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Democratic and Member Support

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PLANNING COMMITTEE

Thursday 1 September 2016
2.00 pm
Council House, Plymouth

Members:

Councillor Wiggins, Chair

Councillor Mrs Bridgeman, Vice Chair

Councillors Cook, Sam Davey, Fletcher, Kelly, Martin Leaves, Morris, Mrs Pengelly, Sparling, Stevens, Jon 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 - 6)

The Committee will be asked to confirm the minutes of the meeting held on 4 August 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.

6.1.8 Boringdon Terrace, Plymouth - 16/01279/LBC (Pages 7 - 14)

Applicant:	Mr Ben Wilcox
Ward:	Plymstock Radford
Recommendation:	Grant Conditionally

6.2. Crown and Column, 223 Ker Street, Plymouth - (Pages 15 - 28)
16/00994/FUL

Applicant: Mr Phil Rump
Ward: Devonport
Recommendation: Grant Conditionally

6.3. Crown and Column, 223 Ker Street, Plymouth - (Pages 29 - 36)
16/00995/LBC

Applicant: Mr Phil Rump
Ward: Devonport
Recommendation: Grant Conditionally

6.4. 41-43 Chapel Street, Devonport, Plymouth - (Pages 37 - 50)
16/01212/FUL

Applicant: Direct Property Services
Ward: Devonport
Recommendation: Refuse

7. Planning Application Decisions Issued (Pages 51 - 82)

The Assistant Director for Strategic Planning and Infrastructure, acting under powers delegated to him by the Council, will submit a schedule outlining all decisions issued from 28 July 2016 to 21 August 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 83 - 84)

A schedule of decisions made by the Planning Inspectorate on appeals arising from the decision of the City Council will be submitted. Please note that these Delegated Planning Applications are available to view online at:
<http://www.plymouth.gov.uk/planningapplicationsv4/welcome.asp>

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Planning Committee

Thursday 4 August 2016

PRESENT:

Councillor Wigen, in the Chair.

Councillor Mrs Bridgeman, Vice Chair.

Councillors Cook, Sam Davey, Fletcher, Mrs Foster (substitute for Councillor Martin Leaves), Kelly, Morris, Mrs Pengelly, Sparling, Stevens, Jon Taylor and Tuohy.

Apologies for absence: Councillor Martin Leaves.

Also in attendance: Peter Ford (Head of Development Management), Julie Parkin (Senior Lawyer) and Lynn Young (Democratic Support Officer).

The meeting started at 2.00 pm and finished at 6.56 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.

33. **DECLARATIONS OF INTEREST**

There were no declarations of interest made in respect of items on this agenda.

34. **MINUTES**

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

35. **CHAIR'S URGENT BUSINESS**

There were no items of Chair's urgent business.

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

There were no questions from members of the public.

37. **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.

38. **PEIRSON HOUSE, MULGRAVE STREET, PLYMOUTH - 16/00154/FUL**

Devcor (Plymouth) Ltd

Decision:

Application **GRANTED** conditionally subject to a S106 obligation in accordance with agreed timescales. Delegated authority to the Assistant Director of Strategic Planning & Infrastructure to refuse if not met.

(The Committee heard from Councillors Tuffin, McDonald and Penberthy, ward councillors, speaking against the application)

(The Committee heard representations against the application)

(The Committee heard from the applicant's agent)

Councillor Stevens' proposal to refuse the application on the grounds of the impact on the Hoe Conservation Area and setting of listed buildings and the impact on neighbouring properties (to the east) in accordance with Core Strategy Policies CS02, CS03 and CS34, having been seconded by Councillor Jon Taylor, was put to the vote and declared lost)

(The meeting adjourned at 3.40 pm)

(The meeting reconvened at 3.50 pm)

39. **LAND AT FORMER UNIT J, ST MODWEN ROAD, MARSH MILLS, PLYMOUTH - 15/01831/FUL**

Duke Properties (Marsh Mills) Limited and Next Plc

Decision:

Application **GRANTED** conditionally subject to a S106 Obligation for the requirement for the Drake Circus store to remain open for a period of 10 years, with delegated authority to the Assistant Director of Strategic Planning & Infrastructure in consultation with the Chair, Vice Chair and Shadow spokesperson to finalise the conditions.

(The Committee heard representations against the application)

(The Committee heard from the applicant)

(Councillor Kelly's proposal to grant conditionally subject to a S106 Obligation, seconded by Councillor Mrs Bridgeman, was put to the vote and declared carried)

(A Planning Committee site visit was held on 26 July 2016 in respect of this application)

(The meeting adjourned at 6.10 pm for officers to consider the necessary conditions and to negotiate with the applicant regarding the S106 Obligation)

(The meeting reconvened at 6.25 pm)

40. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee noted the report from the Assistant Director for Strategic Planning and Infrastructure on decisions issued for the period 27 June 2016 to 27 July 2016.

41. **APPEAL DECISIONS**

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

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PLANNING COMMITTEE – 4 August 2016

SCHEDULE OF VOTING

Minute number and Application		Voting for	Voting against	Abstained	Absent due to interest declared	Absent
6.1	Peirson House, Mulgrave Street, Plymouth – 16/00154/FUL Amended recommendation to refuse on the grounds that it was contrary to Core Strategy Policies CS02, CS03 and CS34	Councillors Mrs Bridgeman, Cook, Sam Davey, Fletcher, Mrs Foster, Kelly, Morris, Mrs Pengelly, Sparling and Wigens Councillors Jon Taylor, Tuohy and Stevens	Councillors Jon Taylor, Tuohy and Stevens Councillors Mrs Bridgeman, Cook, Sam Davey, Fletcher, Mrs Foster, Kelly, Morris, Mrs Pengelly, Sparling and Wigens			
6.2	Land at former Unit J, St Modwen Road, Marsh Mills, Plymouth – 15/01831/FUL Amended recommendation to grant conditionally subject to a S106 Obligation	Councillors Mrs Bridgeman, Cook, Fletcher, Mrs Foster, Kelly, Mrs Pengelly, Sparling and Wigens	Councillors Sam Davey, Morris, Stevens, Jon Taylor and Tuohy			

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PLANNING APPLICATION REPORT



Application Number 16/01279/LBC

Date Valid 08/07/2016

Item 01

Ward Plymstock Radford

Site Address 8 BORINGDON TERRACE PLYMOUTH

Proposal

Reinstatement of second floor partitions and insertion of new staircase in utility/breakfast room.

Applicant

Mr Ben Wilcox

Application Type

Listed Building

Target Date

02/09/2016

Committee Date

**Planning Committee: 01
September 2016**

Decision Category

Member/PCC Employee

Case Officer

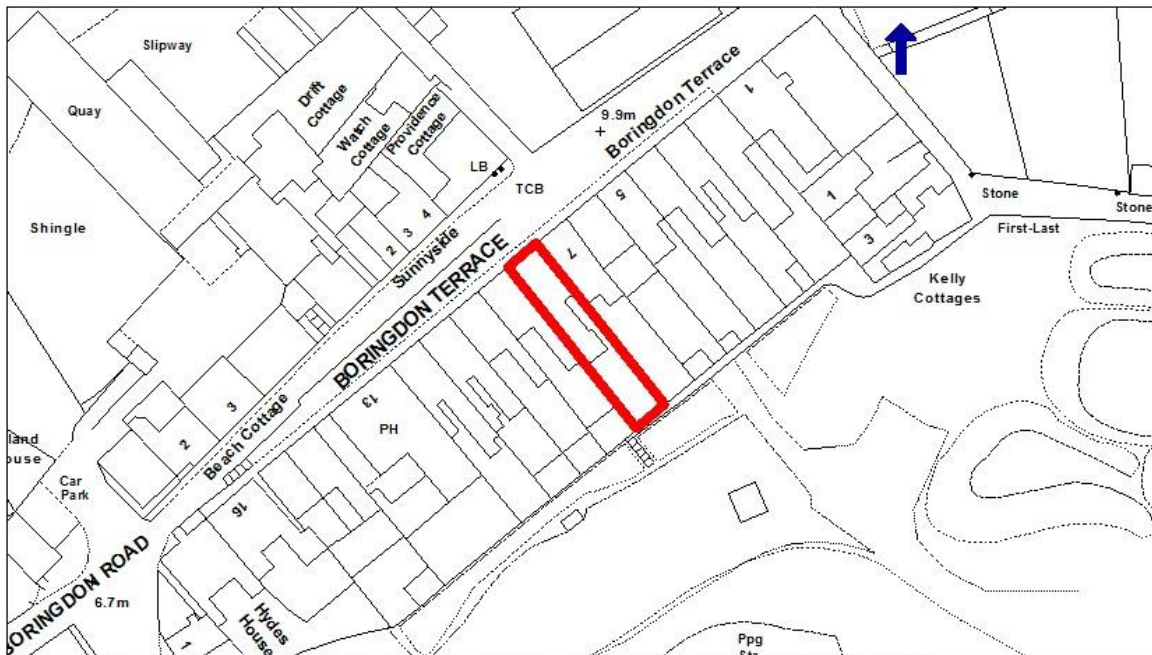
Kate Price

Recommendation

Grant Conditionally

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This application is being brought to the Planning Committee because the applicant is an employee of Plymouth City Council.

1. Description of site

8 Boringdon Terrace is a two-storey plus second-floor attic – dating from the early 19th Century and is grade II group listed with the remainder of the terrace – and is a terraced house in Turnchapel. The property is stucco-faced, with painted timber sliding sash windows and slate roof, with chimney, and dormers front and rear. The dwelling is also in the Turnchapel Conservation Area.

2. Proposal description

Internal alterations - including the reinstatement of a partition at second floor (main part of dwelling), new shower in bedroom, the removal of a ground floor WC/shower at ground floor level in the rear part of the dwelling and the insertion of a new staircase to the proposed room above, resolving some internal circulation issues.

3. Pre-application enquiry

None

4. Relevant planning history

01/00057/LBC - Rear velux rooflight- granted conditionally

01/00058/LBC- Demolition of outbuildings and erection of single-storey extension - granted conditionally

01/00059/LBC- Removal of internal partitions on second floor – Refused

5. Consultation responses

None – The Case Officer is also a Historic Environment Officer

6. Representations

None

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.

In addition Sections 16 & 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states:

In considering whether to grant listed building consent for any works the local planning authorityshall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The policies contained in National Planning Policy Framework (the Framework) – NPPF - 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.

NPPF Chapter 12 Conserving and enhancing the historic environment chapters 131 and 132 are relevant to this application.

