

INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)

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

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

(2) 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: PUBLIC HIGHWAY APPROVAL

(3) 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: ROADWORKS

(4) Any of the roadworks included in the application for adoption as highways maintainable at public expense will require further approval of the highway engineering details prior to inclusion in an Agreement under Section 38 of the Highways Act 1980. The applicant should contact Plymouth Transport and Highways for the necessary approval.

INFORMATIVE: BS8233:2014

(5) It is recommended that all dwellings are constructed in accordance with BS8233:2014 so as to provide sound insulation against externally generated noise. The good room criteria shall be applied, meaning there must be no more than 35 dB Laeq for living rooms (0700 to 2300 daytime) and 30 dB Laeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided.

PLANNING APPLICATION REPORT



Application Number 16/00644/FUL

Date Valid 18/04/2016

Item 03

Ward Southway

Site Address

LAND TO THE NORTH OF CLITTAFORD ROAD SOUTHWAY
PLYMOUTH

Proposal

Construction of 21 affordable homes with associated parking

Applicant

Westward Housing Group Limited

Application Type

Full Application

Target Date

18/07/2016

Committee Date

**Planning Committee: 07
July 2016**

Decision Category

Major - more than 5 Letters of Representation received

Case Officer

Christopher King

Recommendation

Grant Conditionally Subject to a S106 Obligation, delegated to Assistant Director for Strategic Planning & Infrastructure to refuse if S106 is not signed by the target date or other date agreed through an extension of time.

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1. Description of site

The former PLUSS Centre site is located in the Southway area of Plymouth and currently sites vacant with only old, low level structures remaining. The application site does not have a frontage onto Cilltaford Road, and to the west is an industrial site that has been redeveloped into housing. To the north is a vacant site with the potential for future housing schemes, and forms the development boundary of the city. UTC Aerospace Systems is directly to the east, along with an electricity sub-station that is accessed from a road adjacent to the proposed access.

2. Proposal description

This application proposes the construction of 21 affordable homes with associated parking and landscaping. Of the 21 units proposed, thirteen (13) will be shared ownership with the remaining eight (8) held as affordable rent. The application proposes the following mix of dwellings:

- 10no 3 bed, 5 persons Dwelling house
- 8no 2 bed, 4 person Dwelling house
- 3no 2 bed, 3 person Flats

It is proposed to provide four (4) units that meet the requirements of Part M of the Building Regulations (Accessible and Adaptable Dwellings), equating to 20%.

3. Pre-application enquiry

A DES pre-application was submitted (16/00111/MAJ), giving the LPA the opportunity to consider the principle of the proposal and the indicative layout of the site. The DES was not extensive, however the application hereby submitted is relatively consistent with the advice that was given by officers

4. Relevant planning history

13/01984/FUL - Re-develop site by erection of 19 affordable dwellings with associated access, car parking and landscaping (demolition of existing buildings) - Permitted Subject to S106 - [Refers to Phase 1 site directly south of application site]

10/01965/FUL - Substitution of house types on plots 19-26 and 43-50 approved under reserved matters approvals 08/00474 and 09/00245, and the addition of two extra dwellings, increasing the number over the whole site from 156 to 158 dwellings - Permitted Subject to S106

08/00474/REM - Reserved matters for the erection of 152 dwellings with associated car parking, access roads and public open space pursuant to outline permission 05/01085 – Permit - [Refers to the significantly larger Warleigh Village west and southwest of application site]

05/01085/OUT - Outline application for redevelopment of employment land involving demolition of the former Paper Converting buildings and part of the BAE building and the provision of: 490 dwellings, retention of manufacturing land, business units and live/work units, space for community uses, open spaces and a green 'corridor', a public transport terminal/information point, highways, means of accesses, cycle ways, footways and parking – Permitted Subject to S106 – [Refers to much larger Master Plan which includes the application site]

5. Consultation responses

Economic Development Department - No Objections

Housing Delivery Team - No Objections subject to Conditions

Lead Local Flood Authority - No Objections subject to Conditions

Local Highways Authority - No Objections subject to Conditions

Low Carbon Team - No Objections subject to Conditions

Natural Infrastructure Team - No Objections subject to Conditions

Police Architectural Liaison - No Objections subject to Conditions

Public Protection Service - No Objections subject to Conditions

6. Representations

The LPA has received a total of 6 letters of representation and a petition with 38 signatures. The content of the letters is summarised below:-

- Removal of green area for new road and pedestrian link is not wanted and not required
- Surface water and drainage issues
- Loss of residential amenity for residents on the Taylor Wimpey Estate
- Noise from children playing and teenagers gathering on the grassy area which should have been landscaped
- Shouldn't be affordable housing as we need more parks
- Will increase traffic in the area and roads are already overloaded causing loss of amenity and safety concerns
- Will add to the already increasing anti-social behaviour in the area
- Phase I site adjacent is full of litter and this will be exacerbated
- New proposed access through the affordable estate will impact the condition of our estate

The following non-material planning comments have been also been made:-

- Potential devaluation of property
- Additional upkeep cost of Taylor Wimpey estate due to new access, which is paid annually on top of council tax
- Taylor Wimpey promised residents the road wouldn't be built

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*

5 year housing supply:

When determining applications for residential development it is important to give consideration to housing supply.

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”

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.”

For the reasons set out in the Authority’s Annual Monitoring Report (January 2016) Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2016-21 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 4,163 dwellings which equates to a supply of 2.17 years when set against the housing requirement as determined by the requirements of the NPPF or 1.8 years supply when a 20% buffer is also applied.

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.

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...

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”

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

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. This planning application turns upon policies CS01 (Development of Sustainable Linked Communities), CS02 (Design), CS05 (Development of Existing Sites), CS15 (Overall Housing Provision), CS16 (Spatial Distribution of Housing Sites), CS18 (Plymouths Greenspace), CS19 (Wildlife), CS20 (Sustainable Resource Use), CS22 (Pollution), CS28 (Local Transport Consideration), CS32 (Designing Out Crime), CS33 (Community Benefits/Planning

Obligations) and CS34 (Planning Application Considerations) of the Local Development Framework Core Strategy.

3. The proposal also turns upon Policy 12, Policy 13, Policy 15, Policy 24, Policy 25, Policy 29 and Policy 30 of the Emerging Plymouth Plan Part One and Part 2 and 8 of the Development Guidelines Supplementary Planning Document (SPD).
4. The principle considerations relate to design, layout and amenity, and the impact of the proposal on the character of the surrounding area. Housing mix and tenure, planning obligations and community cohesion is also a key consideration for this proposal.

Principle of Development

5. The application site is the northern half of the former industrial Pluss 2 site and benefits from outline planning permission (05/01085/OUT) for residential development and is referred to in this report as Phase 2.
6. Phase I was recently developed by the same applicant and is located immediately south of the application site and provides the design philosophy for the Phase 2 application. The outline permission approved 490 dwellings within the application site, and this proposal seeks to provide an additional 21 units, all of which will be affordable homes on top of the 19 affordable homes that were provided within the Phase I site.
7. The Warleigh Village development immediately west of the application site, and Samuel Bassett Avenue to the east also benefited from the same outline consent as do some other undeveloped sites within close proximity, all of which have and will contribute significantly larger volumes of housing than can be achieved at this application site.
8. As explained in section 7 of this report, Plymouth City Council cannot at present demonstrate a 5 year housing supply, and as such, 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.
9. Notwithstanding the outline consent and the 5 year land supply, which is given significant weight by officers, the proposal is considered to accord with policy CS16 (1) of the Core Strategy as the housing is being delivered on previously developed land (opposed to greenfield) . Furthermore, the proposal will include a mix of dwelling types, size and tenure, to meet the needs of Plymouth's current and future population in accordance with policy CS15 of the Core Strategy.
10. Officers also consider that the redevelopment of the site accords strongly with policy CS05 of the Core Strategy as there are clear environmental, regeneration and sustainable community benefits from this proposal. The principle of the proposal is therefore accepted by officers, and will contribute to the overall need for housing, as well as the demand for affordable units.

Two Year Consent

11. Under section 91 Town and Country Planning Act 1990 if the local planning authority grants planning permission it is subject to a condition that specifies the time limit within which the development must begin. The relevant time limit for beginning the development is not later than the expiration of:
 - three years beginning with the date on which the permission is granted, or;
 - such other period (whether longer or shorter) as the local planning authority may impose.

12. The local planning authority can also consider whether a variation in the time period could assist in the delivery of development. For example, a shorter time period may be appropriate where it would encourage the commencement of development and non-commencement has previously had negative impacts. Conversely, a longer time period may be justified for very complex projects where there is evidence that three years is not long enough to allow all the necessary preparations to be completed before development can start.

13. At the start of October 2015 the LPA started to apply two year commencements on all applications for housing (of all types and sizes) as the council has evidence that many sites given planning permission have subsequently stalled, therefore corrective action is necessary to incentivise developers to deliver existing consents and any new consents granted.

14. Section 91 of the Town and Country Planning Act also specifically refers to “having regard to the provisions of the development plan and to any other material considerations”. The following provisions of the development plan (the Core Strategy) support an immediate move towards 2 year consents given the number of unimplemented planning permissions that already exist:
 - Strategic Objective 1(4) (Delivering Plymouth’s Strategic Role) – take a proactive approach to implementation by leading in the creation of appropriate delivery and partnership vehicles to enable a step change in the quantity, intensity and pace of development within the city.....use a Plan, Monitor, Manage approach to respond to changes in these anticipated levels of growth.
 - Policy CS02 (4) (Design) – be flexible to future social, technological and economic needs.
 - Paragraph 10.1 (Housing Provision) – keeps the city’s housing requirements, and the ways in which they are being met, under regular review.
 - Paragraph 10.9 (Future Provision) – takes into account existing commitments, in terms of dwellings under construction and planning permissions at April 2006.
 - Strategic Objective 10(8) (Delivering Adequate Housing Supply) – using a plan, monitor and manage approach to ensure an adequate and appropriate supply of housing.
 - Paragraph 10.34 (Overall Housing Delivery) – the overall delivery of new dwellings, affordability levels, and the delivery of affordable housing will be monitored annually through the LDF Annual Monitoring Report, which will identify whether there is a need to amend targets in light of changing circumstances.
 - Paragraph 17.1 (Monitor and Manage) – a key feature of a Local Development Framework is its flexibility to respond flexibly to changing circumstances through the “plan, monitor, manage” approach.
 - Paragraph 17.13 (Manage) – where delivery against housing targets falls outside of 20% either side of the target and/or there are indications that the long term trend will be significantly in excess of, or fall short of the target, then action will need to be taken. These actions may

include:...using the planning application process...taking action to bring forward constrained sites...

15. In addition Policy 46 of the Plymouth Plan, approved by the City Council on 21st September 2015 states:
- “The LPA will take a positive and strategic approach to the use of its powers in relation to planning consents, planning obligations or agreements and the community infrastructure levy (CIL) in order to accelerate the delivery of development and secure developer contributions to meet the infrastructure needs of the city. This approach will involve:
 - Positive use of planning conditions (including where appropriate varying from the standard 3 year time consent for commencement of development) to encourage early delivery and a strong pipeline of projects...” (Plymouth Plan Page 131).

Design and Layout

16. Westward Housing (applicant) were responsible for the development of the site immediately south of this application site (known as Phase 1) and in the design and Access Statement it notes how the recent development of adjacent sites influenced the style and character of the dwellings. This same philosophy has been adopted for Phase 2, to ensure that all the different phases appear architecturally connected.
17. The palate of materials includes timber cladding, render and stone which are all characteristic of the area and locally distinctive. It is however evident that some render approved in the city has been unsuccessful in maintaining their appearance, so officers will ensure that a high quality silicon render is utilised in the finish to ensure longevity.
18. The principle frontage of the development is along west of the site, overlooking the separation buffer across from the east facing dwellings of Warleigh Village. Units 9-16 facing south, and units 17-21 facing east also provide street frontage onto the new road to be constructed.
19. The layout itself is considered compact, however does provide ease of access with the inclusion of the proposed links to the south and to the west. Whilst there have been many letters of objection to the link to the west, officers support the proposal as it creates a better access through the housing area and is good place making. Furthermore, the original masterplan approved in 2007 identified the desire to include this link. No issues with regards to the layout have been raised by the Council’s Urban Design Officer, and the Local Highways Authority is supportive of the proposed link to the west. The final design of this link will be reserved by condition to allow officers to assess details and safety aspects which are concerns of the residents.
20. Officers are of the view that the proposal accords with policy CS02 of the Core Strategy as it will contribute positively to the area’s identity in terms of scale, density, layout and access, making it easy to move through and around as well as being safe, uncluttered, varied and attractive. Officers also consider that the proposal accords with policy CS34 of the Core Strategy.

Secure By Design

21. The design and layout of the proposal has been reviewed the Police Architectural Liaison who has clarified that the proposal has duly considered the Secure by Design principles. Suitable overlooking, lighting and security features have been proposed within the development meaning it accords with policy CS32 of the Core Strategy, although conditions are recommended.

Residential Amenity

22. The application site is located within close proximity to numerous existing residential dwellings which were considered to be acceptable in the context of the masterplan. The layout and density of the current application site is considered comparable to these adjacent plots, and has been designed in a way that respects the amenity of these dwellings.
23. The separation distances between the dwellings on the eastern side of Warleigh village and plots 1-11 is considered satisfactory, and will not cause a demonstrable loss of amenity. The proposed separation distances are an improvement on existing relationships south of the application site between the dwellings either side of the grass buffer already approved. The existing grass buffer will be retained to ensure good outlook, and suitable measures, by way of condition will be put in place to ensure that the proposed link road does not prejudice the safety those using the amenity space for recreation purposes.
24. The dwellings to south are also of a satisfactory relationship that will not give rise to any demonstrable loss of amenity or privacy.
25. The LPA is no longer permitted to refer specifically to the internal size standards for dwellings as prescribe in the Development Guidelines SPD (para 2.8.25); however for reference, members are advised that 13 of the units meet or exceed the guidelines, and 10 units fall below. The 8 units that do fall below are only marginally below (3m²), and in officers view will still afford future occupiers with reasonable levels of amenity.
26. When considering private garden amenity space, officers are required to consider para. 2.8.27 of the Development Guidelines SPD. Officers can advise members that 10 of the units have undersized gardens when compared to the SPD, however 11 of the units have gardens that either meet or exceed these same standards.
27. The 10 undersized gardens belong to semi-detached or end terraced dwellings, and are between 10m² and 23m² below the recommend sizes, with exception of unit 16 which is 30m². It is noted by officers that had the applicant had considered terraced dwellings on the layout then all but 1 of the units would have gardens that meet or exceed the Development Guidelines SPD standards and does not give rise to any significant issues relating poor amenity standards with sufficient provision.
28. Notwithstanding this, officers have considered the local context and character relating to garden amenity space, and in reviewing the approved garden sizes of Phase 1 to the south, the gardens sizes are comparable. Furthermore, the application site is with close proximity to numerous public amenity spaces such as the existing amenity strip and park adjacent to the site, Goodwin Park, Widewell woods as well as being within close proximity to the Plym Valley.

29. The layout of the proposal will not give rise to significant or demonstrably harmful levels of overlooking for future occupiers, and on balance, officers are of the view both the internal and external amenity sizes are acceptable. The proposal is therefore considered to accord with policies CS02, CS15 and CS34 of the Core Strategy.

Local Highways Authority

30. Based upon trip rates derived from the TRIC's (Trip Rate Information Computer System) database, the development of 21 affordable housing units would generate 9 two-way movements during the am peak hours (8-9am) and 12 two-way trips during the pm peak (5-6pm). As a stand-alone development such a low number of trips would not give rise to any highway capacity issues on the local road network.
31. A total of 28 allocated and 5 visitor car parking spaces are proposed to serve the development which equates to an overall car parking standard of 1.57 spaces per unit which is in accordance with current policy. In addition to car parking, the Local Highways Authority would recommend that a further condition be attached relating to the need for cycle parking spaces being provided for each of the units.
32. A number of concerns have been raised by local residents living in the adjoining Taylor Wimpey development regarding the creation of the vehicular (and pedestrian) link through to Fleetwood Gardens from the new area of development hereby proposed. The provision of this link has always been intended and was clearly indicated on the planning application submitted for the Southway Masterplan area (05/01085/OUT). A link into this area of development was also safeguarded as part of the reserved matters for the adjoining site (app no 09/00245/REM).
33. The creation of this link will undoubtedly help improve access into and out of the proposed area of development whilst it can be seen from the information provided on trip generation that the number of vehicles using this as a means of access to the development is likely to be quite low and not give rise to any highway safety concerns.
34. There seems to be a lack of pedestrian provision in terms of linking the pedestrian routes through Phase 1 with Phase 2 (pedestrians would have to cross through visitor car parking bay no 30 in order to access the only dedicated footway). This needs to be addressed and can be dealt with by way of condition.
35. Whilst as a stand-alone development the traffic impacts associated with the 21 affordable units would not lead to any capacity concerns on the local road network, when considering the cumulative impact of this and other growth planned on the Northern Corridor the associated traffic impacts are likely to be considerable. Therefore it is considered justified that a financial contribution of £76k be secured from this development towards strategic transport projects on the Northern Corridor.
36. In summary, the Local Highways Authority does not wish to raise any objections to this application from a highway viewpoint however it recommends that the conditions be attached to any grant of consent.

Sustainable Resource – CS20

37. The submitted Energy Statement, dated March 2016 prepared by Hilsdon Holmes Ltd utilises solar PV to meet the full 15% and is considered compliant with policy CS20 of the Core Strategy

Affordable Housing

38. The need for the delivery of affordable housing in the city is greater than total annual housing provision. The current Devon Home Choice register contains 13251 households, with approximately 3000 of these considered to be in priority housing need. In addition, the Help to Buy South West register has 596 applicants who have expressed a preference to purchase a shared ownership property in Plymouth. Consequently, consistent delivery of affordable housing can make a big difference to catering for this high level of housing need.
39. This planning application is for a 100% affordable housing scheme and the scheme has been allocated HCA grant under the 2015 – 2018 Affordable Housing Programme.
40. It is proposed to provide eight dwellings as affordable rent (3 x 2b flats and 5 x 3bd houses) and 13 as shared ownership (5 x 3bd houses and 8 x 2bd). The tenure split in favour of shared ownership within this application is welcomed, as it balances the Pluss Phase I development, which provided 100% affordable rent (13/01984/FUL). It also supports the government's housing policy aspiration to increase opportunities to access homeownership.

Drainage

41. A Flood Risk Assessment and Drainage strategy has been submitted, which demonstrates a significant improvement to the surfacing of the site, with an increase in permeable area by approximately 350%. The drainage strategy has been accepted in principle however more details have been requested by the Lead Local Flood Authority, which will be secured by way of condition to ensure the proposal accords with policy CS21

Landscaping and Ecology

42. The existing site holds very little ecological value, being almost entirely hard surfaced which this planning application proposed to address.
43. An Arboricultural Appraisal, Ecological Appraisal and Tree Constraints Plan have been submitted in support of the proposal. Officers are satisfied with the details that have been submitted, including the location of new trees; however further details with regards to landscaping will be required and have been condition.
44. Officers consider that the proposal will achieve the requirements of the policy CS19 of the core strategy and have demonstrated a suitable Ecological Mitigation and Enhancement Strategy (EMES) in order to allow the approval of this application.

9. Human Rights

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

10. Local Finance Considerations

The provisional Community Infrastructure Levy liability (CIL) for this development is £64,158 (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, see www.plymouth.gov.uk/cil for guidance.

The applicant has indicated that they intend to apply for Social Housing Relief, if agreed this will reduce the provisional liability to £0.

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.

Negotiations are ongoing between the applicant and the Local Planning Authority, as planning obligations have been sought in respect of the following matters:

- Local Greenspace: Provision and maintenance of greenspace and access improvements at Bamfylde Way;
- Children's Play Space: Provision and maintenance of Langley Crescent play area;
- Playing Pitches: Provision and maintenance of playing pitch facilities at Bond Street;
- Strategic Transport: A contribution towards the delivery of the Derriford Hospital Interchange;

The proposed affordable housing will also be secured within a S106 agreement:

- Provision of eighth (8) social rent dwellings and thirteen (13) shared ownership dwellings

In addition a Management Fee is being negotiated.

Officers will update Planning Committee on these negotiations through an addendum report

12. Equalities and Diversities

Policy CS15 requires 20% of dwellings to be provided at the Lifetime Homes Standard application (now superseded by Building Regs Part M4(2)). This requirement is reflected in Policy 18 of the emerging Plymouth Plan. A condition has been applied to ensure delivery.