Paragraph 131 states:

In determining planning applications, local planning authorities should take account of:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness.*

Paragraph 132 states:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional.

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*
- *Turnchapel Conservation Area*

8. Analysis

8.01 This application has been considered in the context of the development plan, the draft Plymouth Plan, the Framework and other material policy documents with regard to its listed status and Conservation Area context as set out in Section 7.

8.02 The listing description from Historic England is as follows:

SX4953SW BORINGDON ROAD 740-11711612 (South East side) 01/05/75 Plymstock, Turnchapel Nos.2-12 (Consecutive) Boringdon Terrace (Formerly Listed as: BORINGDON TERRACE Plymstock, Turnchapel Nos.2-12 (Consecutive))

GV II

Terrace of small houses. Early C19. Mostly incised stucco, some render; fairly steep dry slate roofs to Nos 2-4, otherwise replaced with asbestos slate, Nos 9-11 with bracketed eaves; hipped roof dormers with C20 glazing, and deep brick stacks over the party walls. Double-depth plan, each house with 1 room at the front and most with entrance hall on its left. 2 storeys; each house with a 1-window-range front. C20 copy tripartite horned sashes with glazing bars to Nos 6, 7, 9, 10 and 11. Original pedimented and elliptical-arched doorcases to Nos 6, 9 and 11; No.4 with elliptical arch; No.2 with pilastered doorcase with consoles and original panelled door with flush panels. INTERIORS not inspected.

8.03 The alterations to this listed building are: on the second floor for reinstatement of a partition between two former rooms (each of which contained a fireplace) and removed by a previous owner without listed building consent. The room as present therefore has two fireplaces and does not reflect the historic layout of the interior and is unsatisfactory as it stands; the insertion of a new partition up to high level within the roof space is acceptable, with two new reclaimed panelled doors – one to each room, and together with the retention of the loft storage space in the east side of the apex, already created by others; a new walk-in shower with glazed screen is to be installed within the bedroom facing the street. Other alterations are for the removal of a WC/shower in the Utility room at ground floor level in the rear part of the property, and which has been carried out by a previous owner without listed building consent. Once removed a new timber dog-leg staircase will be installed to enable access from the Utility/breakfast room to the study on the first floor as this room is at present only accessible via steps up to and off the rear garden outside.

8.04 In officers' opinion the proposals are acceptable in principle with regard to assessing their impact on the historic building and whether they have an adverse impact on the space or historic fabric or Conservation Area, or whether they enhance the listed building (or Conservation Area if relevant). There are no external alterations which would impact the Turnchapel Conservation Area. The internal alterations on the second floor will make a positive contribution to the spatial layout and redeem some of the unauthorised work carried out internally following the refusal of application 01/00059/LBC- *Removal of internal partitions on second floor*. The new ground to first floor staircase access will enable the internal circulation to be resolved comfortably in the rear part of the

dwelling and with due regard to the historic fabric, even though it is very likely that only the external access to that room was always the case here.

8.05 In officers' opinion the design is acceptable – with the use of reclaimed doors, joinery to skirtings and architraves to match existing ogee type, and the introduction of a timber staircase with simple balustrading reflecting the subservience of the rear accommodation compared to the main property. Officers have requested details of the mechanical ventilation which will be essential for the extraction of moist air from the shower area in the bedroom otherwise condensation to the historic fabric could be encountered and set up deterioration of plaster and timbers. The proposed use of the existing roof vent to the rear roof slope is acceptable, and indeed a preferred solution, for the mechanical extraction.

8.06 This proposal makes sufficient provision for sustainability in terms of both the NPPF and the Council's own policies by the use of some reclaimed materials and making better use of internal spaces within the context of the historic fabric.

8.07 This proposal is not relevant to climate change in terms of both the NPPF and the Council's own policies.

9. Human Rights

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

10. Local Finance Considerations

None

11. Planning Obligations

None

12. Equalities and Diversities

None

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and specifically Sections 16 & 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and conditional approval is recommended.

14. Recommendation

In respect of the application dated **08/07/2016** and the submitted drawings Location plan, Drawing nos BT001, BT002, BT003, BT004, BT005, BT006 and BT007 together with details on ventilation route and reclaimed doors - email received 17.08.16, it is recommended to: **Grant Conditionally**

15. Conditions

CONDITION: TIME LIMIT FOR COMMENCEMENT (LBC)

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

Reason:

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

CONDITION: APPROVED PLANS (LISTED BUILDING CONSENT)

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

Location plan, Drawing nos BT001, BT002, BT003, BT004, BT005, BT006 and BT007 together with details on ventilation route and reclaimed doors - email received 17.08.16

Reason:

In order to preserve the building or its setting or any features of special architectural or historic interest which it possesses in accordance with sections 16 & 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and in accordance with advice set out in paragraphs 132 - 134 of the National Planning Policy Framework 2012.

PRIOR TO RELEVANT WORKS: DESIGN DETAILS TO MATCH EXISTING

(3) The following proposed works shall be carried out to match the relevant existing adjacent part of the building in terms of material, design/profile, and finish unless alternative details are first submitted to and approved in writing by the Local Planning Authority:

- a) Skirtings and architraves
- b) Four-panel doors and ironmongery

Reason:

In order to preserve the building or its setting or any features of special architectural or historic interest which it possesses in accordance with sections 16 & 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and in accordance with advice set out in paragraphs 132 - 134 of the National Planning Policy Framework 2012

Justification for pre-commencement: To ensure that the historic value of the listed building is not comprised

MECHANICAL VENTILATION TO SECOND FLOOR SHOWER AREA

(4) The mechanical ventilation to the second floor shower room shall be carried out strictly in accordance with the details supplied, and to exit to the rear roof slope ventilator.

Reason:

In order to preserve the building or its setting or any features of special architectural or historic interest which it possesses in accordance with sections 16 & 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and in accordance with advice set out in paragraphs 132 - 134 of the National Planning Policy Framework 2012

Justification for pre-commencement: To ensure the historic value of the listed building is not compromised.

Informatives

INFORMATIVE: CONDITIONAL APPROVAL (NO 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 and has imposed planning conditions to enable the grant of planning permission.

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PLANNING APPLICATION REPORT



Application Number 16/00994/FUL

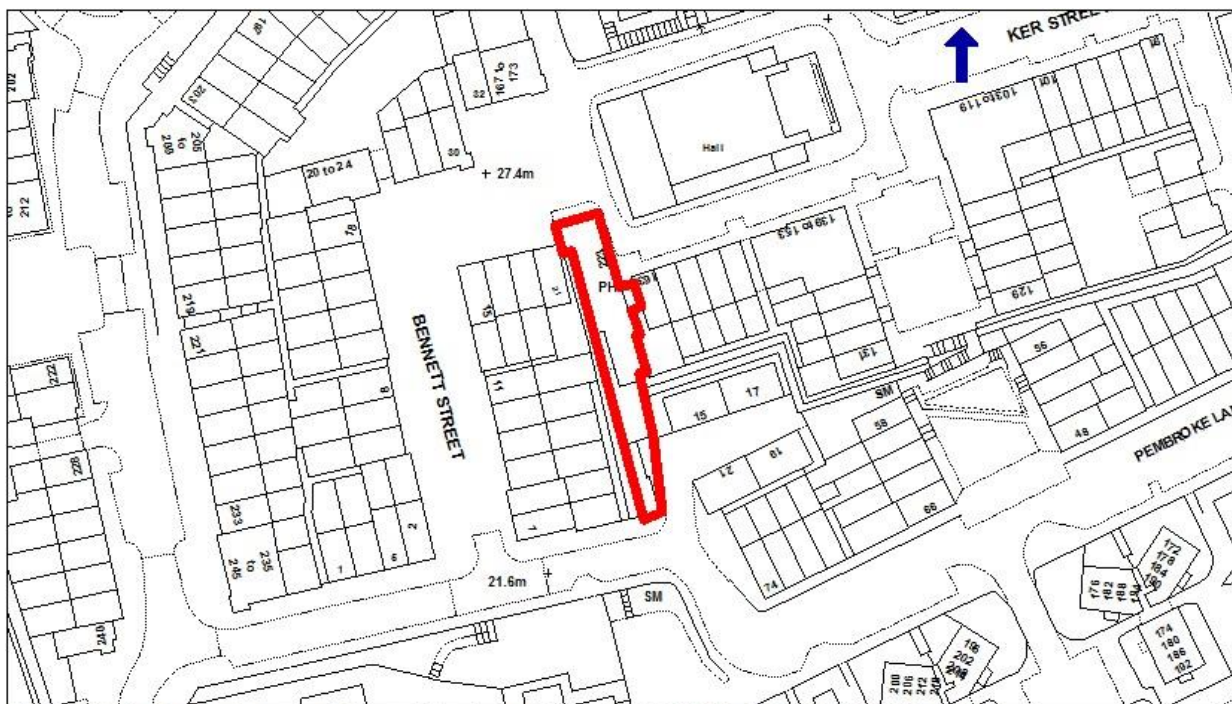
Date Valid 26/05/2016

Item 02

Ward Devonport

Site Address	CROWN AND COLUMN, 223 KER STREET PLYMOUTH		
Proposal	Change of use, conversion and alteration of Public House and ancillary residential accommodation to 6 flats & associated car parking		
Applicant	Mr Phil Rump		
Application Type	Full Application		
Target Date	21/07/2016	Committee Date	Planning Committee: 01 September 2016
Decision Category	Member Referral		
Case Officer	Jon Fox		
Recommendation	Grant Conditionally		

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This application has been referred to the planning committee by Councillor Bill Stevens

1. Description of site

The site comprises the vacant and disused Crown and Column public house, which is situated in the Devonport Conservation Area and listed Grade 2. The site is long and relatively narrow and is sandwiched on the east and west sides by relatively new residential development in Bennett Street, Mount Street and Ker Street. The public house is four storeys high at the front, Ker Street, end of the site, dropping down to two storeys, then one, as the site slopes down from north to south. There is a raised beer garden at the rear of the building, and a narrow garden beyond that, which is separated from a small landscaped part of the site by an old wall.

The grade II listed Crown and Column Public House was designed as a public house by Foulston, the eminent architect, in association with the planned Civic Square for Devonport in the early 19th century. This design group of an eclectic mix of architectural styles consisted of the grade I listed Devonport Guildhall (in a Greek style), grade I listed Devonport Column (in a Roman style), the grade I listed Mechanics Institute (now known as Oddfellows Hall) (in Egyptian style), and the long time ago demolished chapel (in a Hindu style).