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and specifically The Local Development Framework Core Strategy and is therefore recommended for Conditional Approval subject to the signing of a S106 Agreement

14. Recommendation

In respect of the application dated **18/04/2016** and the submitted drawings Site Location Plan P1314-002-A; Site Layout as proposed P1314-001-revH; Tree Constraints and Protection Plan 16.13.1.TCP; Street Scene Elevations and Site Cross-Section P1314-003(1); Typical Floor Plans and Elevations for Housetype FT-01 P1314-FT-01; Typical Floor Plans and Elevations for Housetype 13 P1314-HT-13; Typical Floorplans and Elevations for Housetype 14 P1314-HT-14; Typical Floor Plans and Elevations for Housetype 01 P1314-HT-01; External Work Details P1314-015; External Work Details P1314-016-A; External Work Details P1314-017; External Work Details P1314-018; Proximity Plan P1314 SK-77; Ecological Appraisal 0299-EA-AS; Arboricultural Appraisal; P1314 - GROUND INVESTIGATION-CONTAMINATION Part 1; P1314 - GROUND INVESTIGATION-CONTAMINATION Part 2; Energy Statement; T7071.Flood Risk Assessment part1; T7071.Flood Risk Assessment part2; T7071.Flood Risk Assessment part3; T7071.HIGHWAY DESIGN PHILOSOPHY; Design and Access Statement; Garden Area Schedule; Geo-Environmental and Geotechnical Assessment; Transport Statement; Surface Water Management and Maintenance Plan; Technical Response: CASE Consultants Letter dated June 20th 2016, it is recommended to: **Grant Conditionally Subject to a S106 Obligation, delegated to Assistant Director for Strategic Planning & Infrastructure to refuse if S106 is not signed by the target date or other date agreed through an extension of time.**

15. Conditions

CONDITION: DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004, and due to concessions in Planning Obligation contributions/requirements under Plymouth's temporary Market Recovery measures.

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan P1314-002-A; Site Layout as proposed P1314-001-revH; Tree

Constraints and Protection Plan I6.13.1.TCP; Street Scene Elevations and Site Cross-Section P1314-003(1); Typical Floor Plans and Elevations for Housetype FT-01 P1314-FT-01; Typical Floor Plans and Elevations for Housetype 13 P1314-HT-13; Typical Floorplans and Elevations for Housetype 14 P1314-HT-14; Typical Floor Plans and Elevations for Housetype 01 P1314-HT-01; External Work Details P1314-015; External Work Details P1314-016-A; External Work Details P1314-017; External Work Details P1314-018; Proximity Plan P1314 SK-77; Ecological Appraisal 0299-EA-AS; Arboricultural Appraisal; P1314 - GROUND INVESTIGATION-CONTAMINATION Part 1; P1314 - GROUND INVESTIGATION-CONTAMINATION Part 2; Energy Statement; T7071.Flood Risk Assessment part1; T7071.Flood Risk Assessment part2; T7071.Flood Risk Assessment part3; T7071.HIGHWAY DESIGN PHILOSOPHY; Design and Access Statement; Garden Area Schedule; Geo-Environmental and Geotechnical Assessment; Transport Statement; Surface Water Management and Maintenance Plan; Technical Response: CASE Consultants Letter dated June 20th 2016

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-Damp Proof Course Conditions

PRE DPC: CONTAMINATED LAND

(3) Unless otherwise agreed by the Local Planning Authority, development must not proceed past DPC level until section 1 of this condition has been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 3 has been complied with in relation to that contamination.

1. Submission of Remediation Scheme

This department will agree to the recommendations made within the submitted report as detail of a remediation scheme. Should the developer desire to alter this submitted scheme they will need to submit alternative recommendations in writing to the Local Planning Authority for written approval.

2. Implementation of Approved Remediation Scheme

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

3. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. Further investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared. Any further proposals for remediation should be made in writing to the Local Planning Authority for written approval.

Reason:

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

PRE-DPC: STREET DETAILS

(4) The development hereby approved shall not proceed past the DPC level until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

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

PRE-DPC: ACCESS (CONTRACTORS)

(5) The development hereby approved shall not proceed past the DPC level until an adequate road access for contractors with a proper standard of visibility has been formed to the satisfaction of the Local Planning Authority and connected to the adjacent highway in a position and a manner to be agreed with the Local Planning Authority.

Reason:

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

PRE-DPC: DRAINAGE AND SURFACE WATER DISPOSAL

(6) The development hereby approved shall not proceed past the DPC level until the following drainage details and proposals for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The applicant/developer is advised of the following information that will be required:-

- Updated Flood Risk Assessment (FRA) which includes an assessment of exceedance flows and details of the measures to contain these flows on site and or direct these flows away from Third Part land or property.

- A Construction Environment management Plan (CEMP) incorporating method statements should be submitted to demonstrate how the new drainage system is protected during both the demolition and construction phases;

The submitted and approved details shall be implemented before the dwellings hereby permitted are 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.

PRE-DPC: SOFT LANDSCAPE WORKS

(7) The development hereby approved shall not proceed past DPC level until full details of 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. 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.

Pre-occupation Conditions

PRE-OCCUPATION: SOLAR PANELS

(8) The development shall be completed in accordance with the submitted Energy Statement prepared by Hilsdon Holmes (dated March 2016). This proposes the use of Solar Photovoltaic Cells as the preferred method of incorporating onsite renewable energy production. The carbon savings which result from this will be above and

beyond what is required to comply with Part L Building Regulations.

Unless otherwise agreed previously in writing with the Local Planning Authority, before any unit of accommodation hereby approved is occupied, the applicant shall provide to the Local Planning Authority details of the locations of the on-site renewable energy production methods (in this case Photovoltaic Cells) for approval. The on-site renewable energy Production methods shall be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to offset at least 15% of predicted carbon emissions for the development in accordance with Policy CS20 of the Plymouth Local Development

Framework Core Strategy (2006-2021) 2007, the draft Plymouth Plan Policy 25 and relevant Central Government guidance contained within the NPPF

PRE-OCCUPATION: CAR PARKING PROVISION

(9) The development hereby approved shall not be occupied until the car parking areas shown on the approved plans have been drained and surfaced in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and those areas shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

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

PRE-OCCUPATION: CYCLE PROVISION

(10) No dwelling shall be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a minimum of 21 bicycles to be securely parked. The secure areas for storing bicycles shown on the approved plan shall remain available for their intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

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

Other Conditions

CONDITION: NOISE

(11) All dwellings shall be constructed in accordance with BS8233:1999 so as to provide sound insulation against externally generated noise. The good room criteria shall be applied, meaning there must be no more than 30 dB Laeq for living rooms (0700 to 2300 daytime) and 30 Db Laeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided. Levels of 45 dB Laf.max shall not be exceeded in bedrooms (2300 to 0700 night-time).

Reason:

To ensure that the proposed dwellings hereby permitted achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the adopted City of Plymouth Core Strategy Development

Plan Document 2007

CONDITION: BIODIVERSITY

(12) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with Section 6 of the Ecological Appraisal (Green Ecology, January 2016) for the site.

Reason:

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

CONDITION: PART M4(2) (ACCESSIBLE AND ADAPTABLE DWELLINGS) COMPLIANT

(13) Unless otherwise agreed in writing with the Local Planning Authority, Units 9, 10, 11 and 16 hereby permitted shall be part M4(2) (Adaptable and Accessible) compliant, and shall be fully implemented prior to completion of the development and thereafter so maintained and retained.

Reason:

To ensure that 20% of the dwellings on site are built to the equivalent of 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.

CONDITION: EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

(14) 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 approved plans and particulars [Tree Constraints and Protection Plan by Devon Tree Services 16.13.1.TCP dated 14/1/16.], and 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: REAR GARDEN GATES

(15) All gates to private pathways shall have gates that have locks with key access.

Details of these shall be submitted to the Local Planning Authority in writing, and shall be installed before any of the residential units requiring the use of the respective private pathways.

Reason:

To ensure that satisfactory measures are put in place to design out crime, in accordance with Policy CS32 of the Plymouth Local Development Framework Core Strategy (2006-2021).

CONDITION: MATCHING MATERIALS AND RENDER

(16) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the construction of development approved by way of planning permission 13/01984/FUL (Pluss Site Phase 1) with the only alteration being that the development hereby approved shall use a silicon based render system 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 building 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: CONDITIONAL APPROVAL (WITH NEGOTIATION)

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

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

(2) 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: ROADWORKS

(3) Any of the roadworks included in the application for adoption as highways maintainable at public expense will require further approval of the highway engineering details prior to inclusion in an Agreement under Section 38 of the Highways Act 1980. The applicant should contact Plymouth Transport and Highways for the necessary approval.

INFORMATIVE: TREE SURGERY

(4) All works to trees should be carried out in accordance with the relevant recommendations of BS 3998:2010 (Recommendations for Tree Work).

INFORMATIVE: NESTING SEASON

(5) It is an offence under the Wildlife and Countryside Act to damage to destroy the nest of any wild bird while it is in use or being built and it is also an offence to disturb many species of wild bird while nesting.

INFORMATIVE: CODE OF PRACTICE

(6) The development hereby approved 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, and should consider the following:-

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

PLANNING APPLICATION REPORT



Application Number 16/00568/FUL

Date Valid 11/04/2016

Item 04

Ward Efford & Lipson

Site Address 76 WEST HILL ROAD PLYMOUTH

Proposal

Change of use of 6 bedroom HMO (Class C4) to a 8 bedroom HMO (Sui generis) (Retrospective)

Applicant

Blue Sea Partnership LLP

Application Type

Full Application

Target Date

06/06/2016

Committee Date

**Planning Committee: 07
July 2016**

Decision Category

Assistant Director of Development Referral

Case Officer

Liz Wells

Recommendation

Grant Conditionally

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This application has been referred to the Planning Committee by the Assistant Director for Strategic Planning & Infrastructure for public interest reasons.

1. Description of site

76 West Hill Road is a two-storey mid-terraced residential property in the Efford ward of the city.

The has had a loft conversion and a single storey rear extension. The property is currently used as a house in multiple occupation (HMO) with 8 letting rooms.

2. Proposal description

Retrospective application for change of use of 6 bedroom HMO (Class C4) to 8 bedroom HMO (sui generis).

The application form states that the change of use was completed in July 2009.

The submitted plans show the property laid out with 4 bedrooms at first floor, 2 in the roof space and 2 on the ground floor, with an open-plan kitchen/living room at the ground floor rear (including the rear extension).

3. Pre-application enquiry

None.

4. Relevant planning history

15/01703/OPR - Planning compliance investigation – Use of property as an HMO – UNDER INVESTIGATION. The current planning application has been submitted following an initial investigation. Officers gave the applicant the option to seek permission to regularise the use of the building as an 8 bed HMO.

09/01792/FUL - Single-storey rear extension, and formation of rooms in roofspace, with rooflights – REFUSED on grounds of rear extension resulting in loss of light and dominance to 78 West Hill Road. The Officer report noted that the rear extension was already complete so the application was retrospective.

09/01579/OPR - Planning compliance investigation, opened following the refusal of the above planning application and further investigation. Officers concluded:

- the rear extension and decking were permitted development under the Town and Country Planning (General Permitted Development) Order 1995 (as amended). Noting the decking is on already existing terracing and property is a single dwelling occupied by 7 occupants.
- With regard to the change of use from flats to a single dwelling for student accommodation, this does not require consent, where the number of occupants is below 6 to 8 persons.

This was confirmed during the officer's site visit on 4 May 2010 and the compliance case was closed with no further action to be taken at that stage.

The second point above may seem contrary to the change in legislation (The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010 (SI 2010/653)) which came into effect on 10 April 2010, however this conclusion would have been correct for the legislation in effect when the change took place. The change in legislation does not apply retrospectively. As a result, no further planning enforcement action was taken.

5. Consultation responses

Local Highways Authority – Recommend refusal unless restricted to students only and condition for cycle parking provision on site. Property to be excluded from residents permit parking scheme if approved.

6. Representations

Two letters of representation have been received in respect of this application from two neighbouring properties, objecting to the proposal on grounds of:

- Antisocial behaviour – noise abatement notices served on tenants in 2013/14; problems started in July 2010 and building work not completed in July 2009 as suggested in application form.
- Noise and disturbance – increase from 6 to 8 will make it worse. Students have parties, windows/door open, smoke and conversations outside. Noise amplified by ‘new’ rear extension design, raised decking and high fencing. Cars/taxis dropping off cause disturbance, compounded by turning arrangement at end of road. Sleep disturbance impacting their child’s education and their health. Previous noise complaints.
- Bins and refuse – left in back lane, bags put in neighbours wheelie bins, seen rubbish piled in front garden for months – rat seen amongst the rubbish.
- Car parking – already busy on street.
- Community balance/Lack of community spirit – area over-saturated by student lets. List the other properties in the vicinity which are HMOs
- Inadequate kitchen/living room space – food stored on window sills.
- Impact on neighbouring property value.

One letter also advises that the property has in previous years been let to summer students and therefore issues not just term time. Comments about some neighbours already moved on due to the issues experience.

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 (SPD) First Revision

8. Analysis

- 8.1 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. The most relevant policies of the Core Strategy are CS01, CS15, CS28 and CS34 of the Core Strategy and the detailed guidance set out in the Development Guidelines SPD First Review, as well as relevant paragraphs in the NPPF.
- 8.2 The main considerations in assessing this proposal are:
- The impact on the residential character of the area and whether it results in the loss of family housing and creation of sustainable mixed communities
 - The standard of accommodation and whether the building is suitable for conversion.
 - Whether the proposal is sustainably located and whether the impact on the local highway network and proposed parking is acceptable.
 - Impact to neighbours

Character of area

- 8.3 The site lies within Article 4 direction area which from 14 September 2012, necessitates changes of use of dwellings C3 to C4 to require planning permission from the Council. Chapter 2.5 of the Development Guidelines SPD First Review applies to all applications for conversions to flats and HMOs.
- 8.4 The conversion of family dwellings into HMOs reduces the local stock of family dwellings and changes the character of the neighbourhood. HMOs are often associated with negative impacts such as noise, on-street car parking, anti-social behaviour and run-down properties. The degree of impact of a proposed HMO will depend on the location and the nature of the existing and resulting housing stock, and the number of existing HMOs and other non-family dwellings in the area.
- 8.5 Given the planning history of the site (detailed in section 4 above), Officers do not consider that this proposal represents a loss in family housing stock in this case. The property was in

lawful use as an HMO prior to the Article 4 Direction being brought into effect. This has been confirmed by the Private Sector Housing Team of the Council. An HMO licence was granted by them for the property in 2010.

Standard of accommodation

- 8.6 The standard of accommodation proposed is considered by Officers to be acceptable, on the condition that it is used for a maximum of 8 occupants. This has been confirmed by the HMO licence. The age and style of the house mean that the rooms within the main house are large, light and airy. All bedrooms meet or exceed the minimum size requirement and there are sufficient bathroom facilities. The communal lounge and kitchen are a generous size and the Private Rental Housing Team are satisfied with the cooking and storage facilities available for the occupants.
- 8.7 The number of bedrooms is as shown in the application and is considered to be the maximum that can reasonably be accommodated at the site. As such, a condition is recommended to restrict the number of bedrooms to be used to the 8 shown on the submitted floor plans.

Transport and parking

- 8.8 The property does not have any off street parking and lies within a resident parking permit zone (RPZ) which operated between 1400-1900 Monday to Saturday.
- 8.9 As detailed in the consultation comments received from the Local Highways Authority, the Development Guidelines SPD indicates that properties that sit within RPZ which operates for more than 6 hours a day, 6 days a week, may be acceptable without provision of any car parking. For those within a shorter timed zone a contribution toward meeting parking demand or manage parking to ensure that no on street parking occurs.
- 8.10 Using the maximum parking standards set out in the Development Guidelines SPD and comparing the parking requirement for a 6 bed HMO (the maximum size of HMO under current legislation and assumed lawful use of the property) and the proposed 8 bed HMO, Officers conclude that the shortfall would be 2 car parking spaces. However, by restricting occupation to bona-fide full time students only then the parking requirement is reduced by 50%. This would require a parking provision of 2 spaces for an 8 bed HMO, which is comparable to the standard residential requirement.
- 8.11 The agent has confirmed that the applicant is willing to accept a student only restriction. Officers consider that subject to this restriction, the situation would technically be an improvement over the current use as a 6 bed HMO as the shortfall would be reduced. The proposed use, would not increase the demand for on-street parking in Officers' view.
- 8.12 Furthermore, in line with policy, a storage area for cycles, at a ratio of 1 space per 2 rooms, should be secured by way of a condition. The store should be secure and covered, although can be incorporated within the building if required.
- 8.13 Given the close proximity to services and the University, and the steepness of West Hill Road, the take up of bicycles by residents may be limited. Nevertheless, the property has a rear yard with access from the rear service lane. A condition is therefore recommended for further details of a cycle store for a minimum of 4 bicycles to be submitted for approval via a planning condition and implemented in accordance with the approved details within 3 months or prior to occupation (whichever is the longer) should planning permission be granted.
- 8.14 Should permission be granted the property will be excluded from obtaining parking permits for use within the permit zone and an informative to that effect should be attached to any consent.

Impact on neighbours

- 8.15 Officers note that this application has been submitted following a planning compliance investigation. Issues raised in the letters of representation raise issue with anti-social behaviour, noise and disturbance and bins and refuse – all having an impact on the neighbouring residential amenity.
- 8.16 The Public Protection Unit have confirmed that in the 2014/15 academic year, Noise Abatement notices were served on all the tenants. In 2015/16, one complaint was received and officers have visited the site and a neighbour mediation meeting held. The number of students, combined with the arrangement of the building and angle of the property means that noise from the communal living space is audible beyond the building when the large rear doors are open. However, Officers consider that providing the tenants are reasonable and the property is properly managed, then the proposed increase the HMO from 6 to 8 bedrooms, would not be likely to result in an unreasonable impact on the neighbouring residential amenity.
- 8.17 Details of the Management of the property have been submitted in connection with the HMO licence, including the contact details of the manager and how they deal with anti-social behaviour. The HMO Managers are Clever Student Lets who have multiple licensed HMO's in Plymouth and are the largest provider of student accommodation away from halls in the city. They have a good structure and reputation for managing licensed HMO's. A condition is recommended to ensure that the property is operated in accordance with the management plan.
- 8.18 There is sufficient space in the rear yard for the storage of refuse. A condition is recommended for further details of the refuse storage provision within the site to ensure that details are acceptable to the Local Planning Authority and for this to be implemented within 3 months of the decision.
- 8.19 The visual impact of any refuse storage and external cycle storage structure will be assessed by Officers when details are received. Issues raised in the letters of representation are the subject of management and shall be forwarded to the Management company.

Other issues

- 8.20 Letters of representation also raised issue with the impact of development on neighbouring property value. Property value is not a material planning consideration.

9. Human Rights

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

10. Local Finance Considerations

None. Due to the small scale of this proposal, it does not attract a Community Infrastructure Levy under the current charging schedule or any New Homes Bonus.

11. Planning Obligations

Due to the small scale and impact of this proposal, no planning obligations have been sought in respect of this proposal.

12. Equalities and Diversities

No issues raised by this proposal.

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and specifically is not considered to result in unacceptable harm to the living conditions of neighbouring residents in terms of noise and disturbance, subject to management and reasonable tenants, and would not result in the loss of accommodation suitable for a family. The proposal is considered acceptable, subject to conditions as set out above.

14. Recommendation

In respect of the application dated **11/04/2016** and the submitted drawings site location plan, floor plans, elevations and section drawing 2256/2/A and accompanying covering letter dated 5 April 2016, it is recommended to: **Grant Conditionally**

15. Conditions

CONDITION: APPROVED PLANS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, floor plans, elevations and section drawing 2256/2/A.

Reason:

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

CONDITION: STUDENT ACCOMMODATION WITH NO PARKING PROVISION

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

Reason:

The accommodation is considered to be suitable for students due to the lack of off-street parking provision and in accordance with the Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, the detailed parking standards set out in the Development Guidelines Supplementary Planning Document First Review and paragraphs 29 - 35 and 61 of the National Planning Policy Framework 2012, but its occupation by any other persons would need to be the subject of a further planning application for consideration on its merits.

Other Conditions

CONDITION: MAXIMUM 8 BEDROOMS

(3) No more than 8 rooms at the property shall be used as bedrooms. Only the labelled bedrooms on the approved floor plans shall be used as bedrooms, unless the Local Planning Authority gives written approval to any variation of this requirement.

Reason:

The number of bedrooms is as shown in the application and is considered to be the maximum that can reasonably be accommodated at the site. The layout, together with the use of the remaining room for communal facilities, has been assessed and considered acceptable in planning terms and any other arrangement would need to be assessed on its merits. This condition is in accordance with policy CS15 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 of the National Planning Policy Framework 2012.

CONDITION: MANAGEMENT PLAN

(4)The management plan submitted as part of the HMO Licence shall be adhered to strictly at all times for the operation of the accommodation, including the contact details (including postal address, email address and telephone number) of the person to be contacted regarding any issues arising from the use of the building or its curtilage and a commitment to keep this information up to date, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of neighbours' amenities and to provide a ready point of contact for any person who needs to address an issue in relation to the use of the property, in accordance with policies CS15, CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, paragraph 121 -123 of the National Planning Policy Framework 2012 and Plymouth's adopted Development Guidelines Supplementary Planning Document First Review 2013.

CONDITION: REFUSE STORAGE

(5) Within 3 months of the date of decision, space shall be laid out within the rear yard area of the site for refuse storage in accordance with details previously submitted to and approved in writing by the Local Planning Authority and shall remain available at all times for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

To ensure adequate facilities 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.

CONDITION: CYCLE PROVISION

(6) Within 3 months of the date of this decision notice, space shall be laid out within the site for a minimum of 4 bicycles to be securely parked in accordance with details previously submitted to and approved in writing by the Local Planning Authority. The secure area for storing bicycles shown on the approved plan shall remain available at all times for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 29 - 35 of the National Planning Policy Framework 2012.

Informatives

INFORMATIVE: RESIDENTS PERMIT PARKING SCHEME

(1) The property lies within a resident permit parking scheme which is currently oversubscribed. As such, the property will be excluded from obtaining permits and visitor tickets for use within the scheme.

INFORMATIVE - MANAGEMENT PLAN

(2) With regard to the management plan, it is recommended that there is an appropriate selection process for tenants and that an appropriate anti-social behaviour clause is included in the tenancy agreement so that any anti-social behaviour or noise nuisance created by the tenants can be adequately addressed. Should a noise nuisance be created at the property, then action may be taken in line with statutory nuisance provisions under the Environmental Protection Act 1990.

INFORMATIVE: CONDITIONAL APPROVAL WITH NEGOTIATION

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

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

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

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PLANNING APPLICATION REPORT



Application Number 16/01019/FUL

Date Valid 07/06/2016

Item 05

Ward Peverell

Site Address 36 BURLEIGH PARK ROAD PLYMOUTH

Proposal Change of use from dwelling (Class C3) to 4-bedroom HMO (Class C4) (retrospective).

Applicant Ms Suzanne Dilorenzo

Application Type Full Application

Target Date 02/08/2016

Committee Date Planning Committee: 07 July 2016

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 Carson

1. Description of site

36 Burleigh Park Road is a mid-terrace property in the Peverell ward of Plymouth. The rear of the site faces onto an access lane. The property has a small courtyard area, but no on-site parking.

2. Proposal description

Retrospective application for change of use from single-family dwelling (Use Class C3) to House of Multiple Occupation (Use Class C4) involving the shared use of the property by 3 to 6 persons.

3. Pre-application enquiry

None

4. Relevant planning history

16/00940/OPR – Planning compliance case - change of use to HMO – current investigation

5. Consultation responses

Local Highway Authority – No objection subject to appropriate mitigation

Public Protection Service – No objection subject to appropriate mitigation of a management plan to prevent anti-social behaviour and noise.

Housing Strategy and Development, Private Housing – General comments received relating to general design and layout requirements

6. Representations

14 letters of representation have been received. They were all objecting to the proposal and raised the following concerns:

- Impact due to increased noise and rubbish levels
- Increase demand for car parking spaces
- Loss of family housing and change in character of the street
- Potential of increase in number of occupants

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

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 primary considerations for this application are Policies CS01 (Development of Sustainable Linked Communities), CS15 (Overall Housing Provision), CS34 (Planning Application Considerations), CS22 (Pollution) and the Development Guidelines SPD in respect to the character, amenity of occupants, impact on neighbour amenity and the impact on the highway network.

Background

3. The property was drawn to the attention of the Council in the form of a planning compliance enquiry in May 2016 advising that the property had changed from being a single-family

dwelling to an HMO. The property falls within the area covered by the Article 4 Direction (introduced in September 2012) that requires planning permission for changes of use from single dwellinghouses (Use Class C3) to Houses of Multiple Occupation of 3-6 occupants (Use Class C4). The occupant type is not restricted to specific tenancy types (such as students)

Character of the area

4. High concentrations of HMO's can have a detrimental impact on areas in terms of noise, anti-social behaviour, street parking and poorly maintained properties.
5. The Development Guidelines SPD First Review states that a threshold of 25% of properties in HMO use is considered to be an appropriate ceiling to maintain balanced communities within the area covered by the Article 4 Direction. Changes that would result in a concentration higher than 25% would normally be resisted.
6. From the data available to the Council, the percentage of licensed HMOs and Council Tax exempt properties in the census output area is in the band 0-10% and contiguous census output area for this location falls within the band 0-10%.
7. A desktop survey of residential properties in within 100 metres of the application site shows that 0% of properties are already in use as some form of multiple occupation. A recent appeal decision (13/01068/FUL) has clarified what can be considered when analysing this data. Only those properties that can demonstrate to be in HMO use should be counted, and this would give a figure of 0, which is below the ceiling set out in the Article 4 Direction.
8. As the number of properties is below the ceiling set out in the Article 4 Direction and the Development Guidelines SPD, it is acceptable under this consideration.

Amenity of occupants

9. Policy CS15 (Overall Housing Provision) states that any conversion of an existing dwelling into an HMO would only be supported where the gross floor area of the property exceeds 115sqm. This property has a total floor space of approximately 119sqm, exceeding this figure.
10. There is no planning policy set for minimum standards for bedrooms, but all 4 bedrooms are larger than the 6.5sqm requirement set out in the Guidance for the Licensing of Housing in Multiple Occupation, which relates to Housing legislation. The smallest room is 7.92sqm in size. One bathroom and toilet has been provided on the first floor, with an additional bathroom on the ground floor.
11. The Development Guidelines SPD recommends an outdoor amenity space of 50sqm to be provided for terraced dwellings. This application provides approximately 47sqm of outdoor amenity space. Although this is slightly under the recommended levels, it is considered acceptable as, due to the design of the street, all properties on Burleigh Park Road have similar levels of outdoor amenity space provision. No further amenity space could be provided in this area.

Impact on neighbour amenity

12. No additions or extensions to the existing structure have been proposed, so the new use would not result in any loss of light or privacy for neighbours. Seven letters objection letters have been received, raising concerns about an increase in noise and rubbish from the change of use. The use of a property as an HMO is a more intensive use than a single family dwellinghouse and could have a detrimental impact on the area. To mitigate any neighbour amenity impact, in line with advice from the Public Protection Service, it is proposed to add a management plan condition to limit any anti-social behaviour.

13. The large bedrooms have the potential to be split down further into smaller bedrooms, creating a dwelling of six persons. To prevent this from occurring, it is proposed to conditionally restrict the occupancy to four persons only.

Transport and Highway Considerations

14. A change of use has the potential to increase transport and highway concerns in the surrounding area, as such the Local Highways Authority have provided their comments on the proposal. According to the Council parking standards a single-dwelling house with two or more bedrooms require a maximum of two off-street parking spaces. HMO's require one off-street parking-space per two occupiers, so two parking spaces would be required for four occupants. This is the same as the use as a single dwelling and, in terms of parking standards, the two uses would be considered equal and result in a status quo.

15. In addition, to promote alternative transport methods from that of a private vehicle, in accordance with the Policy CS28, it is proposed to add a condition requiring the construction of secure, under-cover cycle storage for a minimum of 2 bicycles.

16. The use as an HMO is considered an intensification of the use of the property, and would give rise to an increase in comings and goings and parking demands. This may cause some small degree of detriment to public safety, but the view of the Highway Authority is that it would not be considered significant enough to sustain a recommendation of refusal on transport and highway grounds.

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

No charge under current schedule

11. Planning Obligations

No planning obligations have been sought

12. Equalities and Diversities

None

13. Conclusions

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

14. Recommendation

In respect of the application dated **07/06/2016** and the submitted drawings Site location plan, single-dwelling floor plans, current floor plans, it is recommended to: **Grant Conditionally**

15. Conditions

CONDITION: APPROVED PLANS - RETROSPECTIVE

(1) This permission relates to the following approved plans: Site location plan, single-dwelling floor plans, current floor 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.

CONDITION: BEDROOMS

(2) No more than 4 rooms at the property shall be used as bedrooms. Only the rooms labelled "bedroom" on the approved plans shall be used as bedrooms, unless the Local Planning Authority gives written approval to any variation of this requirement.

Reason:

The number of bedrooms proposed in the application is considered to be the maximum that can reasonably be accommodated at the site. The proposed layout, together with the use of the remaining rooms for communal facilities, has been assessed and considered acceptable in planning terms and any other arrangement would need to be assessed on its merits. This condition is in accordance with policy CS15 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 of the National Planning Policy Framework 2012.

CYCLE PROVISION

(3) Within 28 days of the date of this decision details shall be submitted in writing to the Local Planning Authority for approval of space for 2 bicycles to be securely parked. The secure area for storing bicycles shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

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

Pre-occupation Conditions

PRE-OCCUPATION: ACCOMMODATION MANAGEMENT

(4) Within 28 days of the date of this notice details of the arrangements by which the accommodation is to be managed shall be submitted to the Local Planning Authority for approval. Thereafter, the property shall continue to be managed permanently in accordance with the approved management arrangements, unless the Local Planning Authority gives written approval to any variation of the arrangements.

Reason:

To assist in protecting the residential amenities of the area, in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 123 of the National Planning Policy Framework 2012.

Informatives

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

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

INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)

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

INFORMATIVE - MANAGEMENT PLAN

(3) With regard to the management plan, it is recommended that there is an appropriate selection process for tenants and that an appropriate anti-social behaviour clause is included in the tenancy agreement so that any anti-social behaviour or noise nuisance created by the tenants can be adequately addressed. Should a noise nuisance be created at the property, then action may be taken in line with statutory nuisance provisions under the Environmental Protection Act 1990.

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PLANNING APPLICATION REPORT



Application Number 15/02137/FUL

Item 06

Date Valid 11/01/2016

Ward Compton

Site Address	BELGRAVE SNOOKER CLUB, 2 BELGRAVE ROAD PLYMOUTH		
Proposal	Demolition of existing snooker hall and erection of student accommodation (43no. Bedrooms – Sui Generis use), with 6no. Parking spaces and associated works		
Applicant	JMP Integrations Ltd		
Application Type	Full Application		
Target Date	31/07/2016	Committee Date	Planning Committee: 07 July 2016
Decision Category	Major - more than 5 Letters of Representation received		
Case Officer	Christopher King		
Recommendation	Grant Conditionally Subject to a S106 Obligation, delegated to Assistant Director for Strategic Planning & Infrastructure to refuse if S106 is not signed by the target date or other date agreed through an extension of time.		

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1. Description of site

The Belgrave Snooker Club (No.2 Belgrave Road) is located within residential streets to the east of Mutley Plain, and sits prominent on the corner of Belgrave Road and Mutley Plain Lane. This three-storey building was originally built in 1908 as a cinema and was known as the Belgrave Electric Theatre. The footprint of the Belgrave Snooker Club occupies almost the entire area of the site, and offers no existing means for parking vehicles off of the highway, and there is only a small area of amenity space at the front (north) of the site.

Running North to South, along the western flank of the application site, Mutley Plain Lane provides access to the rears of numerous buildings, all of which front directly onto Mutley Plain itself, and include a wide range of uses, including residential, business/commercial and retail. Also accessed from Mutley Plain Lane, the rear of the Belgrave Snooker Club backs onto a service lane, which provides clear access to the rear of almost all the properties along Belgrave Road and Lisson Grove. The south west corner of the building that fronts onto the service lane is a single storey, flat roof section that wraps around the rear curtilage of No.4 Belgrave Road.

2. Proposal description

This planning application proposes the demolition of the existing Belgrave Snooker Hall (Use Class D2) and the erection of a student accommodation building to provide 43 bedrooms (Sui Generis use), with 6 parking spaces and associated works. The accommodation is purpose built for the international student market.

The accommodation and facilities are split over 5 floors, and is laid out in the following configuration:

Basement

- Two tier bike rack for 44 bicycles, plant room and residents laundry

Ground Floor

- Office, reception and on site managers accommodation (22m²)
- Six (6) Ensuite Studio Flats ranging from 21m² to 25.5m²
- Parking for 6 vehicles and residents bin store

First Floor and Second Floor

- Twenty Six (26) Ensuite Studio Flats ranging from 18m² to 36m²

Third Floor

- Ten (10) Ensuite Studio Flats ranging from 20m² to 26m²

The proposed building will use the same footprint as the existing building however the new building will be taller with an increase in overall maximum height when measure from street level. The existing patio area to the front of the building (north) will be remodelled to provide level access into the building, along with some minor soft and hard landscaping.

3. Pre-application enquiry

The site has been the subject of numerous pre applications. Two were submitted in 2014 (14/02027/MIN and 14/02051/MIN) which proposed a development smaller in size than the current proposal and was submitted in 2015, and advice finalised in August that year (15/01403/MAJ).

The pre application that was submitted in 2015 proposed demolition of the existing Belgrave Snooker Club and the redevelopment of the site to provide purpose built student accommodation comprising of 47 bed spaces. The principle of the proposal was accepted by officers; however concerns were raised regarding design and layout.

Officers advised that the Planning Authority would prefer to see the front elevation of the building retained, and that parking should be provided within the development. Officers also requested communal rooms to be positioned evenly throughout the building, and for the proposal to provide landscaping to the front to screen the proposed bin stores. This advice was given without prejudice to any future consideration of an application.

4. Relevant planning history

No relevant planning history for members to consider with regards to this planning application

5. Consultation responses

Economic Development Department – No Objections to the loss of the snooker club

Historic Environment Officer – Objected to the initial proposal, however has indicated that the revised plans are more acceptable. No formal comments received.

Housing Service Private Sector – No Objections

Lead Local Flood Authority – No objections subject to conditions relating to detailed design of drainage scheme

Local Highways Authority – No Objections subject to conditions relating parking management, travel plan, cycle store and construction

Low Carbon Team – No Objections subject to conditions relating solar panels

Natural Infrastructure Team – No Objections subject to conditions relating to landscaping

Plymouth University – No objections

Police Architectural Liaison – No Objections subject to conditions relating to security of the undercroft parking at the rear

Public Protection Service - No Objections subject to conditions on noise and contamination

South West Water – No Objections

Sport England – No Objections

Urban Design Officer – No Objections subject to conditions relating to materials

6. Representations

Members are advised that there was a public consultation event held at the Belgrave Snooker Club prior to the submission of the planning application where members of the public and other interested parties were able to view the plans and speak to the applicant about the proposal. Statement of Community Involvement has been submitted as part of the application documents.

Following the submission of the full application, twenty (20) letters of representation have been received; Eighteen (18) of which object to the proposal, one (1) that provides observations, and one (1) that supports the proposal. The letters of objection have raised the following issues with planning application:-

- Loss of a beautiful building, and the proposed design is poor, and not in keeping with the character of the area, and is too big for the site
- Travesty to lose yet another local landmark
- The building should be retained for public use, as the community do not want to see assets such as this turned into student accommodation – this building should be retained as a community asset

- Will negatively impact the local community with the loss of another social venue, and too many clubs are being closed so there will be nowhere for people to socialise
- Insufficient parking
- The plans have changed significantly, and are not in keeping with what was demonstrated at the public consultation events
- The developer has not considered the local residents when designing this proposal
- Will give rise to antisocial behaviour
- The council should hold another public consultation event
- This snooker club is the only venue capable of holding tournaments in the city, so if it closes, Plymouth loses out to Exeter
- There is not an excess of snooker clubs in the city, and no new ones are provided so this could impact future generations of snooker players as many of the clubs are closing or are for sale
- The proposal is contrary to policy
- The proposal will have adverse effects on private rented housing in the area
- Parking permit issues
- This is not the right location for student accommodation
- The whole area, is fast becoming a student ghetto
- Large student projects are already being built in the city, so why do we need more?
- Permanent residents are paying council tax to clean up after students
- Why can't the proposal provide affordable housing?

The one (1) letter of support has made the following comments to support the planning application:-

- The area has suffered due to a lack of interest and population moving into the area
- The proposal will help the area become a popular place to live, shop, eat and drink again
- Our business relies heavily on the student population

Following the significant number of objections from residents and concerns from of the Local Planning Authority, the applicant has sought to address these through a re-design of the proposal. The LPA therefore re-advertised the application for a further 21 days of public consultation by way of site notices, press add and writing to residents. During this consultation period, an additional six (6) letters of representation were received, all objecting to the proposal, however no new issues have been raised.

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*

5 year housing supply

When determining applications for residential development it is important to give consideration to housing supply. (Note: this does include student accommodation developments that result in additional dwellings to the dwelling stock i.e. cluster flats)

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”

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.”

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.

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.

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.

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"

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.

8. Analysis

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

1. This application 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. This application turns on the following policies of the Local Development Framework Core Strategy:-

CS01 (Sustainable Linked Communities), CS02 (Design), CS03 (Historic Environment), CS04 (Future Employment provision), CS05 (Development of Existing Sites), CS11 (Changes of Use in District and Local Centres), CS19 (Wildlife), CS20 (Sustainable Resource Use), CS21 (Flood Risk), CS22 (Pollution), CS32 (Designing out Crime), CS33 (Planning Obligations) and CS34 (Planning Application Considerations).

3. The proposal will also be considered against the following policies contained within the Emerging Plymouth plan Part One:-

Policy 12 (Delivering strong and safe communities and good quality neighbourhoods), Policy 15 (Meeting local housing needs), Policy 18 (Delivering sufficient land for new jobs), Policy 20 (Delivering sufficient land for new homes to meet Plymouth's housing need), Policy 28 (Promoting Plymouth's heritage), Policy 29 (Place shaping and the quality of the built environment) and Policy 30 (Safeguarding environmental quality, function and amenity).

4. In addition, this application also turns on the National Planning Policy Framework 2012 and the Development Guidelines Supplementary Planning Document.
5. The principle issues relating to this application are considered to be impact towards neighbouring residential amenity, design and character of the building, and impact towards local employment and employment land.

Principle of Development – Change of Use and Demolition

6. The principle of the change of use from the Snooker Club to Purpose Built Student has been supported by extensive documents indicating that the current use is no longer viable, and that the proposal would in fact meet the needs of the city with regards to providing purpose built accommodation for the international student market.
7. Some of the letters of objection criticise the loss of the club for negatively impacting the provision for the community and in the city. The applicant has indicated that many of the snooker players do not live within the Mutley area and is not heavily used by local residents; however formal evidence has not been supplied. Officers can advise however that as the Snooker club is not formally recognised as a community asset/facility, and the Sustainable Neighbourhood Assessment does not seek any specific protection for the site, and as such, is contrary to the letters received.
8. Appendix 4 of the Planning Statement advises the council that there are 4 other snooker clubs within the city, including The Plaza, which is within 1 mile of the application site at 36 Bretonside, which is also owned by the applicant.
9. A number of objections have been received suggesting that the loss of the snooker hall would be detrimental to the community, however officers consider that the change of use to student accommodation in this location would accord with policy CS05, and would not be contrary to policy CS01 or CS11 of the core strategy as the loss of the D2 use would not prejudice the vitality or principle function of the area.
10. Members should note that Sport England were consulted, and made no objections to the loss of the snooker facilities.