2. Proposal description

Change of use, conversion and alteration of Public House and ancillary residential accommodation to 6 flats & associated car parking.

3. Pre-application enquiry

None.

4. Relevant planning history

15/01500/FUL - Change of use, extensions, and conversion of public house and ancillary residential accommodation to seven flats and associated car parking. This application was withdrawn.

15/01502/LBC - Change of use, extensions and conversion of public house and ancillary residential accommodation to seven flats and associated car parking. This application was withdrawn.

5. Consultation responses

Local Highway Authority (HA)

The HA advise that, based upon the number and size of units proposed a total of 6 off-street car parking spaces would be required to serve the development (1 space per unit). With 4 off-street car parking spaces being proposed to serve the development (the Design and Access statement (DAS) incorrectly refers to there being 5 spaces), there would be a car parking shortfall of 2 spaces.

However the HA are not minded to recommend this application for refusal on the basis of this car parking shortfall as the previous use of the premises as a public house would have generated some on-street kerbside car parking due to the lack of dedicated off-road provision. It is highly likely that the public house would have generated on-street car parking for at least 2 vehicles, possibly more

and therefore it could be argued that the on-street situation would be no worse following the change of use of the public house into 6 flats.

As stated above the applicant has secured an area of land (and access to it) to provide 4 echelon car parking spaces. Appropriate signing will need to be provided to ensure that these spaces remain available for use by residents of the proposed flats and not by residents of adjoining properties. The HA add that the very end space closest to the junction is a little below the minimum length.

Despite the DAS suggesting otherwise the HA note from the drawings provided that some secure and covered cycle parking has been provided within the building. They recommend that this should be large enough to accommodate a minimum of 6 bicycles.

To conclude the HA would not wish to raise any highway objections to this application although they recommend that conditions be attached to any grant of consent relating to car parking and cycle parking provision.

Public Protection Service

Have no objections subject to conditions relating to land quality.

Housing Services (HS)

HS state that in respect of Flat 4, the means of escape from the bedroom in the event of a fire is through the kitchen area which is a higher risk area. The plans do not indicate if the bedroom window is suitable as an alternative means of escape. They also note that all rooms appear to be of a suitable size for double occupancy.

HS also provide advice on kitchen standards, bathroom and toilet requirements, health and safety, waste storage, heating, fire precautions, utilities and licensing of houses in multiple occupation. These aspects are not considered to be planning considerations. They observe that Flat 6 (at 2nd floor and attic room levels) has three double bedrooms and therefore has the potential to be used as a flat in multiple occupancy in its own right. However, the layout shown on the plans would not be in accordance with Housing standards as a HMO.

Police Architectural Liaison Officer

The Devon and Cornwall Police are not opposed to the granting of planning permission for this application. However, as there are only 4 parking spaces for 6 flats they recommend, to avoid conflict, that the applicant conveyances a parking space to a flat, i.e. the first four buyers are offered a space to purchase. A secure bollard can then be installed to reserve their particular space. Otherwise the police foresee conflict and non residents utilising these spaces.

The Devonport Neighbourhood Forum and the National Pub Heritage Group (CAMRA) were consulted, but no comments have been received.

6. Representations

Three letters were received, which raise objections on the following grounds:

- I. The street is already congested with parked cars. The proposed parking bays will lead to further congestion.

2. The proposed parking spaces would be tight. Drivers would have to use a part of Mount Street where other cars are parked. The end space would be particularly difficult. The neighbouring houses also require access.
3. Lack of parking; 4 spaces for 6 flats are inadequate, especially at school drop-off and pick-up times. Two spaces would be on-street where there is a lack of parking already. Manoeuvring into and out of Mount Street is difficult and adding two cars to an overcrowded area will negatively impact on residents' lives.
4. Loss of privacy from proposed patio, affecting dining/living room window.
5. The previous use of the premises as a public house may have generated some on-street kerbside car parking. However since the regeneration of residential housing the Public House has not been open and therefore since the regeneration the demand for parking in the area has increased dramatically.

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 Devonport Area Action Plan.*

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*

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

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 development plan policies include CS01 (sustainable linked communities), CS02 (design), CS03 (historic environment), CS15 (housing provision), CS22 (pollution), CS28 (transport considerations) and CS34 (planning application considerations).

Is the development acceptable in principle?

8.2 The main issue in this respect is the loss of the purpose built public house. The adopted Development Guidelines Supplementary Planning Document states that key community infrastructure should be safeguarded. Policy CS01 (development of sustainable linked communities) also requires development to meet the needs of the neighbourhood. These guidelines also state that some non-residential buildings – such as public houses and social centres – may be unsuitable for residential conversion if they are the only one serving the local community. Against this the design and access statement accompanying the application states that in this case there are a number of alternative Public Houses in Devonport including The Beresford Arms on Cumberland Street and The Shakespeare Inn on Theatre Ope., and opining that both are better located to serve the wider community. The Devonport Sustainable Neighbourhood Assessment assessed places to meet and socialise for all ages and interest groups. Comments received in respect of this state that there a couple of pubs within Devonport. The neighbourhood assessment makes no specific comment on the options for the Council in this respect. It is not clear whether the Crown and Column is one of the two pubs referred, but it is assumed that this must be the case given the location of the pub within the heart of Devonport.

8.3 An estate agent tasked with selling the premises has confirmed that they were instructed to market the Crown and Column on 20/2/14 during which time they contacted 1,189 applicants registered with them. That process generated eight viewings and two offers both for alternative use. The estate agents state that a deal was agreed with the applicant on 29/5/14 subject to planning before completion on 15/6/16, during which time the pub remained on the market with no further interest.

8.4 The estate agents claim that as a business the Crown & Column saw a natural decline in trade over the last 10 years as various different parts of Devonport have been redeveloped. With the pub being a '100% wet lead', i.e. unlike newer generation pubs that have a strong food side to them, the area's redevelopment drove away the pubs traditional customer base as the demographic changed.

8.5 The demise of the pub is regrettable, especially as it was designed as a public house by the eminent architect, Foulston, as part of the Civic Square. However, it is understandable those times have changed and that there is not sufficient demand for a traditional pub to sustain one in this area. That is not to say that the premises couldn't, in theory, be remodelled to sell food as well as beer. However, the pub appears to be subsumed by all the recent residential redevelopment and has arguably lost its way to the point where perhaps it is better off being preserved by way of the proposed change of use.

8.6 On this issue it is noted that in the Devonport Conservation Area Assessment and Management Plan the pub building is identified as being a local building at risk/vacant building. On balance it is considered that the proposals are in accordance with policy CS01 (sustainable linked communities).

Is the design acceptable?

8.7 The proposals make only limited changes to the outside appearance of the building, most notably the elevation of the existing tenement roof, in order to provide headroom for one of the proposed units of accommodation. Otherwise a number of windows are being added, as well as the proposed balcony for flat 4 and the Juliet balcony for flat 3. The new windows on the front (northern elevation) are, in officers' opinion actually an improvement on what exists, i.e. the reopening of a blocked up window at first floor level.

8.8 In these respects the proposals are considered to be in accordance with policies CS02 (design), CS03 (historic environment) and CS34 (planning application considerations).

Does the proposal make sufficient provision for sustainability in terms of both the NPPF and the Council's own policies?

8.9 The main issues are the impact of the proposals on residential amenity and the amount of parking the development would generate, and whether this could be adequately accommodated off the street. As far as amenity is concerned, the main issue is the impact of the new build element of the proposals. In this respect the proposed balcony to flat 3 has been reduced to a Juliet balcony, which is not considered to unreasonably overlook the neighbours to the east. The patio and screen to flat 4 has also been reduced and, together with the side-screen, is considered to overcome potential overlooking of the nearest property in Mount Street. The new kitchen window is also obscure glazed to preserve neighbours' privacy. As such the proposals are considered to be in accordance with policies CS15 and CS34.

8.10 Otherwise it is noted that the raised flat roof, required to provide the new space for flat 3, would rise high above the garden of the neighbouring property (to the west). However, a strip of land runs down the side of the Crown and Column, which effectively separates the site from the neighbours, and which would reduce the impact of the extension to a point where it would not have an unreasonable impact on residential amenity.

8.11 On the parking issue, it is recognised that this is a concern for residents. The level of parking being provided is below the normal standard, i.e. four spaces instead of six. This shortfall is not considered to be harmful given that the public house would have generated on-street car parking for at least two vehicles. Therefore overall the proposals are considered unlikely to generate more on-street car parking than the pub did. However, it should be noted that the parking generated by the pub would not have lasted overnight, when residents' vehicles are likely to be contributing to a greater level of parking than takes place during the day. Nevertheless, pub car parking could have gone on until beyond 11pm, so evening parking would arguably be no worse in the future than it could have been in the past. One of the points, raised in the letters of representation, is that the regeneration of housing in the area has increased the demand for parking; the inference being that when the flats are occupied the amount of parking overall will be greater than it was before. However, the pub could open again at any time and generate on-street parking. The on-street parking generated by the proposed development is unlikely to be more than that generated by the pub, i.e. regardless of any increase in the amount of residents' parking following regeneration of the area. On this basis the proposals are not considered to conflict with policy CS28 (transport considerations).

8.12 With regard to the Housing Officer's comments, the issue of escape from fire is not a planning consideration. However, the agent has provided assurances that the window to flat 4 provides a means of escape that complies with the Building Regulations.

8.13 With regard to the potential use of the larger, upper-storey flat as a HMO, this unit includes three double bedrooms. This indicates that the unit could be occupied by six persons, i.e. three couples, which have the potential to generate more traffic than a single dwelling. It is therefore recommended that a condition be imposed that removes any right, in planning terms, for the unit to be used as a HMO.

8.14 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.

Does the proposal make sufficient provision for climate change in terms of both the NPPF and the Council's own policies?

8.14 The proposals are not considered to have a negative impact on the environment in terms of increasing flood risk.

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 £1841.51.

11. Planning Obligations

Planning obligations are not necessary in this case.

12. Equalities and Diversities

The proposed flats above ground floor level are not accessible to wheel-chair users. However, despite not improving equality of use the proposals are considered acceptable, especially as this proposal is for the conversion of an existing listed 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 that the loss of the pub would not be harmful to the balance of uses in the area; it is also considered that residential amenity and highway safety and convenience would not be prejudiced. It is therefore recommended that planning permission be granted.