11. The buildings itself is a large, simple structure that was originally built as an electric theatre. Most of the historical and architectural merit is within the front (north) elevation; and is quite different to the remainder of the buildings within the street with regards to scale, massing and detail, although there is some architectural reference to buildings along Mutley Plain
12. Whilst the Council's Historic Environment Officer initially objected to the demolition, evidence has been provided to show that its retention as part of a redevelopment would be structurally unviable. Officers have taken into consideration that the building is not listed, nor does it sit within a conservation area. Furthermore, having undertaken an internal inspection, there are very little remaining historic features that would prevent its demolition also.
13. Based on the information that has been provided to officers, it is considered that on balance, the loss of this building and its current use is acceptable in accordance with policy CS03, CS05 and CS11 of the Core Strategy enabling the redevelopment of the site to assist in the aims of the Local Planning Authority outlined in paragraphs 15 - 21 of this report.
14. Furthermore, the principle of student accommodation at this location is supported by the University, who have stated 'Location is also a factor and this proposal appears to be in a location that should appeal to our student population'

Local and National Policy Background

15. The Council's planning policy framework in the form of the adopted Core Strategy, AAPs and emerging Plymouth Plan supports the provision of purpose built student accommodation, as outlined below.
16. At the strategic level policy CS15 of the Core Strategy identifies that 17,250 new homes are required to be built in the city by 2021, and these are required to meet the current and future needs of the population including students.
17. The Emerging Plymouth Plan continues to welcome and support the Universities within the City and the student population. Policy 1 identifies that it is important to that every student feels welcome and have access to quality accommodation near their place of study. Policy 15 supports purpose built student accommodation in the form of cluster flats and studio developments where these are in locations close to the education establishment, support wider regeneration objectives, are acceptable in terms of impact on their existing residential areas, and which provide decent accommodation with support facilities.
18. Through the implementation of planning permissions for purpose built student accommodation there will inevitably be less pressure placed on the existing housing stock within the City. This is likely to reduce the demand for student HMOs within communities. If these developments were not supported through planning policy then there would be a greater impact on the existing housing stock as the need generated from the student population would be met through existing houses.
19. The Local Planning Authority does have Council Tax data which demonstrates that there has been a reduction of the number of dwellings occupied by students year on year, since purpose built accommodation has been delivered, and will be looking to publish this data in the summer of 2016 as part of a housing topic paper.

20. Paragraph 2.8.46 of the Development Guidelines SPD adds that the Council will support purpose built student accommodation as long as it is well designed, provides a decent standard of accommodation and is suitably located to minimise any negative impacts on residential amenity.
21. In lieu of the above points, officers consider that the principle of the proposal is acceptable at this site, and as suggested in paragraph 10.2 of the Core Strategy will help achieve the goals of the Core Strategy by promoting 'a wide choice of housing types, to meet the needs of all members of the community'.

Initial Application Issues

22. Notwithstanding that there was a DES pre-application where advice was provided on the design and layout of the proposal, the initial application plans that were submitted to the council were considered unacceptable.
23. Officers consider that the originally submitted design of the building was a poor pastiche of the existing building, and the principle elevation of the of building onto Belgrave Road together with the ancillary refuse storage and recycling facilities was confused. Views of the buildings main entrance were blocked by these facilities, and as such completely restricted the principle entrance. The proposal would have been harmful to the street scene.
24. The front elevation itself lacked the high quality appearance that the planning authority sought and expressed at pre-application stage. Whilst officers accept that the principle elevation cannot be saved, the authority expected an appropriate design that would enhance the street scene. The design of the building was identified as a concern by residents and the Council's Urban Design Officer.
25. This first design sought to utilise the same footprint as the existing building which although not a problem, resulted in inadequate bin storage for residents and zero parking provision on site. Parking, servicing and refuse have been raised as resident concerns on the letters of representation and it was suggested to the applicant that this needed to be addressed. The Local Highways Authority objected to the lack of parking provision.
26. The poor design of building also resulted in a concerning relationship between accommodation on the western side of the building and existing outdoor terrace belonging to the Weatherspoon's pub. Officers advised the applicant that this was unacceptable, as it would have resulted in poor levels of amenity, privacy and outlook for future occupiers.
27. The additional storey to the flat roof section directly south of No.4 Belgrave was also raised as an issue, as officers considered that there could be a loss of light that would impact on the residential amenity currently. The relationship between accommodation and the doctor's surgery directly south of the application site was also raised as a possible conflict.

Revised Scheme following consultation and officer comments

28. Following the number of letters of representations that were received, and the objections and concerns raised by various consultees, officers engaged with the applicant to see if they were willing to negotiate amendments to the scheme as was unsupportable. The applicant agreed to make amendments, and these were submitted to the Local Planning Authority and

re-advertised for 21 days, giving consultees and the public the opportunity to make further comments where necessary.

Resubmitted Design

29. The initial scheme was an attempt to recreate the existing buildings appearance. This was unsuccessful, but following lengthy consideration of how to best address the site, the applicant has considered a modern, contemporary approach which is supported by the Council's Urban Design Officer.
30. Some of the letters have suggested that the original building was out of character, however Officers are of the view that there is no one dominant architectural character in this particular area (Belgrave Road and Mutley Plain Lane). The existing Belgrave Snooker Club building for instance is quite different to the surrounding character, therefore the approach to provide a modern, individualistic building was an appropriate way to deal with the site. As a corner plot, the building is prominent within its locality, but not overly dominant within the setting of Mutley Plain itself and therefore would not be harmful to this important street scene.
31. The massing of the building has changed, resulting in a taller building, however it is noted that the overall height of the main building now proposed is reduced by 1m when compared to the first iteration. The proposed building is still higher than the existing building by 1.4m; however officers recognise the significance of this reduction when considering the apparent bulk and appearance of the building.
32. To reduce the apparent bulk, the attic section will be differentiated from the lower floors using zinc cladding which in officer's view softens its appearance. The attic section is also set back slightly from the main elevations, and this will assist in reducing the apparent bulk and dominance of the building. The other materials on the building do need some clarification, therefore officers have attached a condition to ensure high quality are utilised should permission be granted.
33. The principle north elevation demonstrates a projecting pod which although it extends beyond the building line to the east, it does not extend beyond the buildings to west. The refuse and cycle store are no longer located at the front, meaning the entrance to the building is now legible and improves its appearance within the street scene.
34. The rear of the building has been altered to provide 6 undercroft parking spaces and a dedicated refuse store which will be accessed from the rear service lane that connects onto Mutley Plain Lane. These specific alterations have resulted in a reduction in unit numbers.
35. Officers have reviewed the amended design and layout, and consider it to be supportable, and in officers' view it accords with policies CS01 (para.2), CS02 (para.3, 7 and 11) and CS34 (para.3 and 4) of the Core Strategy as its scale, massing and layout will contribute to the street scene and will not be detrimental to the character of the area.

Residential Amenity

36. The design of the previous scheme resulted in amenity issues for both existing and future residents which officers considered unacceptable. Officers are encouraged that the design of the building has been significantly improved as highlighted above and the applicant has sought to address the Council's amenity concerns.

37. The provision of the undercroft parking and refuse area to the rear of the building has resulted in the removal of several units that had conflict with the adjacent Weatherspoon pub. The Public Protection Service has not objected to the relationship of the units along the western elevation with the pub, although they do suggest noise conditions to improve amenity.
38. The new layout, and revised window positions along the western elevation mean that almost all units are now considered to be a suitable distance from the terrace; therefore the degree of impact has significantly reduced. Unit ST16 is located on the first floor west elevation and could still result in a loss of privacy. Although there is an oblique angle relationship to the terrace, this will be enhanced by the consideration of obscure glazing, or film, which has been conditioned.
39. Officers have considered the need to protect the relationship between the doctor's surgery and the southern facing rooms. The degree of impact is considered low due to the contrasting times of use; however officers have applied a glazing condition to consider all window treatment, including to those facing south.
40. The relationship between the proposal and other properties that back onto the rear service lane is also considered acceptable. Officers do not consider that there would be demonstrable harm from overlooking to adjacent properties as a result of this development.
41. Officers have considered that the Mutley Area itself has proliferation of potential noisy/anti-social uses already that would likely cause some disruption to amenity in any case. Officers have also taken into consideration the dense nature of the area, and that in some older parts of the city, levels of amenity can often be lower. Therefore when put in context, the impact on amenity is considered acceptable.
42. The 43 rooms are all ensuite, and range from 18m² to 36m² depending on the position within the building. Members will be aware that there are no size standards for student accommodation; however these sizes are consistent with other student development approved in the city, and when compared to most cases they are larger.
43. No internal communal space is proposed, and due to the footprint of the building, no outdoor amenity space is provided, however the existing building if converted would not have provided amenity space either. The site does have good access to public amenity spaces (such as Mutley Park, Moorview Park, Thorn Park and Central Park) therefore this is not considered a significant issue. Students will therefore have a good standard of accommodation.
44. The design of the building will result in an additional storey above the single storey section to the south of No.4 Belgrave Road. The principle concern is that this would result in a loss of light and therefore amenity into the rear garden of No.4.
45. Officers suggested that this additional storey should have been omitted from the plans, to protect the amenity of this resident. Officers have visited the rear garden of No.4 Belgrave Road which is already dominated by the main snooker building to the west with restricted levels of light. There is no outlook at ground floor (garden) level; however there is an existing level of outlook from upper floors, although this is still somewhat diminished.
46. Officers do consider that there would be a loss of light into the rear of this property; however the significance of this would not be demonstrably harmful when compared to the existing situation. Windows have been proposed in the elevations that face this property;

however they have been positioned in a way that would protect amenity to a satisfactory level. Officers do not consider that there would be demonstrable harm from overlooking; however consideration of obscure glazing has been conditioned.

47. Several of the letters have suggested that the introduction of students into the area would create a loss of amenity to all residents through anti-social behaviour. Officers are satisfied however that the presence of an onsite manager, and the correct implementation of the operation and management plan, residents are unlikely to be disrupted by anti-social behaviour.
48. Officers have reviewed the amendments to the design that have sought to address the amenity issues that were raised during the initial consultation period. On balance, officers consider that the proposal has satisfactorily addressed the amenity for future occupiers, and also are of the view that the impact on existing residents would be demonstrably low. The levels of privacy, overlooking and disruption are not considered to be harmful, and the levels of light and overshadowing will also be low when compared to the existing building, the proposal is therefore considered to accord with policies CS15 (para.5), CS22 (para.1) and CS34 (para.6) of the Core Strategy, and para.17 of the National Planning Policy Framework 2012

Local Highways Authority

49. The Local Highways Authority recognises that whilst the provision of 6 vehicle spaces is below the maximum number of spaces required to serve the development through application of the parking standards for student accommodation as outlined within the Development Guidelines SPD (11 spaces as a result of there being a Controlled Parking Zone in operation within the area), the site is ideally located to the University and Mutley Plain to allow for the use of sustainable modes of transport as an alternative to the private car. In addition, the building has a restricted student use, and the applicant has also indicated that they intend to restrict vehicle ownership through tenancy agreements.
50. As well as providing parking for the development, the 6 spaces will also serve the development in terms of drop-off/collection at the beginning/end of term time which will ensure that parents have somewhere to park whilst picking-up/dropping off students. The Local Highways Authority recommend that a condition be attached relating to the need for details on the management/use of the parking area.
51. In addition to car parking the applicant will be required to provide some secure and covered cycle parking spaces. Whilst a total of 44 spaces is referred to on the plan I would suggest that a total of 23 spaces would suffice (1 space per 2 students).
52. The applicant has made reference to the fact that they would be willing to implement a Travel Plan for this development (which should be agreed in writing by the LPA), therefore it is recommended that this be covered by way of a condition.
53. In view of the changes that have been made to the scheme which has resulted in the creation of 6 dedicated off-street car parking spaces to serve the development, the Local Highways Authority is now in a position to change its previous recommendation of refusal to one of no objections subject to the conditions being attached to any grant of consent.

Secure By Design

54. The proposed undercroft parking area to the south of the building is supported providing suitable mitigation is adopted to ensure that it does not attract anti-social behaviour. This will be conditioned, and the presence of an onsite manager will help to discourage misuse of this area, therefore the proposal is in accordance will policy CS32.

Drainage

55. The application has not been accompanied by detailed drainage designs due to the limited options onsite, however under the advice of the Lead Local Flood Authority, a condition will be added to ensure that all drainage details, including SWW agreements are submitted and approved prior to commencement.

Sustainable Resource Use (CS20)

56. The Low Carbon Team have reviewed the submitted energy statement prepared by Therm Energy, dated November 2015 and the proposed approach of delivering 150m² (20kWp) of solar photovoltaic equipment is consistent with the adopted policy CS20 and the draft Plymouth Plan Policy. The implementation of this will be conditioned.

Landscaping and Ecology

57. The existing site has very little landscaping or ecological presence, and the information provided does not seek to enhance the existing situation. It is therefore recommended that a condition be attached show how net biodiversity gain will be achieved so that proposal accords with policy CS19 should permission be granted. Such methods could include soft landscaping, planter or bird boxes or swift bricks.

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 £27,033.48 (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, see www.plymouth.gov.uk/cil for guidance.

The applicant has indicated that they do not intend to apply for relief or exemption.

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:

- Local Greenspace: Natural Infrastructure for the provision and maintenance of greenspace and access improvements at Mutley Park – Part £10,680
- Playing Pitches: Natural Infrastructure for the provision and maintenance of playing pitch facilities at Collings Park – Part £19,329

The management fee has been calculated at £1334 (£667 per obligation) based on the current fee charging schedule.

12. Equalities and Diversities

Two of the ground floor studios (ST05 and ST07) are both accessible rooms, and level access is also provided at the front and rear of the building.

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and specifically the Local Development Framework Core Strategy and is therefore recommended for conditional approval subject to the signing of a S106 agreement.

14. Recommendation

In respect of the application dated **11/01/2016** and the submitted drawings Existing Plans - EP00; Existing Elevations - EE100; Site location plan BRS.5875_02; 1510-47_SP01-A Swept Path Analysis for Proposed Parking Bay Access; Proposed Plans P396.API00 Rev H; Proposed Elevations P396 AE100 Rev E; Proposed Elevations P396 AE101 Rev E; Proposed Plans I-2; Floor P396 API01 Rev I; Proposed Plans 3F roof P396 API02 Rev I; P396 3D Render; 3D Renders Additional; Planning Statement (Rev A); Statement of Community Involvement; Energy Statement (prepared by Therm Energy, Nov 2015); Operational Statement; Phase I Contaminated Land Desk Study; Transport Statement; Transport Addendum; BRS 5875 Drainage Strategy FINAL JCM 05 01 16; Structural Report (Additional); Design and Access Statement (Rev B), it is recommended to: **Grant Conditionally Subject to a S106 Obligation, delegated to Assistant Director for Strategic Planning & Infrastructure to refuse if S106 is not signed by the target date or other date agreed through an extension of time.**

15. Conditions

CONDITION: DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004, and due to concessions in Planning Obligation contributions/requirements under Plymouth's temporary Market Recovery measures.

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Plans - EP00; Existing Elevations - EE100; Site location plan BRS.5875_02; 1510-47_SP01-A Swept Path Analysis for Proposed Parking Bay Access; Proposed Plans P396.API00 Rev H; Proposed Elevations P396 AE100 Rev E; Proposed Elevations P396 AE101 Rev E; Proposed Plans I-2; Floor P396 API01 Rev I; Proposed Plans 3F roof P396 API02 Rev I; P396 3D Render; 3D Renders Additional; Planning Statement (Rev A); Statement of Community Involvement; Energy Statement (prepared by Therm Energy, Nov 2015); Operational Statement; Phase I Contaminated Land Desk Study; Transport Statement; Transport Addendum; BRS 5875 Drainage Strategy FINAL JCM 05 01 16; Structural Report (Additional); Design and Access Statement (Rev B)

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: CONSTRUCTION TRAFFIC MANAGEMENT PLAN

(3) The construction of the development hereby permitted shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a Construction Traffic Management Plan (CTMP). The plan shall include details of construction vehicle movements including number, type and size of vehicle; construction operation hours; routes being used by construction traffic; contractors parking arrangements and details of measures to encourage the use of sustainable modes of transport by construction staff as an alternative to the private car. Thereafter the construction of the development shall be carried out in strict accordance with the approved CTMP.

Reason:

To ensure that the traffic impacts associated with the construction phase of the proposed development does not lead to adverse impacts upon the operation of the Local Road Network which would be contrary to Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Justification:

Access to the site during the construction phase is likely to be difficult and disruptive to other highway users

PRE-COMMENCEMENT: EXTERNAL MATERIALS

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

Reason:

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

Justification:

The local planning authority need to be assured that the building will be of a high quality to ensure that it does not negatively impact the area into the future

PRE-COMMENCEMENT: BIODIVERSITY NET GAIN

(5) No development shall commence on site until full details of how net biodiversity gain will be achieved on site has been submitted to and approved by the Local Authority, including full details of existing and proposed habitats (usually displayed in a 'biodiversity budget' table).

Reason:

In the interest of the enhancement of wildlife and in accordance with Core Strategy Policy CS19 and Government advice contained in NPPF paragraph 109 and 118

Justification:

To ensure that the site accords with policy by satisfactorily incorporating biodiversity into the scheme

PRE-COMMENCEMENT: DRAINAGE AND SURFACE WATER DISPOSAL

(6) No development shall take place until details of drainage works, and 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 building 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:

The local planning authority want to ensure that proposal will adequately deal with surface water disposal, and would not pose a flooding risk in the area

Pre-occupation Conditions

PRE-OCCUPATION: PARKING MANAGEMENT STRATEGY

(7) Prior to the occupation of the building a Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The said strategy shall provide information in relation to the control and management of the car parking spaces serving the building including details relating to the arrangements for the use of the spaces for drop-off/collection at the beginning/end of each academic year.

Reason:

To ensure that adequate parking facilities are provided to serve the development in order to avoid vehicles from parking on the public highway (particularly in respect of drop-off/collection) giving rise to conditions likely to cause damage to amenity and interference with the free flow of traffic on the highway which is contrary to Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PRE-OCCUPATION: SOLAR PANELS

(8) The development shall be completed in accordance with the Energy Statement prepared by Therm Energy (November 2015). This proposes the use of Solar Photovoltaic Cells as the preferred method of incorporating onsite renewable energy production together with the proposed installation size of 20kWp. The carbon savings which result from this will be above and beyond what is required to comply with Part L

Building Regulations.

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

Reason:

To ensure that the development is in accordance with Policy CC05 of the City Centre Area Action Plan, the draft Plymouth Plan Policy 25 and relevant Central Government guidance contained within the NPPF.

PRE-OCCUPATION: CYCLE PROVISION

(9) The building shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a minimum of 23 bicycles to be securely parked. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

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

PRE-OCCUPATION: SOUND INSULATION

(10) No dwelling shall be occupied until the applicant/developer has submitted a verification report proving that all dwellings have been constructed in accordance with BS8233:2014 so as to provide sound insulation against externally generated noise unless otherwise agreed in writing by the Local Planning Authority. The standard as set out in BS8233:2014 shall be applied, meaning there must be no more than 35 Db Laeq for living rooms (0700 to 2300 daytime) and 30 Db Laeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided.

Reason:

To ensure that the proposed dwellings hereby permitted achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PRE-OCCUPATION: SECURE BY DESIGN

(11) The building shall not be occupied until the following details relating to the undercroft parking to the rear of the building hereby approved have been submitted to and approved in writing by the local planning authority:-

- Lighting to the undercroft area to the levels detailed in BS: 5489. (landlords supply);
- Painting of the ceiling and walls white, with an anti graffiti coating, to reflect light and better illuminate the area;
- Each parking space should be kept private with access control measures for residents and staff, such as securable collapsible bollard;
- A CCTV system to cover vulnerable areas, such as the undercroft parking area, entrances etc which should be managed by the on site management;
- The undercroft parking facility should be adequately signed identifying that it is a private facility and there should be no unauthorised parking.

Reason:

To prevent and discourage anti-social behaviour and protect the amenity of the area in accordance with Policies CS32 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraph 58 and 69 of the National Planning Policy Framework 2012

PRE-OCCUPATION: GLAZING

(12) Prior to the occupation the building hereby approved, the Local Planning Authority shall be provided with a full schedule of windows and the proposed glazing treatment, including the method for application. The agreed treatment shall be installed and maintained in perpetuity unless otherwise agreed in writing by the local planning authority.

Reason:

To ensure future occupiers amenity is not demonstrably impacted, and in order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy CS34 of the

Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 of the National Planning Policy Framework 2012.

PRE-OCCUPATION: TRAVEL PLAN

(13) The development hereby permitted shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The said Travel Plan shall seek to encourage students to use modes of transport other than the private car to get to and from the building. It shall also include measures to control the use of the permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the Travel Plan; and the name, position and contact telephone number of the person responsible for its implementation. From the date of occupation the occupier shall operate the approved Travel Plan.

Reason:

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

PRE-OCCUPATION: CAR PARKING PROVISION

(14) The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with details to be submitted to and approved in writing by the Local Planning Authority, 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.

Other Conditions

CONDITION: PLANT NOISE

(15) The noise emanating from any plant (LAeqT) should not exceed the background noise level (LA90) at anytime as measured at the façade of the nearest adjacent residential properties.

Reason:

To ensure that the proposed dwellings hereby permitted achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CONDITION: MANAGEMENT PLAN

(16) The development hereby approved shall be operated in strict accordance with the management plan as set out in Operational Statement (received 24/12/2015) at all times unless otherwise agreed in writing by the local planning authority.

Reason:

To assist in protecting the residential amenities of the area, in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 123 of the National Planning Policy Framework 2012.

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: STUDENT ACCOMMODATION

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

Reason:

The accommodation is considered to be suitable for students in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 of the National Planning Policy Framework 2012, but its occupation by any other persons would need to be the subject of a further planning application for consideration on its merits.

CONDITION: BEDROOMS

(19) No more than 43 rooms at the property shall be used as bedrooms. Only the rooms labelled "bedroom" on the approved plans shall be used as bedrooms, unless the Local Planning Authority gives written approval to any variation of this requirement.

Reason:

The number of bedrooms proposed in the application is considered to be the maximum that can reasonably be accommodated at the site. The proposed layout, together with the use of the remaining rooms for communal facilities, has been assessed and considered acceptable in planning terms and any other arrangement would need to be assessed on its merits. This condition is in accordance with policy CS15 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 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 [including pre-application discussions] and has negotiated amendments to the application to enable the grant of planning permission.

INFORMATIVE: NOISE

(3) The applicant should carry out a noise impact assessment prior to construction to identify if the plant is likely to cause an impact on neighbouring residents and any residents of the proposed development. This will help identify if any further mitigation is required in the design and construction of the development, to ensure that the above condition is met. Furthermore, as noise insulation works can be costly after developments are completed, it is advised that in order to meet the above criteria a noise assessment is carried out to assess the additional level of insulation required to meet the required standard prior to development. This may reduce costs after the development has been completed.

INFORMATIVE: RESIDENT PARKING PERMIT SCHEME

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

INFORMATIVE: SPECIAL WASTES

(5) If any demolition is involved, the Environment Agency advises that buildings when demolished can give rise to Special Wastes. These are subject to additional control prior to disposal. The Environment Agency can advise the applicant on the regulations concerning Special Wastes.

The Special Wastes most likely to be encountered during the demolition/refurbishment of pre-developed sites are: -

- a. asbestos cement building products;
- b. fibrous asbestos insulation, particularly around heating appliances;
- c. central heating oil;
- d. herbicides/pesticides;
- e. oils and chemicals associated with vehicle repairs and maintenance.

INFORMATIVE: CODE OF PRACTICE

(6) The development of this site should be in accordance with the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web pages. Issues to consider include:-

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

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

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PLANNING APPLICATION REPORT



PLYMOUTH
CITY COUNCIL

Application Number 16/00664/FUL

Date Valid 15/04/2016

Item 07

Ward Plympton St Mary

Site Address

THE FORMER CHINA CLAY DRYER WORKS, COYPOOL ROAD
PLYMOUTH

Proposal

Application to remove condition iii of permission 689/74/1(b) (this relates to the former access off Woodford Avenue)

Applicant

Marshmills Limited

Application Type

Full Application

Target Date

15/07/2016

Committee Date

**Planning Committee: 07
July 2016**

Decision Category

Major - more than 5 Letters of Representation received

Case Officer

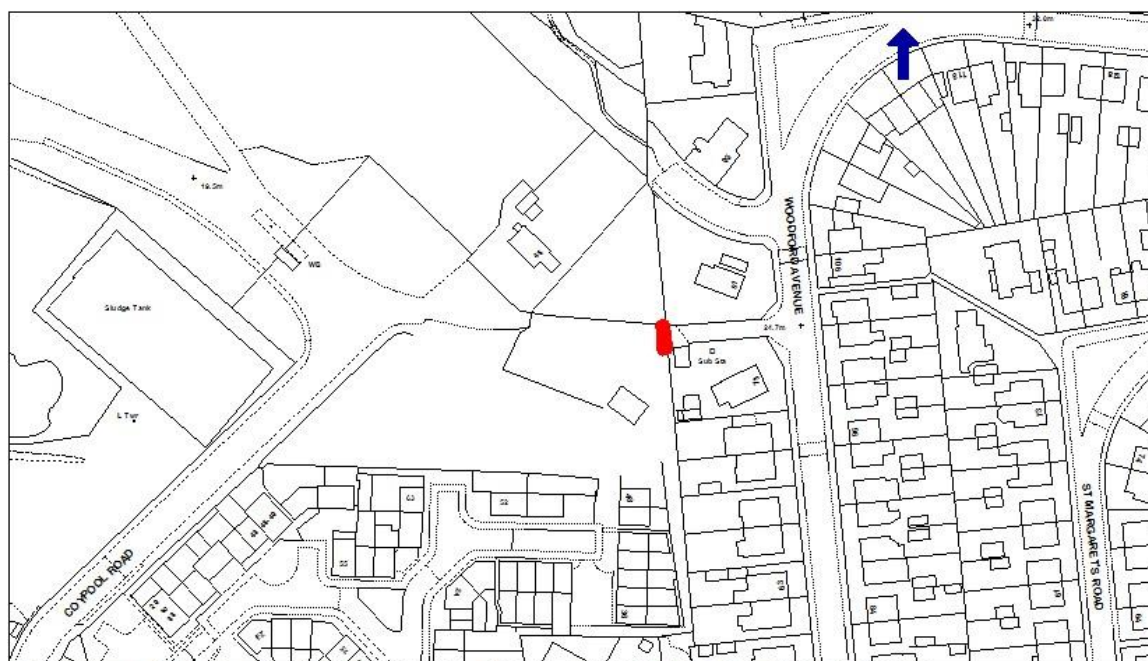
Alan Hartridge

Recommendation

Refuse

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1. Description of site

The site address on the application form is The Former China Clay Dryer Works, Coypool Road. The accompanying plan shows the application boundary as a strip of land across the end of a 30m long road that affords access from Woodford Avenue in the east to an electricity substation to the south east of the application boundary. It is a narrow private road without footways or a vehicle turning area. The red line boundary defines the location of a wooden gate that has recently been erected to replace a wall that was demolished by the applicants and the gate is unlocked to facilitate access to the Coypool Dryer site by the applicants.

It is considered to be relevant to also describe the wider area beyond the red line boundary (mentioned as the site address) as the original planning permission and the condition are in respect of access to/exit from the China Clay Dryer complex. The mineral activities and clay dryer operations at the china clay dryer works have ceased and the area comprises degraded, despoiled land and buildings. Access by Imerys to the north of the former works (containing unused concrete settlement tanks) has been restricted by Concise Construction and a gate and deer fence across that part of Coypool Road owned by Imerys (west of the Triumphal Crescent estate) now limits access to the China Clay complex by Concise Construction.

2. Proposal description

This wall blocked access from Woodford Avenue to the Marsh Mills China Clay Dryer works and was in place for over 40 years whilst access to the works has been provided from Coypool Road in accordance with the planning permission issued in 1974 for the construction of that road (plan ref 689/74/1(b)—see section 4). The applicants recently decided to demolish the wall in breach of a planning condition imposed upon the 1974 permission as a condition imposed by the local planning authority requires the private access road from Woodford Avenue to be blocked permanently to safeguard public safety and the amenities of nearby residents.

The application is made under Section 73 of the Town and Country Planning Act which is for planning permission for the development of land without complying with the planning condition imposed as part of the planning permission in 1974.

Planning condition (iii) imposed on 689/74/1(b) states:

“Within one month of the proposed road being brought into use any existing accesses from the site to Woodford Avenue must be permanently closed up to the satisfaction of the local planning authority and notwithstanding the provisions of the Town and Country Planning General Development Order 1973, as amended, no new access shall be formed without the express consent of the Local Planning Authority”

Reason: “to safeguard public safety and the amenities of nearby residents”.

A wall across the former access road was subsequently constructed in about 1977 to the satisfaction of the local planning authority and this complies with the requirements of the condition.

The applicants claim that the 1974 permission was granted without reference to the landowners at that time and that the planning condition is now restricting their access from Woodford Avenue to that part of the Dryer site that their client owns. They point out that the Clay Dryer operations have ceased and that access via Coypool Road has been physically closed to them. They state:

“Marsh Mills Ltd require access to the former china clay site for security and emergency purposes, and to undertake site safety inspections, ground investigation and other general surveying and assessments work to determine levels of contamination and any required remediation.”

The applicants have demolished the wall and installed a gate in its place to facilitate vehicular access.

The applicants decided to submit this s73 application to delete the 1974 planning condition stating that this application is not 'retrospective'. They have recently confirmed that the application is to 'regularise' use of this access which is currently in use every day. Vehicles have accessed the site for survey work and a security company are contracted to undertake a tour of the entire site once every 24 hours. The gate is opened and closed every day (on occasion at night time).

The applicants have also suggested that an alternative planning condition warrants consideration.

“Unless otherwise agreed with the Council access and egress to and from the site via the gated entrance between 73 and 91 Woodford Avenue shall exclude any activities related to clay drying operations or other operations ancillary to that use and shall only be used for site security and emergency purposes, and to undertake site safety inspections, ground investigation and other general surveying and assessments work and to determine levels of contamination and any required remediation.”

3. Pre-application enquiry

Although the applicants were made aware of the 1974 planning permission for Coypool Road and the reason for the planning condition to secure permanent closure of the substandard access, there was no prior notice given to the local planning authority about their intention to demolish the wall that blocked the access road from Woodford Avenue. This is addressed in section 8.

The local planning authority have been made aware of the dispute between Imerys and the applicants over redevelopment potential of the Dryer complex and this dispute has led to each party restricting access to the other. This was made clear during a series of pre-application meetings to discuss the applicant's development intentions for part of the former china clay complex and local members were made aware of this dispute in November. Notice was not given at that time that the wall would be removed and replaced by a gate (14/01359/MAJ and 15/00452/MAJ –Development Enquiry Service meetings).

4. Relevant planning history

In 1951 the Plympton St.Mary Rural District Council granted planning permission for clay drying at Marsh Mills in association with the extensive Lee Moor mineral workings and conditions were imposed following an appeal in 1958. The conditions have subsequently been reviewed in accordance with legislation relating to Reviews of Old Mineral Permissions (ROMPs) by Devon County Council.

689/74/1(b) –Construction of new access road for Marsh Mills China Clay Works and adjoining industrial land at Marsh Mills China Clay Works. Granted subject to conditions **9th October 1974**. In November 1975 the council refused an amendment to the condition to allow employees to enter the site via the Woodford Avenue access in their private motor vehicles.

93/00886 and 95/00011 Change of use of part of the china clay site to transport depot granted personal planning permission (to EEC) **2nd March 1995**

08/01686 and 08/02095 Screening and scoping opinions issued by DCC under the EIA Regulations requiring an ES to be submitted for the Lee Moor/Head-on/Marsh Mills ROMP. A ROMP application submitted in **October 1998** and is being handled by Devon County Council. The scoping opinion was issued **30th January 2009** and the proposed condition for Marsh Mills Dryers requires the approval of a Restoration and Aftercare Scheme.

14/00755/ESR10 and 14/00956/ESR10 Screening and Scoping Opinions under Regulation 5 of the Environmental Assessment Regulations 2011 –requiring an EA for an urban development of 12.1 hectare of the Coypool Marsh Mills china clay works

5. Consultation responses

Police Architectural Liaison Officer

The Police Architectural Liaison Officer has made the following comment: “The Devon and Cornwall Police would advise that Coypool Road is adequately designed for emergency vehicles. The existing planning permission granted for this road in 1974 would appear to be sound. By Imerys agreeing not to restrict such access along Coypool Road for emergency vehicles this should be sufficient to allow access for emergency situations.

The planning condition imposed in 1974 prevents use of a substandard link between the drier complex and Woodford Avenue and Devon and Cornwall police would prefer that Coypool Road is used instead.”

Western Power Distribution

Western Power Distribution has made the following comment “Following legal consultation we have decided not to comment on this application. It is very clear that we have full legal right of unobstructed access to the substation that we will enforce whoever owns or develops the site.”

Local Highway Authority

The Local Highway Authority has made the following comment: “The site is located at the end of a private road which runs about 30m in length and extends from the site boundary in the west to Woodford Avenue at the eastern end. This private road is substandard and unsuitable to provide access to a Development - it is constructed so that two vehicles are unable to pass, with no footways and no vehicle turning. The road serves only an electrical substation and the rare vehicular traffic which this requires. The road is inadequate to serve the mineral complex /industrial type development which is currently permitted at the site, for the demolition of any buildings remaining on site or to remove material from the site.

Since 1974 access to the land has been obtained via Coypool Road however this access is now closed due to a dispute with Imerys and Imerys state that emergency access is available and that they are willing to discuss provision of access for other purposes by agreement.

A number of LOR’s objections concern traffic impact on Woodford Avenue. However, it is unclear whether the proposal to carry out ground investigation and other stated uses would generate a noticeable increase in traffic levels on Woodford Avenue. The applicants suggest that a modified condition would be acceptable and consideration has been given to this. But the access is of a substandard nature and was deemed to be unsuitable to be used as an access for vehicles which would arguably be unsafe and have impacts on the amenity of residents. An access gate has been created and the applicant states that regular access for Security Guards to the site needs to continue. On balance there would be no objection to a pedestrian only access serving the site if such a Condition limiting this was warranted and enforceable.

Suggest refusal for the following reasons:

Sub Standard access:

It is considered that the proposed access arrangement is unsuitable for its intended use and is therefore likely to give rise to issues of personal and highway safety, and damage to amenity which is contrary to Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007.”

6. Representations

29 Objections refer principally to the adequacy of the Coypool Road access and the inadequacy of the former access and the key issues are summarised below.

1) Industrial traffic constituted a nuisance prior to provision of the two-way Coypool Road suitable for HGV traffic. There have been demographic changes and population increases since 1974. This access was blocked to safeguard public safety and the amenities of nearby residents and opened up at a time when traffic flows are much heavier. The disturbance to residents would not be justified because of a current dispute between a landowner and a company seeking a planning permission for development of part of the China Clay site. The two owners should be encouraged to work together to produce a single plan to realise the full development potential of the Dryer complex using the Coypool Road access provided for this purpose.

2) It would result in the use of the substandard narrow access close to a sharp bend and it would be dangerous with slow moving vehicles entering traffic flow on a blind bend. The road is only 4.5 metres wide and traffic entering or leaving the site would pass the primary living space window on the front corner of a neighbouring dwelling with an impact on their privacy as a HGV driver could see over the fence into their bungalow which is occupied by a housebound invalid and the traffic would have a detrimental effect on health, peace and enjoyment of home and garden. This access is not wide enough for 2 way traffic therefore any vehicles approaching the entrance would have to wait causing more back up of traffic along the residential road if the road was already occupied. The fire service would have difficulty in servicing any incident. The existing access does not even comply with a modest R32 Narrow Access Way as per Devon Highways Design Guide Part 1.

59 Objections refer principally to the unwarranted use of Woodford Avenue for HGV traffic and such impact upon safety and amenities. The key issues are summarised below.

1) Woodford Estate is a quiet residential estate and the roads are not designed for industrial lorries/trucks adding to congestion and degrading the resident's standard of living. Access off Woodford Avenue would incur unacceptable dust, noise and air pollution, heavier traffic flow, congestion at the Plymouth Road junction and possible damage to resident's vehicles trying to gain access in and out of the site. The traffic volume on Woodford Avenue is already an issue and there would be a safety problem with parked cars on both sides of the road and the road used by cyclists, as the estate cannot support additional volume of traffic and HGVs that would ultimately be created following this access being opened up. Construction traffic lorries should not be allowed to carry the Drying Shed's asbestos waste through a housing estate used by children/people walking along Woodford Avenue

14 Objections refer principally to the applicants disregard for damaging impact upon local residents and planning procedures. The key issues are summarised below.

1) Very disappointed at the lack of consultation and engagement by the developers with the local community and our councillors. The applicant is attempting to run roughshod over the planning consent system/ concern about the manner in which the wall was removed without prior consultation or decision/the applicants should be made to restore the wall they have illegally removed and follow proper procedure (and action should be taken over this illegal act). It should not be approved just because it seems expedient. As a night worker the disruption (noise disturbance from load-bearing vehicles and drivers) that has already been caused has demonstrated what it would be like if there was continuous use of this access. Diggers have been turning up early mornings causing problems. The applicant states they need access to "allow site investigations and assessment

work to determine levels of contamination and any required remediation” The developers by disregard of planning procedures and taking down of the wall prior to permissions have already availed themselves of various site visits and surveys have already taken place. By “remediation”, the applicant does not provide any further information, but this phrase would mean that there could be thousands of tons of rubble from the old china clay works redundant buildings that would have to be moved off the site via the proposed access via Woodford Avenue.

2) This request is incredibly flawed and unnecessary and no matter the time limit this is for it would bring great disruption, harm and noise to the area. We (the general public) know that any 'one month' limit is highly likely to be ignored.....as are any other restrictions (and the recent unauthorised access proves this).

3) One objector suggests limiting the access solely for small, i.e. car, access to view and assess site would no doubt be acceptable, but any heavier traffic passing between people's homes is not.

3 objections and 1 concern about impacts upon wildlife particularly on the bats, owls and deer populations in the woodland

Letter of Objection from Imerys Planning Estates Coordinator

The key objection points are summarised below :

- 1) The original 1974 planning decision is lawful and the fact that the landowners claim they were not informed is irrelevant .The planning condition was justified and is relevant with increased traffic use of Woodford Avenue.

The rationale remains for the original condition being imposed and complied with and its removal would have a detrimental effect on the local residents of Woodford Avenue, particularly when considered against the already enhanced pressure on the local road network caused by increased numbers of motor vehicles using the Avenue since the 1974 decision. The condition was deemed necessary, at that time, to address the issue of traffic levels on Woodford Avenue. It would be entirely reasonable for this application to be fully informed by the provision of a Transport Assessment.

In accordance with the NPPF para 35, weighted consideration should be made for the encouragement of local residents to walk and to and use public transport. The likelihood of the interruption of their amenity with increased traffic through an access which has been unused for 42 years would be detrimental to pedestrians and cyclists in Woodford Avenue.

- 2) The planning condition requires a permanent closure and not one that expires on cessation of china clay production
- 3) Access for survey work is unjustified as Imerys has remediated the environmental condition of those parts of the site, which have now reverted to the control of Marsh Mills Ltd (*Subsequent emailed that the lease area is free from contamination and there is no requirement for further surveys or work to be undertaken until such time as a full planning application is submitted to PCC*)
- 4) Coypool Road access is barred to the applicants due to landowner health and safety management obligations and Imerys continues to offer to engage in a positive dialogue with them for an agreement to use the private access for certain activities and so render the current application wholly unnecessary. (*Subsequent emailed that they would consider allowing pedestrian access for a guard from their Woodford Road entrance*)

- 5) There are no health and safety grounds on which this application should be consented as full access for the emergency services can be provided from the lmerys entrance on Coypool Road (*Subsequent email gives additional details relating to this*)
- 6) If planning permission were to be granted, creating a lawful right of access via the previously stopped up access, this is likely to result in a situation where future unfettered access will be achieved. Whilst Concise Construction Ltd have offered to enter in to a unilateral agreement to prevent access to the site for the purpose of industrial use (B2 and B8), no guarantee has been given that the access would not be exploited for residential or other uses.

7. Relevant Policy Framework

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

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007). In the case of this application, it also comprises the Waste Development Plan Document.

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) is 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.

8. Analysis

1. This application has been considered in the context of the development plan (Core Strategy numbers CS19, CS28 and CS34) the draft Plymouth Plan (PP30), the Framework (paras 17, 32, 188, 203, 207) and other material policy documents (the Waste Development Plan Document proposal WI) as set out in Section 7.

2. Lack of pre-application discussions and need for the S73 application to regularise the use of the access

The applicants demolished the wall to enable access in breach of the requirements of the planning condition and without any pre-application discussions or notice given to the local planning authority. This approach is considered to be contrary to the advice given in NPPF (para 188) which points out that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.

3. National Planning Guidance states that new issues may arise after planning permission has been granted, which require modification of the approved proposals. Where these modifications are fundamental or substantial, a new planning application under section 70 of the Town and Country Planning Act 1990 will need to be submitted. Where less substantial changes are proposed, a section 73 application can seek a minor material amendment, where there is a relevant condition that can be varied. The National Planning Guidance encourages pre-application discussions in advance of an application being submitted to judge the appropriateness of the minor material amendment route. It is considered to be unfortunate that his approach was not followed but it is considered that the lack of pre-application discussion is not a material planning consideration.
4. The applicants have been made aware of the concerns of local residents about the removal of the permanent blockage; they have continued to use the access by vehicles despite requests to stop (section 6). Planning officers have an interest in this matter, mindful that effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control in accordance with NPPF (par 207). NPPF (par 203) states that “Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations”.
5. It is considered that consideration needs to be given to the applicants to justification for the action taken in consideration of this S73 application is to regularise access. The following matters are considered relevant:
 - Whether it is reasonable to accept the applicants submission that the cessation of clay dryer operations and restriction of their use of the Coypool Road removes the need for compliance with the existing planning condition, and warrants the removal of the wall and replacement with a gate and
 - Whether the suggested alternative condition is warranted.