14. Recommendation

In respect of the application dated **26/05/2016** and the submitted drawings 01 (site survey), 001 (site block plan), 004 (existing floor plans), 006 (existing elevations), 008 (existing and proposed sections - as amended by 005/F and 007/D), 03 (existing context block plan), 001 I/A (demolition floor plans - as amended by 005/F and 007/D), 005/F (proposed floor plans), 007/D (proposed elevations), it is recommended to: **Grant Conditionally**

14. 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 in accordance with Core Strategy Objective 10(8) (Delivering Adequate Housing Supply) and Plymouth Plan Policy 46.

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 01 (site survey), 001 (site block plan), 004 (existing floor plans), 006 (existing elevations), 008 (existing and proposed sections - as amended by 005/F and 007/D), 03 (existing context block plan), 001 I/A (demolition floor plans - as amended by 005/F and 007/D), 005/F (proposed floor plans dated August 2016), 007/D (proposed elevations)

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: LAND QUALITY

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

I. Site Characterisation

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

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological 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'.

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must

ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. 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.

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

4. Reporting of Unexpected Contamination

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

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

Reason:

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

Pre-occupation Conditions

PRE-OCCUPATION: CAR PARKING PROVISION

(4) None of the flats hereby proposed shall be occupied until the car parking area shown on the approved plans which provides a minimum of 4 spaces has been drained, surfaced and signed 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 and paragraph 32 of the National Planning Policy Framework 2012.

PRE-OCCUPATION: PROVISION OF CYCLE PARKING

(5) None of the flats hereby proposed 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 6 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 and paragraph 32 of the National Planning Policy Framework 2012.

Other Conditions

CONDITION: OBSCURE GLAZING

(6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order or the 1995 Order with or without modification), the windows shown as obscured on the approved plans shall be fixed and obscured up to a minimum height of 1750mm above floor level. The said details shall be in accordance with details of the obscure glazing to be submitted to and approved in writing by the Local Planning Authority and shall be retained at all times.

Reason:

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 17 of the National Planning Policy Framework 2012.

CONDITION: NO USE OF FLAT ROOF AS AMENITY AREA

(7) The flat roof over flat 4 shall at no time be used as an amenity area and no parapet, railings, screen, fence or any other form of enclosure or other structure shall at any time be placed or erected on the said roof.

Reason:

In order to preserve the amenities of neighbours in accordance with Policies CS15, and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraph 17 of the National Planning Policy Framework 2012.

CONDITION: RETENTION OF BOUNDARY WALL

(8) The stone boundary wall on the western side of the site shall at all times be retained at its current height and if at any time any part of the wall is removed or falls down it shall be replaced and rebuilt immediately in matching materials or other materials as agreed in writing with the Local Planning Authority.

Reason:

In order to preserve the privacy of neighbours and the character and appearance of the area, in accordance with policies CS15 and CS34 of the Core Strategy of Plymouth's Local Development Framework and paragraph 17 of the National Planning Policy Framework.

CONDITION: RESTRICTION ON USE OF FLAT AS HOUSE IN MULTIPLE OCCUPATION

(9) Flat 6 shall at no time be used as a house in multiple occupancy within Class C4 of the Town and Country Planning Uses Classes Order.

Reason:

The traffic generated by use of the unit as a house in multiple occupancy is likely to lead to occupiers or visitors parking on the public highway leading to damage to amenity and interference with the free flow of traffic on the

highway, in accordance with Policies CS28 and CS34 of the Plymouth Local

Development Framework Core Strategy (2006-2021) 2007 and paragraph 32 of the National Planning Policy Framework 2012.

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 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: KERB LOWERING

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

INFORMATIVE: ALLOCATION OF PARKING SPACES

(4) As there are only four parking spaces for six flats it is recommended that, to avoid conflict, the applicant conveyances a parking space to a flat, i.e. the first four buyers are offered a space to purchase. A secure bollard can then be installed to reserve their particular space. Otherwise there is the potential for conflict and non-residents utilising these spaces.

PLANNING APPLICATION REPORT



Application Number 16/00995/LBC

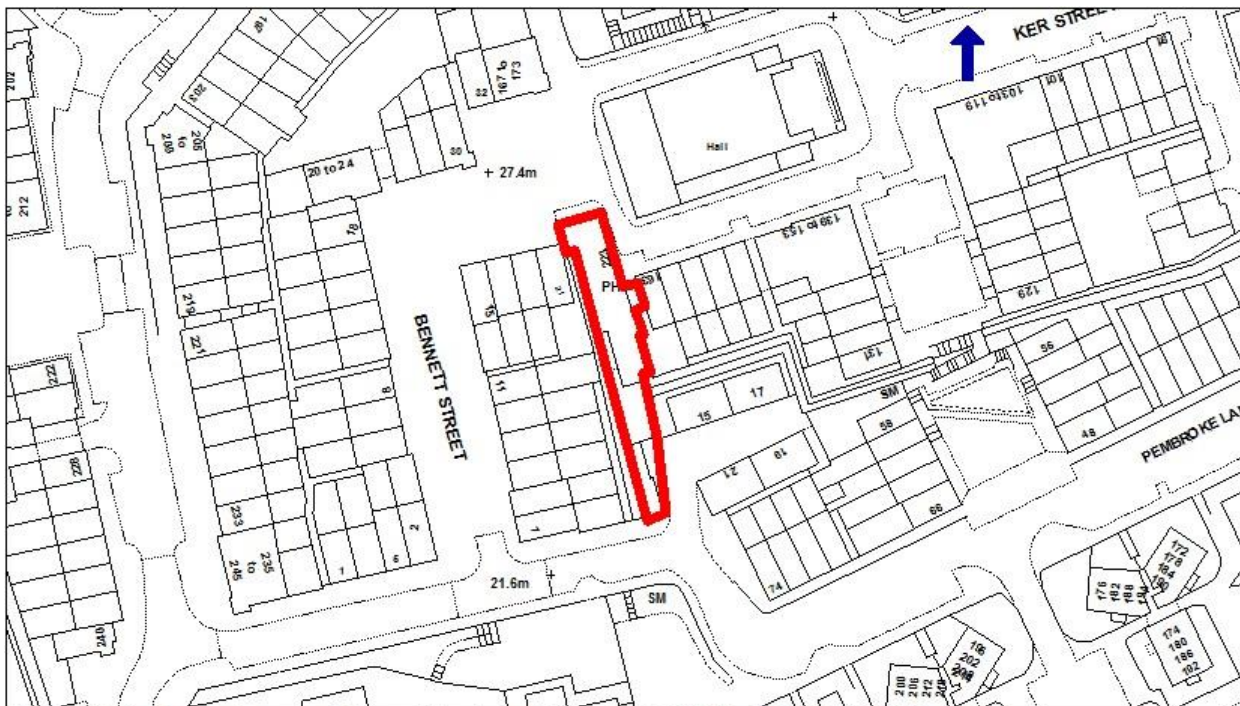
Date Valid 26/05/2016

Item 03

Ward Devonport

Site Address	CROWN AND COLUMN, 223 KER STREET PLYMOUTH		
Proposal	Change of use, conversion and alteration of Public House and ancillary residential accommodation to 6 flats & associated car parking		
Applicant	Mr Phil Rump		
Application Type	Listed Building		
Target Date	21/07/2016	Committee Date	Planning Committee: 01 September 2016
Decision Category	Member Referral		
Case Officer	Jon Fox		
Recommendation	Grant Conditionally		

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This application has been referred to the planning committee by Councillor Bill Stevens

1. Description of site

The site comprises the vacant and disused Crown and Column public house, which is situated in the Devonport Conservation Area and listed Grade 2. The site is long and relatively slender and is sandwiched on the east and west sides by relatively new residential development in Bennett Street, Mount Street and Ker Street. The public house is four storeys high at the front, Ker Street, end of the site, dropping down to two storeys, then one, as the site slopes down from north to south. There is a raised beer garden at the rear of the building, and a slender garden beyond that, which is separated from a small landscaped part of the site by an old wall.

The grade II listed Crown and Column Public House was designed as a public House by Foulston, the eminent architect, in association with the planned Civic Square for Devonport in the early 19th century. This design group of an eclectic mix of architectural styles consisted of the grade I listed Devonport Guildhall (in a Greek style), grade I listed Devonport Column (in a Roman style), the grade I listed Mechanics Institute (now known as Oddfellows Hall) (in Egyptian style), and the long time ago demolished chapel (in a Hindu style).

2. Proposal description

Change of use, conversion and alteration of Public House and ancillary residential accommodation to 6 flats & associated car parking.

3. Pre-application enquiry

None.

4. Relevant planning history

15/01500/FUL - Change of use, extensions, and conversion of public house and ancillary residential accommodation to seven flats and associated car parking. This application was withdrawn.

15/01502/LBC - Change of use, extensions and conversion of public house and ancillary residential accommodation to seven flats and associated car parking. This application was withdrawn.

5. Consultation responses

Historic Environment Officer

Has no objection to the proposed works to the listed building. However, various items are recommended for improvement, i.e. finishing the proposed steps on the western side of the site in a better material than concrete.

Historic England

Historic England was not consulted on this occasion. They were consulted in respect of the previous LBC application and their concern then was that the proposals resulted in the loss of a

public house of communal value. They concluded that the harm was less than substantial and left the final decision to the Local Planning Authority.

6. Representations

One letter is registered with this application, which raises parking and privacy issues that have been included in the officer's report relating the concurrent application for planning permission, 16/00994/FUL.

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 Planning (Listed Building and Conservation Areas) Act 1990 relates specifically to this proposal, which includes works to the listed building and a change to its use.

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

The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One was approved by the City Council in September 2015. The Plan, which incorporates draft development plan policy, has been prepared following a consultation process. As such it is a material consideration for the purposes of planning decisions.

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

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

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

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

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or

- Specific policies in the Framework indicate development should be restricted.

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

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

8. Analysis

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 relevant development plan policy is CS03 (historic environment).

Is the development acceptable in principle?

8.2 The demise of the pub is regrettable, especially as it was designed as a public house by the eminent architect, Foulston, as part of the Civic Square. However, it is understandable those times have changed and that there is not sufficient demand for a traditional pub to sustain one in this area. That is not to say that the premises couldn't, in theory, be remodelled to sell food as well as beer. However, the pub appears to be subsumed by all the recent residential redevelopment and has arguably lost its way to the point where perhaps it is better off being preserved by way of the proposed change of use.

8.3 On this issue it is noted that in the Devonport Conservation Area Assessment and Management Plan the pub building is identified as being a local building at risk/vacant building. On balance it is considered that the proposals are in accordance with policy CS01 (sustainable linked communities). Further analysis of the loss of the pub is made in the concurrent planning application, 16/00994, which concludes that the proposed change of use is acceptable.