This is considered in the following sections of this report (paragraphs 6- 28 below).

6. **Vehicular activity associated with the Clay Dryer complex and the requirements of the existing planning condition.**

Planning decisions should take account of whether safe and suitable access to a site can be achieved for all people. It is considered that the planning authority's permission for construction of the Coypool Road accords with this requirement and that the associated planning condition was essential to the provision of a safe and suitable access.
7. NPPF (para206) requires planning conditions to be relevant, enforceable, precise and reasonable. It is suggested that the existing planning condition does this. It is clear about what is required: "existing accesses from the site to Woodford Avenue must be permanently closed up" and "no new access shall be formed without the express consent of the Local Planning Authority" to safeguard public safety and the amenities of nearby residents
8. The condition does not differentiate between vehicular and pedestrian access and it is clear that a permanent closure of the access is required and it is not time-limited and not one that lapses when Clay Dryer operations cease. It is the case that an authorised mineral related activity that has ceased might be brought back into use for various reasons over time, perhaps arising from new market demand or new ownership. Furthermore the mineral planning authority has a responsibility to try to obtain a reclamation scheme once authorised mineral-related activity has ceased. In this respect, it is considered that the use of Coypool Road for such traffic is still relevant and the condition restricting access to Woodford Avenue is still relevant.
9. The permanent closure across this narrow access road prevented traffic flows to Woodford Avenue from not only the Clay Dryer complex but also from the industrial estate south of the complex. The wall erected to comply with requirements of the planning condition was required to 'permanently' prevent this route as it involved use of a substandard access road and the likelihood of adverse impacts upon safety and residential amenity. The condition requiring a permanent closure seems to have been a reasonable requirement.
10. Although operations at the Dryer complex have presently ceased, potential vehicular activity has not. Although it is understood that Imerys employed specialist external consultants to survey that part of the Clay Dryer complex formerly leased from the current owner for any contaminants over an 18 month period and carried out remediation works at ground level, it is reasonable to suggest that vehicular access is still required for clearance of buildings/structures /waste material when carrying out a reclamation scheme and the planning condition preventing egress onto Woodford Avenue is therefore still relevant. The condition does not state that it is for a temporary period and that it lapses once the stage has been reached when clay drying operations cease and when the required reclamation operations are warranted. The Clay Dryer complex contains large scale vacated buildings that need to be cleared and it is considered that the routing of such traffic has to be carefully considered. On balance it is considered that the planning condition resulting in a permanent closure of the access to Woodford Avenue is still relevant as public safety and the amenities of nearby residents would be detrimentally affected by the passage of HGVs on that route along a road that the highway authority consider to be sub-standard.
11. The provision of a permanent closure would have prevented vehicular flows from the northern part of the complex (owned by Imerys) had it been brought into use as a strategic

integrated waste management site in accordance with the approved Waste Development Plan 2006-2021 (proposal W1) . It is considered that only Coypool Road would provide the suitable standard of access required by that policy. The condition requiring permanent blockage of the access to Woodford Avenue is still reasonable as that road is narrow and unsuitable for accommodating waste management traffic.

12. The existing condition is clear that it is not one that lapses when a dispute breaks out between landowners or their representatives. At present officers understand the owners of Coypool Road (Imerys) have a dispute with the applicant and this is referred to by many objectors. Disputes with landowners and/or their agents over development matters are not uncommon and need not be material planning considerations and this one seems to be in respect of redevelopment potential and this is not under consideration as part of this S73 application. However the dispute has involved the erection of a gate across Coypool Road and this is of concern to the applicants and in this respect it is relevant to note that Imerys state that they are open to negotiation about further access to enable the requirements of the original condition to be met. Disputes can be short-lived and it is suggested that in weighing up planning considerations, weight should be given to the reason for the condition to safeguard public safety and the amenities of nearby residents. It is considered that this is reinforced by the NPPF. A core planning principle to underpin decision-taking (as stated in the NPPF (para 17) is that planning should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives. It is considered that the local planning authority's decision in imposing the condition on the 1974 permission, requiring a permanent blockage of the substandard access, effectively reflects this core planning principle.
13. In conclusion it is considered that it would be unreasonable to accept the applicant's submission that the cessation of Clay Dryer operations and restriction of their use of the Coypool Road is sufficient justification for not complying with the scheme approved by the local planning authority that resulted in a blocking wall being constructed, and is not sufficient justification for removal of the wall and replacement with a gate to facilitate access.

14. Whether the suggested alternative condition is warranted.

The applicants state that the access shall only be used for site security and emergency purposes, and to undertake site safety inspections, ground investigation and other general surveying and assessments work and to determine levels of contamination and any required remediation. These are considered in the paragraphs 15-18 below together with consideration of the modified condition that would be acceptable to them (see section 2). In considering whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations (NPPF 203) it is relevant to consider whether the suggested condition would be necessary and relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects (NPPF para 206 extract).

15. The applicants suggest that activities associated with clay drying and other operations ancillary to that use would be excluded from using the access but it is **unclear** what regularising access entails for “**other general surveying and assessments**” and there is local concern that this could result in unnecessary safety and local amenity impacts. This warrants consideration.

16. The applicants have made it clear in pre-application discussions that they do not seek to restore their client's land to landscaped green space. Despite a request made on 31st March 2016 to cease use of this access and block off the access the applicants have failed to do so and have still been using the narrow road for vehicles to gain access for surveying purposes. It is unclear whether these "general surveying and assessment" surveys are for the purposes of informing speculative redevelopment potential (as this site is not allocated for development) and have been asked to clarify their statement that "limited additional traffic movements are anticipated" but have not done so at the time of writing this report. It is considered that the suggested alternative condition is imprecise about the scale/nature and timing of vehicular activity associated with "general surveying and assessment" and what that means as survey work for reclamation purposes has been completed under the control of an Environment Agency Permit.
17. It is considered that there is sound advice from the highways authority that this access road is narrow and unsuitable for such vehicular activity. Access for the purposes of "general surveying and assessment" has not been justified and it would be likely to give rise to issues of personal and highway safety, and damage to amenity which is contrary to Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007.
18. The applicants suggest that **access by emergency service vehicles** is required to their clients land and that the 1974 planning condition requiring a permanent closure of the Woodford Avenue access is unreasonable in preventing this as a gate has been erected by Imerys across the Coypool Road preventing such access by that route. Because of this, they suggest that the modified condition is warranted. However Imerys have made arrangements to address the issue to enable emergency services to access the former Clay Dryer complex by Coypool Road. They have a single point of contact for the public and the emergency services to contact in the case of an incident and it is manned 24 / 7 and a large sign has now been fitted to their gate with contact numbers for all the emergency services clearly displayed. The deer fence (a few metres in from our entrance gate) has been removed and replaced with a red / white plastic chain to demarcate their boundary.
19. The Civil Contingencies and Emergency Planning Office is aware of the change in circumstances of the site and Imerys have made it quite clear that if the emergency services need to act quickly to force entrance through any part of our site then this is perfectly acceptable to them.
20. In the circumstances it is considered that the suggested modified condition requiring access for emergency service vehicles off the substandard access is unnecessary. Refusal to modify the existing condition for this reason would be reasonable. Such would accord with the views of the highways authority and the Police Architectural Liaison Officer. Vehicular use of the substandard access for such purposes would be likely to have unwarranted detrimental impacts contrary to advice in the NPPF (par 17). CS 28 and CS34.
21. The applicants state that access is needed to their client's part of the former China Clay Dryer complex **for site security** as the gate erected by Imerys across the Coypool Road prevents such access by that route. This is one of the reasons for their suggesting the modified planning condition and for contracting a security company to undertake a tour of the entire site once every 24 hours.

22. There is a vacant bungalow to the west of the application site and it is understood that it was recently broken into and some damage may have been caused. At the time of writing this report the applicants have not responded directly to a query of whether it is their client's intention to keep the bungalow vacant. However, they have clarified that access to the bungalow is not a requirement of the modified condition suggested as part of this S73 application.
23. CS32 relates to the requirements of new development to incorporate well designed security features and places with designed with management and maintenance in mind, but this is hardly applicable in this case as the S73 application does not facilitate any development.
24. It is considered that security may be needed for effective stewardship of wildlife in accordance with CS19, particularly deer and protection of the bat population, but this reason for requiring access is not mentioned by the applicants and the majority of the woodland areas are outside the land area owned by the applicant's client.
25. It seems that site security is required to that part of the complex containing vacant/derelict buildings. There is a security fence in place on some of the boundaries to that area of land but no CCTV surveillance as mineral operations are not underway. The applicants state that they require vehicular access to enable a security firm to tour the site. They have not suggested that pedestrian access would suffice (but this is considered in paragraph 29 below)
26. The Highway Authority points out that the substandard access has no pedestrian path is narrow and is used by vehicles serving the Western Power substation. It is considered that the modified condition suggested by the applicants is unnecessary as the most appropriate access for vehicular access is via Coypool Road and the current dispute needs resolution between both parties to facilitate this. Assurances on this have been received. Imerys offer to engage in a positive dialogue with the applicants for an agreement to use their private access for this. They also need to access their land (containing mineral tanks to the north of the Adams family land) for security purposes.
27. Such an agreement is still being encouraged by the local planning authority in accordance with NPPF 17 in finding ways to limit unwarranted vehicular activity to enhance and improve the amenities of Woodford Avenue residents.
28. Refusal to accept the suggested modified condition need not unreasonably impact on the deliverability of a development as this S73 determination has no implications for any new development and as Imerys require access to their land refusal to accept the modified condition need not place unjustifiable and disproportionate financial burdens on the applicant. It is suggested that the proposed modification of the condition in the manner suggested is unnecessary.

Other matters

Limitation to pedestrian only access

29. Consideration needs to be given to whether a modified planning condition restricting access to a **pedestrian only access** is warranted and would be enforceable.
30. The private road in question is substandard and unsuitable to provide vehicular access and is so narrow that two vehicles are unable to pass although the vehicular traffic resulting from

maintenance of the electrical substation is slight. However, there are no footways for pedestrian use as there are at Woodford Road to north of this blocked access road and this could provide a more appropriate pedestrian access route onto the applicant's complex. Imerys have confirmed that they would not object to this (access from this direction would involve crossing a strip of land owned by them). This option would not require revision to the condition imposed by the local planning authority in 1974 and would be a wider road for parking a security van and provide a safer route for pedestrian access for security personnel.

31. At the time of writing this report the applicant's response to this suggestion is not available but should be by the date of your meeting. However, on the information available at this time it seems that a modified planning condition restricting access to a pedestrian only access is not warranted. Alternative pedestrian access points can and should be encouraged. The concerns of residents and the Highway Authority and Police Architectural Liaison Officer about the lack of sound and reasonable justification for removing a permanent road blockage to open up this substandard access route after 42 years warrants support in the interests of safety and residential amenity and such would accord with CS 28 and CS32 and CS34.

32. Potential redevelopment of the former clay dryer site

The applicants point out that the majority of objections/representations submitted are concerned about increased traffic levels as a result of the wider redevelopment of the former clay dryer site, and concerns regarding construction traffic using the access. There has been a public consultation exercise by the applicants relating to a possible mixed use of development of the Coypool complex and also pre-application discussions with officers concerning a possible residential development of part of the complex.

33. There is mention of NPPF (para 32) in the Letters of Representation (section 6 above). This states that developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. However, there is currently no planning application for such uses and permission for such access cannot be granted through the present section 73 application and to that extent it is considered that the applicant's advice is sound that these are not material considerations.

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

N/A

11. Planning Obligations

N/A

12. Equalities and Diversities

N/A

13. Conclusions

It is considered that the requirements of the 1974 planning permission are clear and that the condition effectively removed the option for a growing volume and range of traffic to use both Coypool Road and Woodford Avenue to enter and exit the China Clay complex and industrial land to the south of it. The scheme approved in compliance with the condition thereby reduced the impact of the proposed Coypool Road mineral –related development and is needed to safeguard public safety and the amenities of nearby residents on Woodford Avenue. It would have been unreasonable at that time to impose an alternative condition that would not adequately safeguard public safety and amenities of nearby residents and a permanent closure of a substandard access road is warranted. It concluded that, on the basis of the information currently available, there is inadequate justification for removing or modifying the requirements of the condition at this time and after some 42 years and a permanent closure needs to be re-instated.

Officers have taken account of the NPPF and S38 (6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal does not accord with policy and national guidance and specifically NPPF17, 203 and 206 and CS 28 and CS 34

Further information may be received from the applicants prior to the Committee and any material planning points will be reported in the normal way. In the event that this application is refused, as is being recommended, formal enforcement action will be pursued at the earliest opportunity to secure the cessation of the unauthorised use and compliance with the planning condition (iii) of Planning Permission 689/74 I(b). This would involve issuing a Notice requiring the access point to be physically sealed, and thereby returning it to its state prior to its recent unauthorised re-opening.

14. Recommendation

In respect of the application dated **15/04/2016** and the submitted drawings, it is recommended to:
Refuse

15. Reasons

Refusal

(1) It is considered that the existing planning condition should not be relaxed or modified as its requirements are clear and there is inadequate justification for amending it as this would result in unsuitable access arrangements likely to give rise to issues of personal and highway safety, and damage to amenity which is contrary to Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007 and to the advice in NPPF (17,203 and 206).

Relevant Policies

The following (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and (b) relevant Government Policy Statements and Government Circulars, were taken into account in determining this application:

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS19 - Wildlife

NPPF - National Planning Policy Framework March 2012

Waste DPD WI - Waste DPD policy WI

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PLANNING COMMITTEE

Decisions issued for the following period: 27 May 2016 to 27 June 2016

Note - This list includes:

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

Item No **1**

Application Number: 15/01682/FUL **Applicant:** Chapter 1 Housing Association

Application Type: Full Application

Description of Development: Variation of conditions 2 and 5 of application 13/02395/FUL

Site Address FORMER GOVERNMENT OFFICES, HOEGATE STREET
PLYMOUTH

Case Officer: Christopher King

Decision Date: 20/06/2016

Decision: Grant Subject to S106 Obligation - Full

Item No **2**

Application Number: 15/02184/FUL **Applicant:** Aspire Student Living 3 Ltd

Application Type: Full Application

Description of Development: Alterations and extension to comprise 60 student dwellings and A1 (Shops), A2 (Financial and Professional), A3 (Restaurants and Cafes) and B1 (Business) ground and lower ground use

Site Address 119 MAYFLOWER STREET PLYMOUTH

Case Officer: Melanie Starr

Decision Date: 15/06/2016

Decision: Grant Conditionally

Item No 3

Application Number: 15/02229/FUL **Applicant:** Plympton House Ltd
Application Type: Full Application
Description of Development: Conversion and part demolition of east wing to 4 no. dwellings and construction of 2 no. dwellings
Site Address ST PETERS CONVENT, GEORGE LANE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 31/05/2016
Decision: Grant Conditionally

Item No 4

Application Number: 15/02230/FUL **Applicant:** Plympton House Ltd
Application Type: Full Application
Description of Development: Change of use of, & extensions to, former convent, dairy, & chapel, to form 4 single residential units, construction of 4 no. new dwellings, and creation of access off George Lane.
Site Address ST PETERS CONVENT, GEORGE LANE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 31/05/2016
Decision: Grant Conditionally

Item No 5

Application Number: 15/02231/LBC **Applicant:** Plympton House Ltd
Application Type: Listed Building
Description of Development: Change of use of, & extensions to, former convent, dairy, & chapel, to form 4 single residential units, construction of 4 no. new dwellings, and creation of access off George Lane.
Site Address ST PETERS CONVENT, GEORGE LANE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 31/05/2016
Decision: Grant Conditionally

Item No 6

Application Number: 15/02232/LBC **Applicant:** Plympton House
Application Type: Listed Building
Description of Development: Conversion and part demolition of east wing to 4 no. dwellings and construction of 2 no. dwellings
Site Address ST PETERS CONVENT, GEORGE LANE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 31/05/2016
Decision: Grant Conditionally

Item No 7

Application Number: 15/02379/FUL **Applicant:** Mr David Daley
Application Type: Full Application
Description of Development: Development of one 'Eco home' and associated external works
Site Address RIVERFORD, ESTOVER CLOSE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 10/06/2016
Decision: Grant Conditionally

Item No 8

Application Number: 16/00039/FUL **Applicant:** Ridgeway School
Application Type: Full Application
Description of Development: Creation of floodlit artificial grass sports pitch, erection of ball-stop fencing, construction of hard-standing areas and refurbishment and floodlighting of existing multi-use games area.
Site Address RIDGEWAY SCHOOL, MOORLAND ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 14/06/2016
Decision: Grant Conditionally

Item No 9

Application Number: 16/00108/ADV **Applicant:** Howden Joinery Properties Ltd
Application Type: Advertisement
Description of Development: 4 Fascia signs
Site Address UNIT J2, ST MODWEN ROAD PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 27/06/2016
Decision: Grant Conditionally

Item No 10

Application Number: 16/00136/FUL **Applicant:** Mr Mathew Chubb
Application Type: Full Application
Description of Development: Double garage with room in roof for home gym
Site Address 20 NETTLEHAYES PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 14/06/2016
Decision: Grant Conditionally

Item No 11

Application Number: 16/00153/FUL **Applicant:** Miss Claire Rushmere
Application Type: Full Application
Description of Development: Front and side extension
Site Address 139 BLANDFORD ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 10/06/2016
Decision: Grant Conditionally

Item No 12

Application Number: 16/00163/FUL **Applicant:** Mr Anthony Gal
Application Type: Full Application
Description of Development: Residential development of two apartment blocks containing a total of 61 apartments, undercroft parking, landscaping & associated works
Site Address LAND ADJACENT PLUMER ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 17/06/2016
Decision: Refuse

Item No 13

Application Number: 16/00192/FUL **Applicant:** The Premier Group
Application Type: Full Application
Description of Development: Installation of a 15,000 litre, self bunded fuel tank with dispensing pump electronic gauging and fuel management system
Site Address FIRE BRIGADE HEADQUARTERS, GLEN ROAD PLYMPTON PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 08/06/2016
Decision: Grant Conditionally

Item No 14

Application Number: 16/00237/OUT **Applicant:** Mr M Phelan
Application Type: Outline Application
Description of Development: Dwelling
Site Address RIVERFORD, ESTOVER CLOSE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 14/06/2016
Decision: Grant Conditionally

Item No 15

Application Number: 16/00332/FUL **Applicant:** Mr Lee Nolan
Application Type: Full Application
Description of Development: Retrospective application for erection of hardstanding
Site Address 66 NORWICH AVENUE PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 20/06/2016
Decision: Grant Conditionally

Item No 16

Application Number: 16/00361/FUL **Applicant:** Mr Andrew Whitby
Application Type: Full Application
Description of Development: Hardstanding alterations and landscaping
Site Address 20 THE KNOLL PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 17

Application Number: 16/00365/FUL **Applicant:** Mr Leslie Allen
Application Type: Full Application
Description of Development: Hip to gable roof conversion, rear dormer, side extension and associated alterations
Site Address 22 RADFORD PARK ROAD PLYMSTOCK PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 10/06/2016
Decision: Grant Conditionally

Item No 18

Application Number: 16/00380/FUL **Applicant:** Premier Parking Solutions
Application Type: Full Application
Description of Development: Demolition of building, install new façade, and creation of car park.
Site Address 98-100 VAUXHALL STREET PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 03/06/2016
Decision: Refuse

Item No 19

Application Number: 16/00388/FUL **Applicant:** Mr David Botwright
Application Type: Full Application
Description of Development: Front window alterations
Site Address 6 PATNA PLACE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 13/06/2016
Decision: Grant Conditionally

Item No 20

Application Number: 16/00391/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: External wall insulation in connection with overall repair
Site Address 21 TO 67 CLOWANCE STREET PLYMOUTH
Case Officer: Liz Wells
Decision Date: 03/06/2016
Decision: Grant Conditionally

Item No 21

Application Number: 16/00393/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Demolition of rear of Central Library, part of City Museum and ancillary buildings adjacent to St Luke's, conversion of the Central Library and City Museum including a rear extension to form a museum and archive, conversion of St Luke's to an exhibition space with new side extension, creation of piazza and shared space along Tavistock Place with associated landscaping and highway works including closure of Tavistock Place to through traffic and creation of new pedestrian links
Site Address CITY MUSEUM & ART GALLERY, DRAKE CIRCUS
PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 15/06/2016
Decision: Grant Conditionally

Item No 22

Application Number: 16/00394/LBC **Applicant:** Plymouth City Council
Application Type: Listed Building
Description of Development: Demolition of rear of Central Library, part of City Museum and ancillary buildings adjacent to St Luke's, conversion of the Central Library and City Museum including a rear extension to form a museum and archive, conversion of St Luke's to an exhibition space with new side extension, creation of piazza and shared space along Tavistock Place with associated landscaping
Site Address CITY MUSEUM & ART GALLERY, DRAKE CIRCUS
PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 15/06/2016
Decision: Grant Conditionally

Item No 23

Application Number: 16/00407/FUL **Applicant:** Mrs Janet Morris
Application Type: Full Application
Description of Development: Retrospective application for change of use from 2 bed flat (c3) to 3 bed HMO (c4)
Site Address GROUND FLOOR FLAT, 12 HASTINGS STREET
PLYMOUTH
Case Officer: Mike Stone
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 24

Application Number: 16/00409/FUL **Applicant:** Mrs Janet Morris
Application Type: Full Application
Description of Development: Retrospective application for change of use from 2 bed flat (C3) to 3 bed HMO (C4)
Site Address FIRST FLOOR FLAT, 12 HASTINGS STREET PLYMOUTH
Case Officer: Mike Stone
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 25

Application Number: 16/00410/FUL **Applicant:** Mrs Janet Morris
Application Type: Full Application
Description of Development: Retrospective application for change of use of 2 bed flat (C3) to 3 bed HMO (C4)
Site Address SECOND FLOOR FLAT, 12 HASTINGS STREET PLYMOUTH
Case Officer: Mike Stone
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 26

Application Number: 16/00436/FUL **Applicant:** Interserve Defence
Application Type: Full Application
Description of Development: Single storey storage unit
Site Address ENDEAVOUR BUILDING, HMS DRAKE DEVONPORT PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 07/06/2016
Decision: Grant Conditionally

Item No 27

Application Number: 16/00444/FUL **Applicant:** Mr Frederick Hill
Application Type: Full Application
Description of Development: Replace attached garage with garden room
Site Address THE GARDEN HOUSE, GLEN ROAD MANNAMEAD
PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 10/06/2016
Decision: Grant Conditionally

Item No 28

Application Number: 16/00476/LBC **Applicant:** National Trust
Application Type: Listed Building
Description of Development: Internal alterations to stable block
Site Address SALTRAM, MERAFIELD ROAD PLYMOUTH
Case Officer: Kate Price
Decision Date: 03/06/2016
Decision: Grant Conditionally

Item No 29

Application Number: 16/00477/FUL **Applicant:** Victoria Group
Application Type: Full Application
Description of Development: Change of use to open storage (B8)
Site Address 186 -190 KEYHAM ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 22/06/2016
Decision: Grant Conditionally

Item No 30

Application Number: 16/00488/REM **Applicant:** Charles Church (Cornwall) Ltd
Application Type: Reserved Matters
Description of Development: Reserved matters application for 36 dwellings with associated roads, garaging and landscaping as part of the 'Saltram Meadow' development at Plymstock Quarry (07/01094/OUT)
Site Address PLYMSTOCK QUARRY, BROXTON DRIVE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 02/06/2016
Decision: Grant Conditionally

Item No 31

Application Number: 16/00500/FUL **Applicant:** Mr Trevor Chinn
Application Type: Full Application
Description of Development: Creation of unit to accommodate swimming pool
Site Address HEXTON LODGE, 22 HEXTON HILL ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 07/06/2016
Decision: Grant Conditionally

Item No 32

Application Number: 16/00501/FUL **Applicant:** Mr & Mrs Terrence Cowlard
Application Type: Full Application
Description of Development: First floor extension above existing garage
Site Address 19 EASTERDOWN CLOSE PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 02/06/2016
Decision: Grant Conditionally

Item No 33

Application Number: 16/00520/FUL **Applicant:** Mr & Mrs Peter Preston
Application Type: Full Application
Description of Development: Extension of balcony to front elevation and new raised access bridge to rear garden
Site Address 904 WOLSELEY ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 07/06/2016
Decision: Grant Conditionally

Item No 34

Application Number: 16/00530/FUL **Applicant:** Mr Essy Kamaie
Application Type: Full Application
Description of Development: Demolition of building and erection of dwelling
Site Address LAND TO REAR OF 10 WOODSIDE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 14/06/2016
Decision: Application Withdrawn

Item No 35

Application Number: 16/00539/FUL **Applicant:** Mr Ian Hubbard
Application Type: Full Application
Description of Development: Replacement of existing timber balustrade on balcony with sheet glass
Site Address 4 FREEMANS WHARF PLYMOUTH
Case Officer: Liz Wells
Decision Date: 17/06/2016
Decision: Grant Conditionally

Item No 36

Application Number: 16/00555/FUL **Applicant:** Sports and Leisure Management
Application Type: Full Application
Description of Development: Erection of temporary portakabin to accommodate gym facility
Site Address PLYMPTON SWIMMING POOL PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 31/05/2016
Decision: Grant Conditionally

Item No 37

Application Number: 16/00557/FUL **Applicant:** Westenviro Ltd
Application Type: Full Application
Description of Development: Raising ground levels of sports pitches
Site Address PARKWAY SPORTS & SOCIAL CLUB, ERNESETTLE LANE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/06/2016
Decision: Grant Conditionally

Item No 38

Application Number: 16/00583/TPO **Applicant:** Plymouth Special Branch Ltd
Application Type: Tree Preservation
Description of Development: 4 Horse Chestnut - reduce lateral branches, closest to buildings only, by a maximum of 2m to natural growth points. No height reduction required.
Beech - reduce lateral branches by a maximum of 2m. No height reduction required.
Site Address REAR OF 17-27 FROBISHER APPROACH PLYMOUTH
Case Officer: Jane Turner
Decision Date: 02/06/2016
Decision: Grant Conditionally

Item No 39

Application Number: 16/00584/LBC **Applicant:** National Trust
Application Type: Listed Building
Description of Development: Chapel - Internal alterations to kitchen layout and replacement of extractor vent
Site Address SALTRAM HOUSE, MERAFIELD ROAD PLYMOUTH
Case Officer: Kate Price
Decision Date: 10/06/2016
Decision: Grant Conditionally

Item No 40

Application Number: 16/00585/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Installation of new community Play Hub facility which will include a MUGA (Multi Use Games Area), a skate/wheeled sports area, a zip wire, and a natural play area
Site Address BODMIN ROAD PLYMOUTH
Case Officer: Jessica Vaughan
Decision Date: 03/06/2016
Decision: Grant Conditionally

Item No 41

Application Number: 16/00586/FUL **Applicant:** Burts Potato Chips Ltd
Application Type: Full Application
Description of Development: Conversion of industrial unit to form staff facilities
Site Address UNIT 2, 1 BELLIVER WAY ROBOROUGH PLYMOUTH
Case Officer: Mike Stone
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 42

Application Number: 16/00587/FUL **Applicant:** Mr & Mrs M & J Wood
Application Type: Full Application
Description of Development: Proposed alteration to the existing roof
Site Address 874 WOLSELEY ROAD RIVERSIDE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 03/06/2016
Decision: Grant Conditionally

Item No 43

Application Number: 16/00597/FUL **Applicant:** Miss S Read
Application Type: Full Application
Description of Development: First floor extension over rear tenement
Site Address 67 HOTHAM PLACE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 10/06/2016
Decision: Grant Conditionally

Item No 44

Application Number: 16/00606/FUL **Applicant:** Mr James Woodley
Application Type: Full Application
Description of Development: Demolition of garage and construction of replacement storage building with first floor games room, gym and shower room
Site Address 97 MANNAMEAD ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 07/06/2016
Decision: Grant Conditionally

Item No 45

Application Number: 16/00609/FUL **Applicant:** Mr and Mrs Swain
Application Type: Full Application
Description of Development: Barn conversion and infill extension between buildings
Site Address HIGHER MILFORD COTTAGE, OLD WARLEIGH LANE
PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 20/06/2016
Decision: Application Withdrawn

Item No 46

Application Number: 16/00610/FUL **Applicant:** Mr Mike Fowler
Application Type: Full Application
Description of Development: Single storey rear extension for new lounge and relocation of detached garage
Site Address 5 TRENTHAM CLOSE PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 07/06/2016
Decision: Grant Conditionally

Item No 47

Application Number: 16/00613/FUL **Applicant:** Mr V Hancox
Application Type: Full Application
Description of Development: Rear conservatory
Site Address 82 MERRIVALE ROAD PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 02/06/2016
Decision: Grant Conditionally

Item No 48

Application Number: 16/00615/FUL **Applicant:** Mr & Mrs J Zanetti
Application Type: Full Application
Description of Development: Extension to second floor attic to form gable end and extended rear dormer
Site Address 33 EASTFIELD CRESCENT PLYMOUTH
Case Officer: Liz Wells
Decision Date: 16/06/2016
Decision: Grant Conditionally

Item No 49

Application Number: 16/00616/FUL **Applicant:** Mr Glynn Sanderson
Application Type: Full Application
Description of Development: Rear extension and garage conversion
Site Address 14 CANHAYE CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 14/06/2016
Decision: Grant Conditionally

Item No 50

Application Number: 16/00622/FUL **Applicant:** Mr and Mrs Cadd
Application Type: Full Application
Description of Development: Re-building boundary wall and formation of a hardstanding
Site Address 28 HOPTON CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 03/06/2016
Decision: Refuse

Item No 51

Application Number: 16/00630/FUL **Applicant:** Mr Martin Stephens
Application Type: Full Application
Description of Development: Change of use of ground floor flat to café
Site Address VICTORIA LODGE, VICTORIA AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 03/06/2016
Decision: Grant Conditionally

Item No 52

Application Number: 16/00631/FUL **Applicant:** S Foster
Application Type: Full Application
Description of Development: Extension with balcony over
Site Address 36 THE OLD WHARF PLYMOUTH
Case Officer: Liz Wells
Decision Date: 16/06/2016
Decision: Refuse

Item No 53

Application Number: 16/00640/LBC **Applicant:** Mr Clive Woodley
Application Type: Listed Building
Description of Development: Installation of gas central heating and new window to rear
Site Address 23 UNDERWOOD ROAD PLYMOUTH
Case Officer: Kate Price
Decision Date: 20/06/2016
Decision: Grant Conditionally

Item No 54

Application Number: 16/00641/FUL **Applicant:** Mr John Rathbone
Application Type: Full Application
Description of Development: First storey rear extension
Site Address 48 ROCKINGHAM ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 55

Application Number: 16/00642/TPO **Applicant:** Mr Nicholas Ring
Application Type: Tree Preservation
Description of Development: Amendment agreed with owner 31/5/16
Oak (1) - reduce branches over road by 2-3m
Ash (2) - no work required
Sycamore (actually an Oak) (3) - no work required

Sycamore - fell
Ash - reduce by 50%
Site Address 8 VENN COURT PLYMOUTH
Case Officer: Jane Turner
Decision Date: 02/06/2016
Decision: Grant Conditionally

Item No 56

Application Number: 16/00643/FUL **Applicant:** Pentyre Properties
Application Type: Full Application
Description of Development: Installation of external wall insulation
Site Address FIRST FLOOR FLAT, 22 WESTON PARK ROAD
PLYMOUTH
Case Officer: Liz Wells
Decision Date: 10/06/2016
Decision: Grant Conditionally

Item No 57

Application Number: 16/00645/FUL **Applicant:** Wright & Owen Property
Application Type: Full Application
Description of Development: External wall insulation to rear elevations / tenements only.
Smooth render finish to match
Site Address 12 MOUNT GOULD ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 10/06/2016
Decision: Grant Conditionally

Item No 58

Application Number: 16/00654/FUL **Applicant:** Mr Michael Clarke
Application Type: Full Application
Description of Development: External wall insulation to rear of building
Site Address 14, 15, 16 ADELAIDE STREET STONEHOUSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 10/06/2016
Decision: Refuse

Item No 59

Application Number: 16/00655/FUL **Applicant:** Mr Michael Clarke
Application Type: Full Application
Description of Development: External wall insulation to rear of building
Site Address 33, 35, 37 CITADEL ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 60

Application Number: 16/00656/FUL **Applicant:** Carol Ruttledge
Application Type: Full Application
Description of Development: Two storey rear extension
Site Address 63 STONE BARTON ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 06/06/2016
Decision: Grant Conditionally

Item No 61

Application Number: 16/00663/FUL **Applicant:** Mrs B Porter
Application Type: Full Application
Description of Development: Change of use of basement to self-contained flat
Site Address 28 SMEATON SQUARE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 24/06/2016
Decision: Grant Conditionally

Item No 62

Application Number: 16/00672/FUL **Applicant:** Mrs Samantha Boorman
Application Type: Full Application
Description of Development: Side conservatory (resubmission of 15/01732/FUL)
Site Address 1 WOODLAND DRIVE PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 02/06/2016
Decision: Grant Conditionally

Item No 63

Application Number: 16/00680/FUL **Applicant:** Ms Emma Harsum
Application Type: Full Application
Description of Development: Two storey side and rear extension
Site Address 116 FORT AUSTIN AVENUE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 15/06/2016
Decision: Grant Conditionally

Item No 64

Application Number: 16/00681/FUL **Applicant:** Mr Thomas Caylor
Application Type: Full Application
Description of Development: Replacement Windows
Site Address FLAT 2 DOLPHIN HOUSE, SUTTON WHARF PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 06/06/2016
Decision: Grant Conditionally

Item No 65

Application Number: 16/00687/FUL **Applicant:** Mr & Mrs Burge
Application Type: Full Application
Description of Development: Replacement front porch
Site Address 4 PLYMSTOCK ROAD PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 16/06/2016
Decision: Grant Conditionally

Item No 66

Application Number: 16/00693/FUL **Applicant:** On Course
Application Type: Full Application
Description of Development: 2no extractor fan grilles to flank wall
Site Address HYDE PARK HOUSE,82 TO 86 MUTLEY PLAIN PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 27/05/2016
Decision: Grant Conditionally

Item No 67

Application Number: 16/00698/FUL **Applicant:** Mr and Mrs R Souness
Application Type: Full Application
Description of Development: Single storey side / rear extension
Site Address 87 ELBURTON ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 03/06/2016
Decision: Grant Conditionally

Item No 68

Application Number: 16/00709/FUL **Applicant:** Mr Peter Stapleton
Application Type: Full Application
Description of Development: External wall insulation
Site Address 45 PRINCE MAURICE ROAD PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 02/06/2016
Decision: Grant Conditionally

Item No 69

Application Number: 16/00711/FUL **Applicant:** Mr Michael Sterland
Application Type: Full Application
Description of Development: Removal of condition 6 of planning application decision notice 11/00046/FUL to remove requirement for provision of footway and setting back of wall
Site Address 111 CHURCH ROAD PLYMSTOCK PLYMOUTH
Case Officer: Jon Fox
Decision Date: 13/06/2016
Decision: Refuse

Item No 70

Application Number: 16/00716/TPO **Applicant:** Mrs Lesley Heard
Application Type: Tree Preservation
Description of Development: Holm Oak - Reduce crown by 3 metres (amended specification agreed)
Site Address 2 THE FOLLY PLYMSTOCK PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 02/06/2016
Decision: Grant Conditionally

Item No 71

Application Number: 16/00718/TPO **Applicant:** Mount Gould Hospital
Application Type: Tree Preservation
Description of Development: Monterey Cypress - Remove 4 lowest branches
Monterey Pine - Remove low limb over properties
Site Address MOUNT GOULD HOSPITAL, MOUNT GOULD ROAD
PLYMOUTH
Case Officer: Jane Turner
Decision Date: 08/06/2016
Decision: Grant Conditionally

Item No 72

Application Number: 16/00720/ADV **Applicant:** John Lewis Partnership Pension
Application Type: Advertisement
Description of Development: Double sided totem
Site Address KINGSLEAT TRADE PARK, VALLEY ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 27/05/2016
Decision: Grant Conditionally

Item No 73

Application Number: 16/00723/FUL **Applicant:** Mr Alex Shepherd
Application Type: Full Application
Description of Development: Change of use to adult gaming centre (sui generis) with external alterations
Site Address 4 UNION STREET PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 13/06/2016
Decision: Refuse

Item No 74

Application Number: 16/00724/FUL **Applicant:** House to Home Improvements
Application Type: Full Application
Description of Development: Side extension
Site Address 11 CULME ROAD PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 07/06/2016
Decision: Application Withdrawn

Item No 75

Application Number: 16/00725/ADV **Applicant:** Mr Alex Shepherd
Application Type: Advertisement
Description of Development: External illuminated signage
Site Address 4 UNION STREET PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 13/06/2016
Decision: Grant Conditionally

Item No 76

Application Number: 16/00733/FUL **Applicant:** Mr P Killian
Application Type: Full Application
Description of Development: Replacement raised roof to form loft conversion, reconstruction of rear porch and alterations to front elevation
Site Address 115 OLD WOODLANDS ROAD PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 77

Application Number: 16/00748/TPO **Applicant:** Mrs Julie Dale
Application Type: Tree Preservation
Description of Development: 2 Oak - remove (two closest to house)
Site Address 19 THE BIRCHES PLYMOUTH
Case Officer: Jane Turner
Decision Date: 08/06/2016
Decision: Grant Conditionally

Item No 78

Application Number: 16/00750/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Change of use to provide an office within residential accommodation for Derriford Community Park.
Site Address POOLE FARM, BLUNTS LANE PLYMOUTH
Case Officer: Rebecca Black
Decision Date: 20/06/2016
Decision: Grant Conditionally

Item No 79

Application Number: 16/00752/FUL **Applicant:** Mr & Mrs J Logan
Application Type: Full Application
Description of Development: Lower ground floor rear extension with internal reconfiguration and creation of an integral granny annexe
Site Address 34 WAIN PARK PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 80

Application Number: 16/00753/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: External wall insulation, re-configured roof design, erection of rainscreen cladding and juliet balconies
Site Address BLOCK A: 21a-29d, 33-39, 57-59, 61 &67 (Odds); BLOCK B 22-68 (Evens) TORRIDGE WAY PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 22/06/2016
Decision: Grant Conditionally

Item No 81

Application Number: 16/00757/FUL **Applicant:** Mr Steven Cox
Application Type: Full Application
Description of Development: First floor side extension
Site Address 31 ST EDWARD GARDENS PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 02/06/2016
Decision: Grant Conditionally

Item No 82

Application Number: 16/00759/FUL **Applicant:** Enterprise Inns PLC
Application Type: Full Application
Description of Development: Raised decking with smoking shelter and minor alterations.
Site Address THE NEWMARKET TAVERN, 2 MARKET WAY PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 24/06/2016
Decision: Grant Conditionally

Item No 83

Application Number: 16/00760/FUL **Applicant:** Mr Jerry Morris
Application Type: Full Application
Description of Development: External wall insulation to rear tenement
Site Address 10 STOPFORD PLACE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 14/06/2016
Decision: Grant Conditionally

Item No 84

Application Number: 16/00761/ADV **Applicant:** Costa Limited
Application Type: Advertisement
Description of Development: Various illuminated and non-illuminated signage
Site Address NEW KIOSK, THE BROADWAY PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 02/06/2016
Decision: Grant Conditionally

Item No 85

Application Number: 16/00767/FUL **Applicant:** Design Development Ltd
Application Type: Full Application
Description of Development: Formation of 2 dormers and 2 velux windows to existing roof space
Site Address THE POST OFFICE, 10 CHURCH HILL PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 27/06/2016
Decision: Grant Conditionally

Item No 86

Application Number: 16/00774/FUL **Applicant:** Mr George Preece
Application Type: Full Application
Description of Development: Front extension
Site Address 12 CAMPION CLOSE PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 10/06/2016
Decision: Grant Conditionally

Item No 87

Application Number: 16/00775/FUL **Applicant:** Richard Lenton
Application Type: Full Application
Description of Development: Side extension
Site Address 7 ANDURN CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 20/06/2016
Decision: Grant Conditionally

Item No 88

Application Number: 16/00776/PRDE **Applicant:** Mr Richard Curtis
Application Type: LDC Proposed Develop
Description of Development: Rear conservatory
Site Address 14 SECOND AVENUE BILLACOMBE PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 01/06/2016
Decision: Application Withdrawn

Item No 89

Application Number: 16/00777/FUL **Applicant:** Mr Joe Syndercombe
Application Type: Full Application
Description of Development: Single storey rear/side extension
Site Address 25 ASHBURNHAM ROAD WEST PARK PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 23/06/2016
Decision: Grant Conditionally