8.4 The proposed works to the listed building, required to turn the building into six units of accommodation, are not considered to be harmful to the character of the building or its fabric. The main new build element of the proposals is the raising of the mono-pitch roof. These works are to the rear where there is a flat roof. On the front elevation a blocked up window would be reopened with the provision of a traditional multi-paned window, and the existing modern window, above, would be replaced with a traditional-looking nine-pane casement window, all of which would actually improve the appearance of the building. On the whole the proposed works could be seen as enhancing the overall character and appearance of the building.

9. Human Rights

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

10. Local Finance Considerations

Not relevant.

11. Planning Obligations

Not relevant.

12. Equalities and Diversities

Not relevant.

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 does not harm the character and appearance of the listed building and as such there is no conflict with policy CS03 of the Core Strategy of Plymouth's Local Development Framework. It is therefore recommended that listed building consent be granted.

14. Recommendation

In respect of the application dated **26/05/2016** and the submitted drawings 01 (site survey), 001 (site block plan), 004 (existing floor plans), 006 (existing elevations), 008 (existing and proposed sections - as amended by 005/F and 007/D), 03 (existing context block plan), 001 I/A (demolition floor plans - as amended by 005/F and 007/D), 005/F (proposed floor plans), 007/D (proposed elevations), 012 (significance elevations), 012 (significance plans) and door and moulding detail, it is recommended to: **Grant Conditionally**

15. Conditions

CONDITION: TIME LIMIT FOR COMMENCEMENT (LBC)

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

Reason:

To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 and in accordance with Core Strategy Objective 10(8) (Delivering Adequate Housing Supply) and Plymouth Plan Policy 46.

CONDITION: APPROVED PLANS (LISTED BUILDING CONSENT)

(2) The works hereby permitted shall be carried out in accordance with the following approved plans: 01 (site survey), 001 (site block plan), 004 (existing floor plans), 006 (existing elevations), 008 (existing and proposed sections - as amended by 005/F and 007/D), 03 (existing context block plan), 001 I/A (demolition floor plans - as amended by 005/F and 007/D), 005/F (proposed floor plans dated August 2016), 007/D (proposed elevations), 012 (significance elevations), 012 (significance plans) and door and moulding detail

Reason:

In order to preserve the building or its setting or any features of special architectural or historic interest which it possesses in accordance with sections 16 & 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and in accordance with advice set out in paragraphs 132 - 134 of the National Planning Policy Framework 2012.

Pre-commencement Conditions

PRE-COMMENCEMENT: WINDOW DETAILS

(3) No works shall take place until details of the proposed windows where not in the contemporary part e.g. Flat 4 west facing and north frontage have been submitted to and approved in writing by the Local Planning Authority. The new windows shall be traditionally constructed in painted timber single glazed with glass fixed using putty (not beading). Opening lights shall be side hung and flush with the frame. The works shall be carried out strictly in accordance with the approved details.

Reason:

In order to preserve the building or its setting or any features of special architectural or historic interest which it possesses in accordance with sections 16 & 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and in accordance with advice set out in paragraphs 132 - 134 of the National Planning Policy Framework 2012.

Justification for pre-commencement: To ensure that the historic value of the listed building is not comprised

PRE-COMMENCEMENT: DETAILED WORKS

(4) No works shall take place until full details of the following aspects of the works have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details:

- Extent of cornice repairs.
- Generally throughout mechanical extractors routes and exits, and other services e.g. boilers and flues.
- The new block wall with adjacent gate (which should be rendered and painted and with a good quality coping).
- The type and material of pavours to the hardstanding.
- The finish to the new flight of external steps on the west side of the site (which should be finished with good quality materials as the quality of the development should enhance the Conservation Area).
- The external handrail, although not shown, (which should also be of high quality).

Reason:

In order to preserve the building or its setting or any features of special architectural or historic interest which it possesses in accordance with sections 16 & 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and in accordance with advice set out in paragraphs 132 - 134 of the National Planning Policy Framework 2012.

Justification for pre-commencement: To ensure that the historic value of the listed building is not comprised

Other Conditions

CONDITION: ROOF COVERING

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

Reason:

In order to preserve the building or its setting or any features of special architectural or historic interest which it possesses in accordance with sections 16 & 17 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and in accordance with advice set out in paragraphs 132 - 134 of the National Planning Policy Framework 2012.

Justification for pre-commencement: To ensure that the historic value of the listed building is not comprised

Informatives

INFORMATIVE: CONDITIONAL APPROVAL (NO 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 and has imposed conditions to enable the grant of listed building consent.

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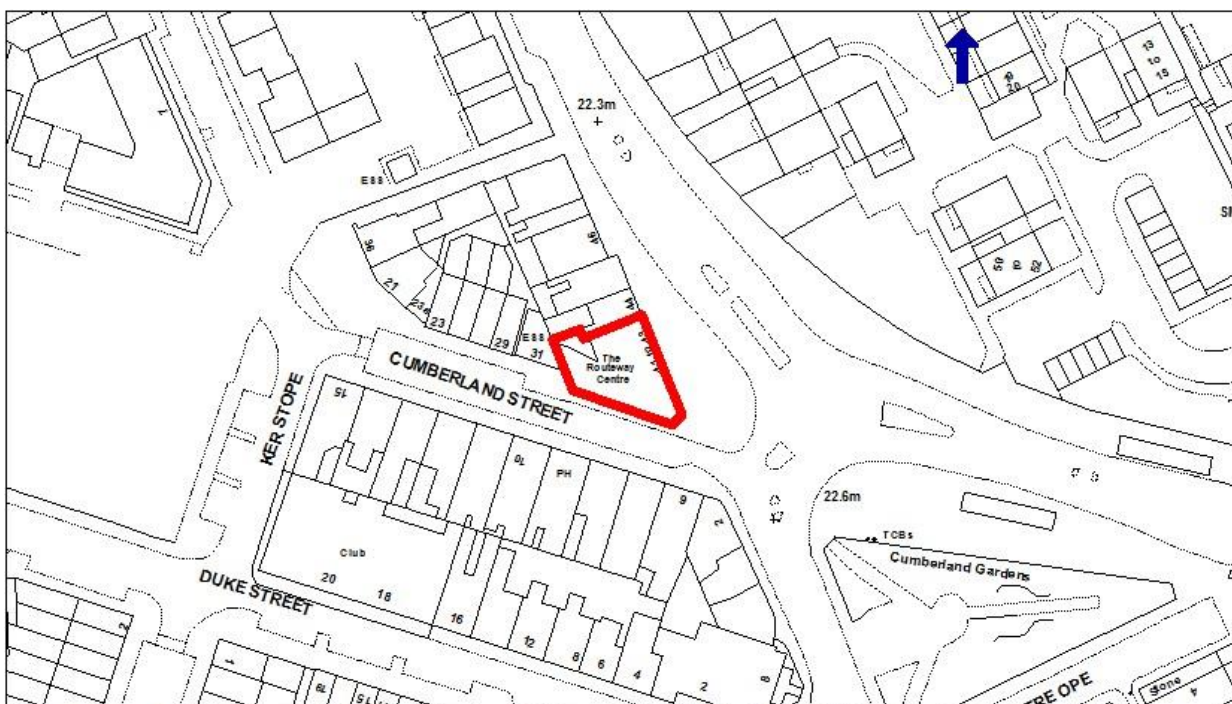
PLANNING APPLICATION REPORT



Application Number	16/01212/FUL	Item	04
Date Valid	19/07/2016	Ward	Devonport

Site Address	41-43 CHAPEL STREET DEVONPORT PLYMOUTH		
Proposal	Conversion of former hotel to provide 10no residential units and café (Class A3) at ground floor		
Applicant	Direct Property Services		
Application Type	Full Application		
Target Date	18/10/2016	Committee Date	Planning Committee: 01 September 2016
Decision Category	Assistant Director of Strategic Planning and Infrastructure Referral		
Case Officer	Christopher King		
Recommendation	Refuse		

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This application has been referred to the Planning Committee by the Assistant Director for Strategic Planning and Infrastructure due to the finely balanced policy issues

1. Description of site

No.41-43 Chapel Street is the Grade II Listed 19th century Crown Hotel which is located in the Devonport area of the city. At four storeys in height, the building sits prominently on the corner of Cumberland Street and Chapel Street which is within the Devonport Conservation Area, and adjacent the Cumberland Street Local Centre. The building is being used as a drop in centre for employment and training opportunities with associated offices (Use Class D1 & Use Class B1) however is only part occupied.

The application site is a local landmark building and the façade is very typical of its time in the late Victorian style. The building has not been utilised as a hotel for some years, and has a lawful use as B1 office over all floors. The building has no dedicated off street parking, and provides a small amount of private amenity to the rear. All the buildings opposite the application site (south) are Grade II Listed, and demonstrate a mix of uses, and the adjoining buildings to the north are also Grade II Listed.

2. Proposal description

Conversion of former hotel to provide 10 residential units and café (Class A3) at ground floor

3. Pre-application enquiry

This proposal was subject to a Pre-application (15/02263/MAJ) for redevelopment to provide residential and café. Officers advised that the principle of the change of use to provide 10 dwellings and an A3 unit was supportable. However without the provision of off street parking in accordance with the Development Guidelines SPD, the Local Planning Authority (LPA) would be unlikely to look favourably on a planning application.

Discussions began between the applicant and the LPA to seek alternative options relating to parking, however this was not fully resolved to the satisfaction of the LPA, the full planning application was submitted for consideration, and as such the Pre-application was closed without fully being finalised.

4. Relevant planning history

16/01214/LBC - Conversion of former hotel to provide 10 residential units and café (Class A3) at ground floor – Under Consideration by the LPA

98/00177/FUL - Change of use and conversion of hotel to drop in centre for employment and training opportunities with associated offices – Permitted

99/00008/LBC - Alterations to convert premises to drop in centre for employment & training opportunities with associated offices – Permitted

5. Consultation responses

Devonport Neighbourhood Forum – No Comments received

Neighbourhood Planning Team – No Objections

Economic Development Department – No Objections

Historic England – No Objections

Historic Environment Officer – No Objections

Lead Local Flood Authority – No Objections

Local Highways Authority – Recommends Refusal due to insufficient parking provision

Low Carbon Team – No Objections

Natural Infrastructure Team – No Objections

Police Architectural Liaison Officer – No Objections

Public Health – No Objections

Public Protection Service – Recommends approval subject to conditions

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:

- *Sustainable Design Supplementary Planning Document*
- *Development Guidelines Supplementary Planning Document*
- *Shopping Centres Supplementary Planning Document*
- *Devonport Area Action Plan*
- *Devonport Conservation Area Appraisal and Management Plan*

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

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

1. This application turns upon polices CS01 (Development of Sustainable Linked Communities), CS02 (Design), CS03 (Historic Environment), CS05 (Development of Existing Site), CS11 (Changes of Use in District and Local Centres), CS15 (Overall Housing Provision), CS16 (Spatial Distribution of Housing Sites), CS19 (Wildlife), CS28 (Local Transport Considerations) and CS34 (Planning Application Considerations) of the Local Development Framework Core Strategy; and Parts 2, 3, 6 and 8 of the Development Guidelines Supplementary Planning Document (SPD) and the Shopping Centres Supplementary Planning Document (SPD).
2. In addition to this, the proposal turns upon Proposal DP01 and Proposal DP03 of the Devonport Area Action Plan (AAP), the Devonport Conservation Area Appraisal and Management Plan (CAAMP) and Policy 28, Policy 29 and Policy 30 of the Emerging Plymouth Plan Part One (Approved)

Principle of Development

3. When making decisions of this nature, officers must also consider the National Planning Policy Framework, which at its heart, has a presumption in favour of development when a 5 year housing supply cannot be demonstrated. Therefore the key theme running through this report is if the development will cause considerable or demonstrable harm that would significantly outweigh the benefits of granting planning permission.
4. The principle issues relating to this proposal are considered to be the change of use and its impact towards the local centre, the impacts of the proposal towards local highways and parking conditions and the impact of the proposal towards the historic environment. Other

considerations include residential layout and amenity, drainage, contamination, access and sustainable resource.

Change of Use and Local Centre Vitality

5. In 1998 the Local Planning Authority approved the use of the building to provide a drop in centre for employment and training opportunities with associated offices (Use Class D1 & Use Class B1) which is confirmed in the Design & Access statement. The proposal hereby submitted seeks to once again alter the use of the building to provide 10 self-contained dwellings, and a café (Use Class C3 and Use Class A3).
6. The applicant has suggested in the Design & Access Statement that the existing occupiers are seeking a more suitable premise, and that there have been no alternative offers of occupancy. The Economic Development Department has not objected to the loss of the existing use, and having considered the principles of policy CS05, officers are of the view that there are clear environmental, regeneration and sustainable community benefits from the proposal, that will deliver a mixed use development which continues to provide for a good range of local employment opportunities.
7. The building is located immediately opposite of the Cumberland Street Local Centre, therefore due consideration of Policy CS11 and the Shopping Centres SPD is required. The Shopping Centres SPD seeks to ensure that there is a balance of retail uses in the local centre, and CS11 seeks to protect the primary function of the centre.
8. The Shopping Centres SPD has identified that the Cumberland Street has 15 commercial units, of which 5 are of A1 Use. This proposal would see a net loss in a commercial floorspace, but not A1 Uses. It will provide a new A3 commercial use that is considered complementary to the overall function and vibrancy of the local centre that would not result in an unacceptable concentration of such uses in this location in accordance with paragraph 3.2.18 of the Development Guidelines SPD. The proposal is also considered to be complementary to proposals DP01 and DP03 of the Devonport AAP which seeks to enhance the offer of Cumberland Street, and therefore, in officers' view, accords with policy CS11, as well as Policy CS05.
9. Policy CS01 seeks to provide sustainable linked communities, and when considering the area Vision noted on page 9 of the Devonport AAP, the proposal accords with many of the key themes sought by the Local Planning Authority when consider developments in this location. The proposal would see the provision of good quality open market housing in a sustainable location that would support and enhance the existing services of the Local Centre through the regeneration of a historic brownfield site.

Local Highways and Parking

10. The regeneration and community benefits of the proposal towards the local centre and need for quality housing is a clear positive, however the development does have an obvious flaw in that no parking has been proposed.
11. As noted in the Local Highways Authority's report, recent changes to housing stock within the Devonport area has resulted in a greater proportion of private residential housing being provided which in-turn has resulted in a higher level of car ownership and associated demand for car parking, and has resulted in the creation of on-street kerbside car parking issues within the area.
12. The applicant has suggested that the existing demand of the building would be far higher than the proposed use. However the local Highways Authority has suggested that change of use would

actually result in an increase in demand for parking due to the differing nature of commercial and residential parking patterns. As the site is not located in a Controlled Parking Zone (which would permit zero provision), the development has a shortfall of 10 off street parking spaces.

13. Policy CS34 (8) of the Core Strategy, and Part 8.2 of the Development Guidelines SPD puts the onus on applicants to provide adequate levels of parking for proposed development. Officers note that Devonport AAP does not reference parking in the area as a specific issue in the locality, however it is a key consideration of any residential development irrespective of the location.
14. On purely parking basis, the proposal does fall short of the requirements of Policy CS34 and Policy CS28 of the Core Strategy and this is principally due to the fact the building is both listed, and the footprint of the building occupies almost the entire area of the site.
15. The Local Highways Authority however recognises that the application site is in an accessible location. Chapel Street/Cumberland Road is a principle public transport route into the city centre, and there is dedicated bikeway along this route. The coastal path and bikeway is only a short distance from the site also. In addition to this, the site is essentially within the Chapel Street local Centre, where there is reasonable amount of local services that means the site could be considered sustainable.
16. Officers also are of the view that the site is well located to community/leisure facilities that can be easily reached without the need of a vehicle, and the proximity to the forthcoming development of the South Yard enclave could provide a significant number of jobs for residents in close proximity.
17. To offset the impact of the lack of parking, officers have discussed alternative parking solutions, such as offsite provision however it is understood that the applicant has not been able to obtain such provision. A commitment to the provision of resident bus passes has also been discussed, however the LPA has not received confirmation that this will be provided. Such a commitment would need to be secured through a S106 agreement.

Historic Environment: Listed Building and Conservation Area

18. The existing building is Grade II Listed, and is currently in the process of being vacated by the current occupiers. The building is in reasonable condition and will undergo minor external works and moderate internal works to facilitate the proposal.
19. Page 38 of the Devonport Conservation Area Appraisal and Management Plan (CAAMP) identifies Cumberland Street, on which the former Crown Hotel stands, as part of Devonport's historic centre. It states that:

‘Cumberland Street, Duke Street, Ker Street, and George Street form the principal surviving streets of Devonport's historic civic, administrative and commercial centre. These streets retain many of the best surviving buildings and structures of the town at the height of its economic and civic power and include particularly fine examples of late Georgian and Victorian architecture and town planning. This includes the three remarkable civic structures of the Guildhall, Devonport Column, and ‘Egyptian House’ on Ker Street, and imposing late Georgian and Victorian commercial and residential properties in Duke Street and Cumberland Street, and late Georgian houses on George Street.’

20. In addition, page 42 of the Devonport CAAMP appraisal has identified a number of issues that impact upon the Devonport Conservation Area. This extract below show how important it is to

safeguard and enhance the historic buildings and character of the area and how important it is to look at viable uses for under-used buildings or those which require repair or refurbishment:

The most significant issue affecting the 'urban core' of the Conservation Area (i.e. Ker Street, Duke Street, Cumberland Street and George Street), is the fragmented nature of these historic streets and the overwhelmingly negative effect of the adjacent post-war redevelopment and the creation of the Dockyard 'Storage Enclave' in the 1950s... The regeneration of Devonport, which is now underway, presents a particular opportunity to address these issues.

21. The need to ensure that all buildings and other structures within the Devonport Conservation Area that warrant statutory or other protection are identified and appropriately designated. There is a need to deal with buildings suffering from disrepair and disuse, mainly due to lack of viable economic use, and/or inappropriate additions and alterations such as the installation of plastic doors and windows, the removal of boundary walls and railings, use of pebbledash and other inappropriate wall finishes, and loss of architectural detail. Cables, conduits and satellite dishes also disfigure many properties. The most important of these are identified in the Buildings at Risk register, and include properties that contribute significantly to the character of parts of the Conservation Area.
22. The need to protect those elements of the built heritage that make the Devonport Conservation Area 'special'. Particular regard needs to be paid to the retention, repair and enhancement of historic buildings, boundary walls, historic surfaces and other structures that contribute to its character.
23. Historic England's advice on designated heritage assets is subject to specific policies that require consideration (NPPPF paragraphs 132 and 139):
 - great weight to be given to their conservation in all decisions;
 - clear and convincing justification for any harm to significance however slight and whether through direct physical impact or by change to the setting;
 - that substantial harm (direct or by change in the setting) to or total loss of Grade II listed buildings... is expected to be 'exceptional';
24. Historic England's advice relating to harm to conservation suggest this 'can be caused in any number of ways including through development within their boundary or within their setting, with or without demolition being involved. Their conservation should always be given 'great weight' and any harm can only be justified if the application clearly and convincingly shows that the harm will be outweighed by public benefits. Total loss of a whole building or other significant element, such as a square, may amount to substantial or less than substantial harm (paragraph 138). It is more likely to be substantial harm if the building is of a type that makes the area worthy of its conservation area designation.
25. Thus the retention of this important building, and its proposed new uses, are very much part of the Historic England aims and National Policy as well as the aims of the Devonport CAAMP.
26. Paragraph 131 of the NPPF states that 'in determining planning applications, local planning authorities should take account of:
 - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness'

27. Paragraph 132 of the NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional'.
28. In addition to the specific local and national policy issues, officers consider that the proposal is in accordance with the Vision of the Devonport AAP and Policy CS03 of the Core Strategy by protecting, enhancing and reusing historic assets. The proposal will give further life to this landmark building, which will provide uses that support the ongoing regeneration of the Local Centre in a way that is in keeping with the character of the area.
29. The specific works that require Listed Building Consent have been assessed and considered through application 16/01214/LBC which is running in parallel to this application for Full Planning Permission. It is noted however that the Listed Buildings Works are considered supportable given the context and character of the building and Conservation Area.

Principle of Development: Conclusion

30. Having considered relevant policy and guidance relating the change of use, and having sought advice from the Neighbourhood Planning Team, the principle of the change of use is supported by the local planning authority as the future uses are considered positive, and would assist the aspirations of the Cumberland Street Local Centre and the Devonport Neighbourhood Forum.
31. Similarly, officers support the regeneration of this historic building, which will soon be vacant and could fall into decline without investment, prejudicing the amenity and character of the area. The development therefore accords with general views and aspirations of the Devonport AAP and the Devonport CAAMP.
32. Officers have considered the advice of the Local Highways Authority, and have balanced this against the clear regeneration benefits that this proposal offers the local area. Plymouth cannot presently demonstrate a 5 year land supply at present, and the NPPF does indicate that there is a presumption in favour of sustainable development.
33. In this case however, and having considered all the positive and negative issues carefully, officers have taken the view that the clear lack of dedicated off street parking would be harmful to, and prejudice existing and future residents and highways users.