Item No 90

Application Number: 16/00778/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Replacement path and steps
Site Address 181-189 LAKESIDE DRIVE ERNESETTLE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 24/06/2016
Decision: Grant Conditionally

Item No 91

Application Number: 16/00782/FUL **Applicant:** Mr & Mrs P Partridge
Application Type: Full Application
Description of Development: Hip to gable roof conversion and rear dormer
Site Address 6 BERROW PARK ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 07/06/2016
Decision: Grant Conditionally

Item No 92

Application Number: 16/00784/PRDE **Applicant:** Mr Lee Lucas
Application Type: LDC Proposed Develop
Description of Development: Enlargement of front window
Site Address 50 MARINE ROAD PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 23/06/2016
Decision: Issue Certificate - Lawful Use (Pro)

Item No 93

Application Number: 16/00785/TCO **Applicant:** Mr John McGee
Application Type: Trees in Cons Area
Description of Development: 3 Apple Trees - remove two closest to wall and reduce the third tree by 1m.
Site Address 37 VALLETORT ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 07/06/2016
Decision: Grant Conditionally

Item No 94

Application Number: 16/00788/GPD **Applicant:** Mr David Slinger
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4.5m, has a maximum height of 3.7m and has an eaves height of 2.5m.
Site Address 20 THE BIRCHES PLYMOUTH
Case Officer: Liz Wells
Decision Date: 10/06/2016
Decision: Prior approval not req

Item No 95

Application Number: 16/00791/EXUS **Applicant:** Mr A Gibney
Application Type: LDC Existing Use
Description of Development: Establish use as 5 flats
Site Address 3 WYNDHAM PLACE, STOKE ROAD PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 10/06/2016
Decision: Issue Certificate - Lawful Use

Item No 96

Application Number: 16/00792/FUL **Applicant:** Mr Barry George
Application Type: Full Application
Description of Development: Hard standing
Site Address 11 BONVILLE ROAD SOUTHWAY PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 17/06/2016
Decision: Grant Conditionally

Item No 97

Application Number: 16/00793/ADV **Applicant:** Mr Eric May
Application Type: Advertisement
Description of Development: Erection of signage
Site Address 8 BARBICAN APPROACH PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 02/06/2016
Decision: Grant Conditionally

Item No 98

Application Number: 16/00794/FUL **Applicant:** Mr & Mrs Slade
Application Type: Full Application
Description of Development: Demolition of side gate and part of wall to create vehicle access
Site Address 6 PROVIDENCE PLACE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 10/06/2016
Decision: Grant Conditionally

Item No 99

Application Number: 16/00796/LBC **Applicant:** National Trust
Application Type: Listed Building
Description of Development: Secondary glazing to selected windows
Site Address STAG LODGE, MERAFIELD ROAD PLYMOUTH
Case Officer: Kate Price
Decision Date: 08/06/2016
Decision: Grant Conditionally

Item No 100

Application Number: 16/00797/FUL **Applicant:** Mr & Mrs R Ewens
Application Type: Full Application
Description of Development: Erection of detached dwelling
Site Address LAND AT WOODWAY PLYMSTOCK PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 13/06/2016
Decision: Grant Conditionally

Item No 101

Application Number: 16/00798/FUL **Applicant:** Mr Ian Robinson
Application Type: Full Application
Description of Development: Creation of hard standing
Site Address 13 BONVILLE ROAD SOUTHWAY PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 23/06/2016
Decision: Grant Conditionally

Item No 102

Application Number: 16/00800/FUL **Applicant:** BT PLC
Application Type: Full Application
Description of Development: Installation of Wi-Fi access points to existing lighting columns
Site Address THE HOE, HOE ROAD PLYMOUTH
Case Officer: Christopher King
Decision Date: 02/06/2016
Decision: Grant Conditionally

Item No 103

Application Number: 16/00803/FUL **Applicant:** Mr and Mrs Coade
Application Type: Full Application
Description of Development: Two storey side and rear extension including hardstanding
Site Address 77 COMPTON AVENUE PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 104

Application Number: 16/00806/PRDE **Applicant:** Mr and Mrs Anderson
Application Type: LDC Proposed Develop
Description of Development: Roof alterations and rear dormer
Site Address 38 LONG ROWDEN PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 23/06/2016
Decision: Issue Certificate - Lawful Use (Pro)

Item No 105

Application Number: 16/00807/GPD **Applicant:** Mr Robert Buttress
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 3.5m, has a maximum height of 3m, and has an eaves height of 2.5m
Site Address RICHWOOD HOUSE, 16 BORINGDON TERRACE
PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 27/05/2016
Decision: Prior approval not req

Item No 106

Application Number: 16/00810/TPO **Applicant:** Mr Salvatore Natave
Application Type: Tree Preservation
Description of Development: Cedar - Fell due to poor condition
Site Address 4 COLLINGWOOD VILLAS, COLLINGWOOD ROAD
PLYMOUTH
Case Officer: Jane Turner
Decision Date: 24/06/2016
Decision: Grant Conditionally

Item No 107

Application Number: 16/00812/FUL **Applicant:** Mr Philip Gerry
Application Type: Full Application
Description of Development: Demolition of existing garage and shed, replacement garage with home office over and timber fence to boundary wall (resubmission of approved scheme with addition of car port)
Site Address SEYMOUR HOUSE, SEYMOUR ROAD MANNAMEAD
PLYMOUTH
Case Officer: Mike Stone
Decision Date: 14/06/2016
Decision: Grant Conditionally

Item No 108

Application Number: 16/00813/LBC **Applicant:** Plymouth City Council
Application Type: Listed Building
Description of Development: Installation of WiFi boxes & associated electrics/cabling
Site Address PLYMOUTH GUILDHALL, ROYAL PARADE PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 109

Application Number: 16/00820/FUL **Applicant:** Miss S Jhugroo
Application Type: Full Application
Description of Development: Change of use to residential care home & rear extension
Site Address 4 BELMONT PLACE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 24/06/2016
Decision: Grant Conditionally

Item No 110

Application Number: 16/00821/FUL **Applicant:** Southside Street Ltd
Application Type: Full Application
Description of Development: Erection of 4 storey building containing 3 flats
Site Address REAR OF NEW MEZE GRILL RESTAURANT, PIN LANE PLYMOUTH
Case Officer: Rebecca Black
Decision Date: 13/06/2016
Decision: Application Withdrawn

Item No 111

Application Number: 16/00823/FUL **Applicant:** Mrs Shirley Hyde
Application Type: Full Application
Description of Development: Front porch
Site Address 27 EDWARDS CLOSE PLYMPTON PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 16/06/2016
Decision: Grant Conditionally

Item No 112

Application Number: 16/00825/FUL **Applicant:** Mrs Lorraine Humphrey
Application Type: Full Application
Description of Development: New pitched roof and associated alterations
Site Address 50 DEAN HILL PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 14/06/2016
Decision: Grant Conditionally

Item No 113

Application Number: 16/00827/EXUS **Applicant:** Mr P Hughes-Jones
Application Type: LDC Existing Use
Description of Development: Establish use as a 9 bed HMO.
Site Address 34 QUEENS ROAD LIPSON PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 20/06/2016
Decision: Issue Certificate - Lawful Use

Item No 114

Application Number: 16/00829/FUL **Applicant:** Mr B Smith
Application Type: Full Application
Description of Development: Rear extension
Site Address 490 CROWNHILL ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 115

Application Number: 16/00834/FUL **Applicant:** Mr and Mrs Colin Worden
Application Type: Full Application
Description of Development: Replace garage with a double garage
Site Address 68 LYNWOOD AVENUE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 17/06/2016
Decision: Grant Conditionally

Item No 116

Application Number: 16/00838/ADV **Applicant:** White Stuff
Application Type: Advertisement
Description of Development: Erection of signage
Site Address DRAKE CIRCUS SHOPPING MALL, 2 CHARLES STREET
PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 10/06/2016
Decision: Grant Conditionally

Item No 117

Application Number: 16/00839/FUL **Applicant:** Boots Opticians
Application Type: Full Application
Description of Development: Modify shopfront and 3no. replacement air conditioning units on
roof
Site Address 51-53 THE BROADWAY PLYMOUTH
Case Officer: Mike Stone
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 118

Application Number: 16/00840/ADV **Applicant:** Boots Opticians
Application Type: Advertisement
Description of Development: Illuminated fascia panel and illuminated projecting sign
Site Address 51-53 THE BROADWAY PLYMOUTH
Case Officer: Mike Stone
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 119

Application Number: 16/00841/FUL **Applicant:** Mr H Loveless
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 415 TAVISTOCK ROAD PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 14/06/2016
Decision: Grant Conditionally

Item No 120

Application Number: 16/00843/ADV **Applicant:** Dixons Carphone Plc
Application Type: Advertisement
Description of Development: Replacement illuminated fascia sign and two new fascia signs
Site Address DIXONS CARPHONE PLC, MARSH MILLS RETAIL PARK PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 27/06/2016
Decision: Grant Conditionally

Item No 121

Application Number: 16/00850/FUL **Applicant:** Mr Adam Coutts
Application Type: Full Application
Description of Development: Rear extension
Site Address 191 CHURCH WAY PLYMOUTH
Case Officer: Mike Stone
Decision Date: 01/06/2016
Decision: Application Withdrawn

Item No 122

Application Number: 16/00851/FUL **Applicant:** Mr A B Cox
Application Type: Full Application
Description of Development: Two storey rear extension and garage conversion
Site Address 82 MILEHOUSE ROAD PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 16/06/2016
Decision: Grant Conditionally

Item No 123

Application Number: 16/00858/LBC **Applicant:** Babcock International Group
Application Type: Listed Building
Description of Development: Retrospective application to renew pedestrian gate to Bullpoint
Site Address DEVONPORT DOCKYARD, KINTERBURY ROAD BARNE
BARTON PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 09/06/2016
Decision: Refuse

Item No 124

Application Number: 16/00860/FUL **Applicant:** Mr and Mrs K Keyes
Application Type: Full Application
Description of Development: Two storey side extension (resubmission of application
15/01666/FUL)
Site Address 109 COMPTON AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 125

Application Number: 16/00865/FUL **Applicant:** Mr Robin Yates
Application Type: Full Application
Description of Development: Garage conversion & new front garage
Site Address 421 TAVISTOCK ROAD PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 23/06/2016
Decision: Grant Conditionally

Item No 126

Application Number: 16/00869/LBC **Applicant:** Mrs Rebecca Melmouth
Application Type: Listed Building
Description of Development: Re-configuring the flat
Site Address FLAT 5, 20 to 21 SOUTHSIDE STREET PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 23/06/2016
Decision: Grant Conditionally

Item No 127

Application Number: 16/00873/FUL **Applicant:** Mount Tamar School
Application Type: Full Application
Description of Development: First floor extension
Site Address MOUNT TAMAR PRIMARY SCHOOL, ROW LANE HIGHER ST BUDEAUX PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 24/06/2016
Decision: Grant Conditionally

Item No 128

Application Number: 16/00874/FUL **Applicant:** Mr and Mrs Pandy
Application Type: Full Application
Description of Development: First floor side and two-storey rear extension
Site Address 27 POWISLAND DRIVE PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 16/06/2016
Decision: Grant Conditionally

Item No 129

Application Number: 16/00876/FUL **Applicant:** The Co-operative Group
Application Type: Full Application
Description of Development: New refrigeration plant & AC, covered storage extension, access path, cycle rack installation, parking bay alterations & redecorations
Site Address 150 PLYMOUTH ROAD PLYMOUTH
Case Officer: Christopher King
Decision Date: 09/06/2016
Decision: Grant Conditionally

Item No 130

Application Number: 16/00877/FUL **Applicant:** Mr Phil Studden
Application Type: Full Application
Description of Development: 2 storey side and rear extension
Site Address 80 LAKE VIEW DRIVE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 22/06/2016
Decision: Grant Conditionally

Item No 131

Application Number: 16/00878/TCO **Applicant:** Mr Nick Bishop
Application Type: Trees in Cons Area
Description of Development: Various tree management works as detailed in condition survey dated 10/2015.
Site Address PLYMOUTH COLLEGE PREPARATORY SCHOOL,99 CRAIGIE DRIVE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 20/06/2016
Decision: Grant Conditionally

Item No 132

Application Number: 16/00879/FUL **Applicant:** Mr Timothy Noble
Application Type: Full Application
Description of Development: Replacement of existing timber balustrade on balcony with sheet glass.
Site Address 5 FREEMANS WHARF PLYMOUTH
Case Officer: Mike Stone
Decision Date: 20/06/2016
Decision: Grant Conditionally

Item No 133

Application Number: 16/00883/GPD **Applicant:** Mr N Tunnicliff
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwelling house by 3.7m, has a maximum height of 4m, and has an eaves height of 2.5m
Site Address 20 FURZEACRE CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 06/06/2016
Decision: Prior approval not req

Item No 134

Application Number: 16/00886/FUL **Applicant:** Mr James Sheerman
Application Type: Full Application
Description of Development: Construction of rear deck with outbuilding below
Site Address 38 DERWENT AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 16/06/2016
Decision: Grant Conditionally

Item No 135

Application Number: 16/00909/FUL **Applicant:** Mrs Shneen Stevenson
Application Type: Full Application
Description of Development: Replacement rear extension
Site Address 94 ABERDEEN AVENUE PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 16/06/2016
Decision: Grant Conditionally

Item No 136

Application Number: 16/00913/FUL **Applicant:** Mr P Tucker
Application Type: Full Application
Description of Development: Construction of a new detached dwelling
Site Address 40 FURZEHATT WAY PLYMOUTH
Case Officer: Christopher King
Decision Date: 21/06/2016
Decision: Grant Conditionally

Item No 137

Application Number: 16/00915/FUL **Applicant:** Mr L Isaias
Application Type: Full Application
Description of Development: Side extension at first floor level and front garage
Site Address 17 FURZEHATT ROAD PLYMSTOCK PLYMOUTH
Case Officer: Mike Stone
Decision Date: 20/06/2016
Decision: Grant Conditionally

Item No 138

Application Number: 16/00918/PRDE **Applicant:** JLD Architecture & Design
Application Type: LDC Proposed Develop
Description of Development: Rear extension
Site Address 4 CHURCHSTOW WALK PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 16/06/2016
Decision: Issue Certificate - Lawful Use (Pro)

Item No 139

Application Number: 16/00923/GPD **Applicant:** Dr & Mrs Hope & Davis
Application Type: GPDO Request
Description of Development: A single-storey extension which extends beyond the rear wall of the original dwellinghouse by 5.5m, has a maximum height of 2.88m, and has an eaves height of 2.8m
Site Address 3 CHESTNUT ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 09/06/2016
Decision: Prior approval not req

Item No 140

Application Number: 16/00934/FUL **Applicant:** Mr & Mrs Bidulph-Armstrong
Application Type: Full Application
Description of Development: Two storey side and single storey rear extension with integral garage
Site Address 15 OLD WOODLANDS ROAD PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 27/06/2016
Decision: Grant Conditionally

Item No 141

Application Number: 16/00941/FUL **Applicant:** Mr Matthew Trenchard
Application Type: Full Application
Description of Development: Two storey rear extension
Site Address 37 UXBRIDGE DRIVE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 23/06/2016
Decision: Grant Conditionally

Item No 142

Application Number: 16/00943/S73 **Applicant:** Unit Build SW LLP
Application Type: Removal or Variation of Condition
Description of Development: Variation of conditions 11 & 12 of application 14/02227/FUL to allow operations and deliveries to be carried out between 0600 hours to 2200 hours seven days per week including bank holidays
Site Address UNITS 1-20, DARKLAKE PARK, DARKLAKE VIEW PLYMOUTH
Case Officer: Jon Fox
Decision Date: 24/06/2016
Decision: Grant Conditionally

Item No 143

Application Number: 16/00969/FUL **Applicant:** Ryan Hodgkinson
Application Type: Full Application
Description of Development: Part two-storey, part single-storey rear extension
Site Address 61 PLYMSTOCK ROAD PLYMSTOCK PLYMOUTH
Case Officer: Liz Wells
Decision Date: 08/06/2016
Decision: Application Withdrawn

Item No 144

Application Number: 16/01032/GPD **Applicant:** Mr Adam Coutts
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 2.9m, and has an eaves height of 2.9m
Site Address 191 CHURCH WAY PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 27/06/2016
Decision: Prior approval not req

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

Application Number **15/01115/FUL**
Appeal Site **145 PIKE ROAD PLYMOUTH**
Appeal Proposal Construction of hardstanding to allow off road parking
Case Officer Amy Thompson

Appeal Category REF
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 25/01/2016

Conditions

Award of Costs Awarded To

Appeal Synopsis

Planning permission was refused for this front garden hardstanding, with access onto a classified road, as it was considered to be contrary to Local Development Framework Core Strategy Policies CS28 (Local Transport Considerations) and CS34 (Planning Application Considerations). It was also considered contrary to guidance contained in the Council's Design Guidelines Supplementary Planning Document.

Having reviewed the application, and visited the site, the Inspector disagreed with the Council's assessment. Although the limited size of the front garden, means it would not be possible for a vehicle to enter and exit the site without being required to undertake some reversing manoeuvres on the highway, the Inspector observed several existing similar parking arrangements within a short distance of the appeal property that involve similar manoeuvres. The Inspector therefore concluded that, given these similar frontage parking areas nearby, the addition of another hardstanding would not have a severe adverse impact upon the existing function of Pike Road in terms of highway safety, and concluded that in this particular case there was no conflict with National Planning Policy Framework nor the aims and objectives of Policies CS28 and CS34 of the Core Strategy.

No appeal costs claims were submitted by, and/or awarded to, either party in this appeal.

Application Number **15/01251/FUL**
Appeal Site **47A NORTH ROAD EAST PLYMOUTH**
Appeal Proposal Demolition of existing building and replace with student accommodation (39 apartments)
Case Officer Christopher King

Appeal Category
Appeal Type Written Representations
Appeal Decision Allowed
Appeal Decision Date 26/05/2016

Conditions

Award of Costs Awarded To

Appeal Synopsis

The Inspector concluded that the proposed development would contribute to economic objectives, notably by the employment generated during the construction phase and more significantly, by lending support to the continued expansion of the University in accordance with Policy CS05 of the Core Strategy and Proposal CC16 of the City Centre and University AAP. The inspector noted that significant weight was given to the benefits of the proposal, and stated that there is no firm evidence that the proposal would have a negative impact on the range of employment opportunities available for local people in the neighbourhood and there is no firm evidence that it would adversely affect existing businesses in the locality.

Furthermore, and in terms of the social benefits, the Inspector determined that the proposal will provide a considerable number of additional housing units designed to meet the needs of students and it would reduce the pressure on the existing housing stock, resulting in a more integrated community. The Inspector noted that as the Council cannot demonstrate a five-year housing land supply, the benefit of providing a considerable number of new housing units has been afforded substantial weight.

When considering design, the Inspector determined that the proposal would achieve environmental benefits due to its high

standard of design, which would improve the appearance of the site and would integrate well with surrounding development in accordance with policy CS02 of the Core Strategy. The Inspector concluded that there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies in NPPF when taken as a whole, and in particular, the development would reinforce locally distinctive characteristics in a contemporary manner and contribute positively to making a better place for people

When considering residential amenity, the Inspector found that the proposal would not result in an unacceptable loss of outlook, light or privacy, to adjoining and nearby residential properties. Consequently, the Inspector determined that the proposal would accord with CS Policy CS34, as it would protect residential outlook, light and privacy and it would also be consistent with the Framework at paragraph 17, which seeks to ensure a good standard of amenity for all existing and future occupants of buildings. The inspector also found that the proposal was acceptable with respect to paragraphs 2.2.23 (separation distances), 2.2.21 (densely developed neighbourhoods) and 2.8.46 (purpose built student accommodation) of the Development Guidelines SPD.

The Inspector makes no reference to improper use of policies in the refusal reasons; however, and as noted above, the Inspector concluded that the proposal did in fact accord with policies contrary to the view of the committee. The Inspector does note that in view of the relatively early stage in the adoption process of the Plymouth Plan, Policy 12 was given limited weight in the decision.

Notwithstanding the fact that the applicant had agreed to a S106 agreement (£26,865.54) for Local Greenspace and Playing Pitches), the Inspector concluded that the Local Planning Authority did not supply any evidence which demonstrated that the Obligation would meet the tests, and therefore had not been persuaded either that the obligation is necessary or if it was, that it could lawfully amount to a reason for granting planning permission.

Note:

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