Accommodation Layout

34. The development proposes to modify the internal layout of the building to provide 10 self-contained dwellings and the Café spread over the 4 main floors and into the basement. The accommodation schedule includes seven 1 bed apartments, two 2 bed maisonettes and one 1 bed maisonette all of which meet or exceed the internal standards of the Development Guidelines SPD.
35. The Basement Plan includes the lower ground floor living and kitchen areas for two of the maisonettes (1 bed and 2 bed), including two small outdoor courtyards that provide additional light. The residents' cycle and refuse store, café customer/staff toilets and café storage areas are also located in the basement

36. The Ground Floor Plan shows the bedrooms and bathrooms for the two maisonettes located on the below floor, connected by reusing existing stairwells. The principle use of the ground floor is the proposed café, occupying the south corner element of the building taking advantage of the dual street, corner aspect. The main residential access into the lobby is found on the south west facing elevation.
37. The First Floor Plan shows four 1 bed apartments, which are accessed from the existing central stair case and lobby.
38. The Second and Third Floor Plans have two 1 bed apartments each, as well on 2 bed maisonette spread over both levels with its own internal staircase. All the units are accessed from the existing central stair case and lobby.
39. The overall layout makes efficient use of the space, without requiring significant or major changes to the fabric of the building which is considered acceptable by officers. Notwithstanding this however the merits of the alterations to the appearance and character of the listed building are subject to a separate application for Listed Building Consent as noted in the 'Planning History' section of this report.

Residential Amenity

40. The site is located in a mixed use area, which has seen an increase in residential developments in recent years, thus changing the general amenity characteristics of the locality. In being adjacent to the Cumberland Street Local Centre, there are uses present that have the potential to disrupt future occupiers' amenity, as could the proximity to Chapel Street which is a relatively busy road. Officers have consulted the Public Protection Service, who has not expressed any concerns about any of the existing adjacent uses of noise generators; therefore the impact on amenity is considered to be acceptable in this regard and as such, will accord with policy CS15 and CS34 of the Core Strategy. Officers are also of the view that the proposal will not cause demonstrable harm to existing residents in this area. Officers' view is echoed by local residents as no representations or objections have been received.
41. The Public Protection Service has made comments however with regards to the relationship of the dwellings and the proposed café on the ground floor. Due to potential conflict of the two uses, specific conditions have been suggested to deal specifically with noise, refuse, odour and smoking to protect residential and general amenity. Officers consider that the suggested conditions will provide suitable mitigation to protect amenity in accordance with policy CS22 and CS34 of the Core Strategy, and the relevant guidance of the NPPF, specifically paragraphs 17, 122 and 123.
42. Officers have reviewed the size of the proposed dwellings, and although the sizes in the Development Guidelines SPD can no longer be referred to, all the units exceed the guidance. There is however a significant shortfall of outdoor amenity space when referring to the Development Guidelines SPD. A development of this size and nature should provide 100m²; however as the building occupies almost the entire site area and its modification is restricted, only a small amount of outdoor amenity is proposed. Due to the way this is laid out, only two of the units will be able to access this space, meaning 8 units have no outdoor space
43. Paragraph 2.8.26 of the Development Guidelines SPD states that 'the size and nature of the space will depend upon the type of dwelling, and its location... and within the older, more densely developed neighbourhoods of Plymouth, or in the City Centre, district or local centres, it is not unreasonable to assume that outdoor amenity space provision might be lower'. Devonport is

recognised as one of Plymouth older neighbourhoods, and the site is adjacent the Cumberland Street Local Centre.

44. The application site is within close proximity to Devonport Park and Mountwise Park, and is within reasonable distance to the city centre and numerous public open public spaces. Due to the reasonable sizes of the proposed dwellings, and the proximity of the building to public amenity space, officers are happy that residents will be afforded a good standard of amenity. The proposal therefore accords with policy CS34 of the Core Strategy.

Other Matters for Consideration

45. Due to the protected status of the building, it is very difficult to meet the requirements of Policy CS20 (Sustainable Resources). Renewable energy technologies do need to be reviewed and considered (over and above Building Regulation requirements); however as the building is Grade II Listed, officers are satisfied with the proposals included in the Design and Access statement. Should planning permission be given, officers would add a condition seeking further information relating to future proofing the development to connect to a future District Energy network if possible, as well as condition the proposals in the Design and Access Statement.
46. Plymouth City Council's Local Flood Risk Management Strategy for this area aims to improve capacity of combined sewerage systems and reduce the risk of flooding from surface water run off. The Lead Local Flood Authority states that any opportunity to achieve these aims as part of these works should be explored, also to protect against increases in flood risk due to future climate change. Due to the very limited nature of external works, and the limitations of the Listed Building, officers are of the view that the development would not demonstrably increase flood risk on or off site, and would not be contrary to the Policy CS21 or the National Planning Policy Framework.
47. No biodiversity issues have been raised by the Natural Infrastructure Team, indicating that the roof is in a good state of repair and the roof area is converted for accommodation and hence is unlikely to be a bat roost. Landscaping is not proposed as there is very limited space to be landscaped.
48. Due to the protected status of the building, none of the units will not fully comply with Part M4(2) (Accessible and Adaptable Dwellings) of the building regulations. However as the building is listed this can be quite difficult to achieve with significantly altering the fabric of the building. In this instance, officers do not consider this to be a reason for refusal. Level access is proposed into the A3 cafe from pavement level and a new access WC is also proposed within the upper level of the cafe. Residential access to apartments is via existing staircases which is generally wide and possible to retrofit a powered stair lift.
49. Finally, no land contamination issues have been raised by the Public Protection Service.

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 £26,665.18 (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.

11. Planning Obligations

Not Applicable

12. Equalities and Diversities

Level access is proposed into the A3 cafe from pavement level and a new access WC is also proposed within the upper level of the cafe. Residential access to apartments is via existing staircase which is generally wide and possible to retrofit a powered stair lift.

13. Conclusions

The proposed development has clear regeneration benefits that will enhance the vibrancy of the Cumberland Street Local Centre, and the wider Devonport Area in accordance with the Devonport AAP and the Conservation Area Appraisal and Management Plan. Notwithstanding this, and having taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004, officers have concluded that although these benefits may well outweigh the sole negative aspect of the scheme, the proposal would be contrary to policy and would set an unhelpful precedent in the future. The proposal therefore does not accord the Local Development Framework Core Strategy and is recommended for Refusal on the grounds of Insufficient Provision Parking.

14. Recommendation

In respect of the application dated **19/07/2016** and the submitted drawings Site Location Plan PL001-A; Site Roof Plan PL-002; Existing Lower Plans PL-010; Existing Upper Plans PL-011; Existing Third Floor PL-012; Existing Elevations PL-013; Existing Elevations PL-014; Existing Sections PL-015; Proposed Lower Plans PL-110; Proposed Upper Plans PL-111; Proposed Third Floor PL-112; Proposed Elevations 1 PL-210; Proposed Elevations 2 PL-211; Proposed Elevations 3 PL-212; Proposed Section PL-215; Proposed Section Stair PL-216; Design and Access Statement and Heritage Statement July 2016, it is recommended to: **Refuse**

15. Reasons

INADEQUATE PROVISION OF PARKING

(1) No adequate provision is proposed to be made for the parking of cars of persons residing at or visiting the development. Vehicles used by such persons would therefore have to stand on the public highway giving rise to conditions likely to cause:-

(a) Damage to amenity;

(b) Prejudice to public safety and convenience; Interference with the free flow of traffic on the highway

which is contrary to Policy CS28 and CS34 of the adopted City of Plymouth

Local Development Framework Core Strategy adopted April 2007.

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:

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.

REFUSAL (WITH ATTEMPTED 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 looked for solutions to enable the grant of planning permission. However the proposal remains contrary to the planning policies set out in the reasons for refusal and was not therefore considered to be sustainable development.

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS11 - Change of Use in District/Local Centres

CS22 - Pollution

CS03 - Historic Environment

CS05 - Development of Existing Sites

CS01 - Sustainable Linked Communities

CS02 - Design

CS04 - Future Employment Provision

CS15 - Housing Provision

CS16 - Housing Sites

DP01 - Former Ministry of Defence South Yard Enclave

DP03 - The Bull Ring

SPDI - Development Guidelines First Review

NPPF - National Planning Policy Framework March 2012

Dport AAP - Devonport Area Action Plan

SCSP - Shopping Centres Supplementary Planning Document

PP28 - Promoting Plymouth's heritage

PP29 - Place shaping and the quality of the built environment

PP30 - Safeguarding environmental quality, function and amenity

PLANNING COMMITTEE

Decisions issued for the following period: 28 July 2016 to 21 August 2016

Note - This list includes:

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

Item No 1

Application Number: 15/02137/FUL **Applicant:** JMP Integrations Ltd

Application Type: Full Application

Description of Development: Demolition of existing snooker hall and erection of student accommodation (43no. Bedrooms – Sui Generis use), with 6no. Parking spaces and associated works

Site Address BELGRAVE SNOOKER CLUB, 2 BELGRAVE ROAD
PLYMOUTH

Case Officer: Christopher King

Decision Date: 18/08/2016

Decision: Grant Subject to S106 Obligation - Full

Item No 2

Application Number: 16/00028/FUL **Applicant:** Thames Bank Property Compan

Application Type: Full Application

Description of Development: Partial demolition, change of use and extension of building to provide 500 student bedrooms with ancillary facilities, a hotel (Class C1) and 3161sqm of flexible commercial floorspace in use class A1, A2, A3, A4, A5 and/or D2 and associated works

Site Address DERRYS DEPARTMENT STORE, 88 ROYAL PARADE
PLYMOUTH

Case Officer: Simon Osborne

Decision Date: 02/08/2016

Decision: Grant Subject to S106 Obligation - Full

Item No 3

Application Number: 16/00030/FUL **Applicant:** Thames Bank Property Compan
Application Type: Full Application
Description of Development: Partial demolition, change of use and extension of building to provide 500 student bed spaces with ancillary facilities and 3135sqm of flexible commercial floor space in use classes A1, A2, A3, A4, A5 and/or D2 and associated works
Site Address DERRYS DEPARTMENT STORE, 88 ROYAL PARADE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 02/08/2016
Decision: Grant Subject to S106 Obligation - Full

Item No 4

Application Number: 16/00094/REM **Applicant:** The Abbeyfield Society
Application Type: Reserved Matters
Description of Development: Reserved matters following outline application 14/01448/OUT for 70 extra care apartments and associated facilities & works
Site Address PLOT C2, LAND AT MILLBAY, MILLBAY ROAD PLYMOUTH
Case Officer: Katherine Graham
Decision Date: 15/08/2016
Decision: Grant Conditionally

Item No 5

Application Number: 16/00279/FUL **Applicant:** Mr Anthony Wynne
Application Type: Full Application
Description of Development: Larger rear balcony
Site Address 52 GIFFORD TERRACE ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 08/08/2016
Decision: Grant Conditionally

Item No 6

Application Number: 16/00301/FUL **Applicant:** Westcountry Housing
Application Type: Full Application
Description of Development: 14no affordable dwellings with associated infrastructure
Site Address LAND OFF LANGLEY CRESCENT PLYMOUTH
Case Officer: Christopher King
Decision Date: 29/07/2016
Decision: Grant Subject to S106 Obligation - Full

Item No 7

Application Number: 16/00398/FUL **Applicant:** Mr J Fox
Application Type: Full Application
Description of Development: Rear extension
Site Address 7 STENLAKE TERRACE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 03/08/2016
Decision: Grant Conditionally

Item No 8

Application Number: 16/00464/TPO **Applicant:** Mr C Pethick
Application Type: Tree Preservation
Description of Development: Ash (T1) - remove
Ash (T2) single stem - retain
Beech (T3) - remove
Oak (T4) - retain
Hawthorn (T5) – retain
Site Address 1 STADDISCOMBE PARK STADDISCOMBE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 16/08/2016
Decision: Grant Conditionally

Item No 9

Application Number: 16/00743/FUL **Applicant:** Mrs Heather Mills
Application Type: Full Application
Description of Development: Conversion of lower ground floor into self-contained unit (Class C3).
Site Address 79 STUART ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 19/08/2016
Decision: Grant Conditionally

Item No 10

Application Number: 16/00747/LBC **Applicant:** Mr John Fearnley
Application Type: Listed Building
Description of Development: Internal damp treatment to ground & first floors
Site Address FLAT 14, 33 NEW STREET PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 29/07/2016
Decision: Grant Conditionally

Item No 11

Application Number: 16/00756/FUL **Applicant:** Mr Nigel Reburn
Application Type: Full Application
Description of Development: Two storey extension to the east and west elevations
Site Address 20 EARLS WOOD DRIVE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 09/08/2016
Decision: Grant Conditionally

Item No 12

Application Number: 16/00769/FUL **Applicant:** Three Sixty Developments
Application Type: Full Application
Description of Development: Variation of conditions 2 (plans) of 14/01329/FUL to provide 6 additional one-bedroom flats, (513 bedrooms total)
Site Address BECKLEY COURT, ARMADA WAY PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 16/08/2016
Decision: Application Withdrawn

Item No 13

Application Number: 16/00818/FUL **Applicant:** A Share & Sons Ltd t/a ScS
Application Type: Full Application
Description of Development: Refurbishment to include a small extension to the existing mezzanine floor and external alterations
Site Address UNIT A, COYPOOL ROAD PLYMOUTH
Case Officer: Ali Wagstaff
Decision Date: 28/07/2016
Decision: Grant Conditionally

Item No 14

Application Number: 16/00875/FUL **Applicant:** Mr Robert Smith
Application Type: Full Application
Description of Development: Retrospective application for change of use to 4 bedroom HMO (Class C4)
Site Address 15 ELM ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 10/08/2016
Decision: Application Withdrawn

Item No 15

Application Number: 16/00884/FUL **Applicant:** Mr Mo Nash
Application Type: Full Application
Description of Development: Extractor fans (retrospective)
Site Address UNIT 11, SCOTT BUSINESS PARK, BEACON PARK ROAD
PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 28/07/2016
Decision: Grant Conditionally

Item No 16

Application Number: 16/00942/FUL **Applicant:** Mrs Cheryl Dunkley
Application Type: Full Application
Description of Development: Railings on existing roof terrace (retrospective)
Site Address 28 MOUNT GOULD ROAD PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 18/08/2016
Decision: Refuse

Item No 17

Application Number: 16/00968/FUL **Applicant:** Mr Thomas Norman and Miss H
Application Type: Full Application
Description of Development: Two storey side extension, rear extension and extension to
front porch
Site Address 90 BEAUMARIS ROAD HARTLEY VALE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 01/08/2016
Decision: Application Withdrawn

Item No 18

Application Number: 16/00972/FUL **Applicant:** Mr Bradley Soper
Application Type: Full Application
Description of Development: Two storey side extension, front porch, rear extension, raised patio, front decking and new driveway
Site Address 61 COOMBE PARK LANE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 29/07/2016
Decision: Grant Conditionally

Item No 19

Application Number: 16/00977/FUL **Applicant:** Mr Steve Demuth
Application Type: Full Application
Description of Development: Convert existing building store to 2 dwellings and first floor extension.
Site Address GORDON TERRACE LANE WEST PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 11/08/2016
Decision: Grant Conditionally

Item No 20

Application Number: 16/00983/LBC **Applicant:** Defence Infrastructure Organisat
Application Type: Listed Building
Description of Development: Repairs and replacement of timber windows
Site Address BUILDINGS 120, 121 AND 131 ROYAL CITADEL, HOE ROAD PLYMOUTH
Case Officer: Kate Price
Decision Date: 29/07/2016
Decision: Grant Conditionally

Item No 21

Application Number: 16/00986/FUL **Applicant:** Mr Tim Squires
Application Type: Full Application
Description of Development: Convert property into 2 semi-detached houses.
Site Address 17 to 18 HOME PARK PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 01/08/2016
Decision: Grant Conditionally

Item No 22

Application Number: 16/00990/TPO **Applicant:** The Pearn Alms House Trust
Application Type: Tree Preservation
Description of Development: Yew - crown lift by 2.5m and reduce branches by 2m (on east side)
Holly - remove diseased branches
Site Address PEARN HOUSE, EGGBUCKLAND ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 04/08/2016
Decision: Grant Conditionally

Item No 23

Application Number: 16/00992/FUL **Applicant:** Mr Andy Moss
Application Type: Full Application
Description of Development: Erection of garage units to side of dwelling
Site Address 45 LOTHERTON CLOSE PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 10/08/2016
Decision: Grant Conditionally

Item No 24

Application Number: 16/01004/FUL **Applicant:** Mr Ben Elliott
Application Type: Full Application
Description of Development: Change of use of ground floor shop and studio apartment into self-contained apartment (Class C3) and studio apartment (Class C3)
Site Address 1 FORD HILL PLYMOUTH
Case Officer: Mike Stone
Decision Date: 19/08/2016
Decision: Grant Conditionally

Item No 25

Application Number: 16/01014/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Demolition of temporary classroom blocks and erection of two storey extension with parking and access
Site Address PENNYCROSS PRIMARY SCHOOL, ARDEN GROVE PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 10/08/2016
Decision: Grant Conditionally

Item No 26

Application Number: 16/01027/FUL **Applicant:** Mr & Mrs Steven Mittler
Application Type: Full Application
Description of Development: Internal & external alterations, including formation of lift shaft
Site Address 1 ELLIOT TERRACE PLYMOUTH
Case Officer: Kate Price
Decision Date: 01/08/2016
Decision: Grant Conditionally

Item No 27

Application Number: 16/01028/LBC **Applicant:** Mr and Mrs Steven Mittler
Application Type: Listed Building
Description of Development: Internal & external alterations, including formation of lift shaft
Site Address 1 ELLIOT TERRACE PLYMOUTH
Case Officer: Kate Price
Decision Date: 01/08/2016
Decision: Grant Conditionally

Item No 28

Application Number: 16/01036/ADV **Applicant:** Lidl GmbH
Application Type: Advertisement
Description of Development: Illuminated pylon sign
Site Address LIDL FOOD STORE, WOLSELEY ROAD NORTH
PROSPECT PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 02/08/2016
Decision: Grant Conditionally

Item No 29

Application Number: 16/01038/FUL **Applicant:** Mr Mark Christie
Application Type: Full Application
Description of Development: Installation of externally applied wall insulation with a render finish
Site Address 1 HASTINGS TERRACE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 28/07/2016
Decision: Grant Conditionally

Item No 30

Application Number: 16/01045/TPO **Applicant:** Mrs Louise Marsh
Application Type: Tree Preservation
Description of Development: Beech - reduce lower canopy branches over 71 Glenholt Road by 3-4m to natural growth points (side shoots).
Site Address THE TREEHOUSE, 73A GLENHOLT ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 15/08/2016
Decision: Grant Conditionally

Item No 31

Application Number: 16/01058/REM **Applicant:** Mr Mervyn Downing
Application Type: Reserved Matters
Description of Development: Application for reserved matters including appearance and scale of 1 self build unit (Plot 27) (following grant of outline planning permission 15/00486/OUT)
Site Address WEST PARK PRIMARY SCHOOL, WANSTEAD GROVE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 29/07/2016
Decision: Grant Conditionally

Item No 32

Application Number: 16/01060/FUL **Applicant:** Mr Kevin Burrows
Application Type: Full Application
Description of Development: Rear extension
Site Address 29 DUNSTONE CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 29/07/2016
Decision: Grant Conditionally

Item No 33

Application Number: 16/01064/FUL **Applicant:** Mr Steve Pine
Application Type: Full Application
Description of Development: Change of use from single dwelling to 4 self contained flats and enlargement of rear dormer.
Site Address 11 ALMA STREET PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 29/07/2016
Decision: Grant Conditionally

Item No 34

Application Number: 16/01070/FUL **Applicant:** Ryan Hodgkinson
Application Type: Full Application
Description of Development: Part two-storey, part single storey rear extension and widening of existing drive
Site Address 61 PLYMSTOCK ROAD PLYMSTOCK PLYMOUTH
Case Officer: Liz Wells
Decision Date: 29/07/2016
Decision: Grant Conditionally

Item No 35

Application Number: 16/01075/FUL **Applicant:** Mr D Robinson
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 4 ACRE PLACE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 02/08/2016
Decision: Grant Conditionally

Item No 36

Application Number: 16/01076/FUL **Applicant:** The Co-operative Group
Application Type: Full Application
Description of Development: New refrigeration plant and AC condensers
Site Address THE COOPERATIVE, 15 FROGMORE AVENUE
PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 28/07/2016
Decision: Grant Conditionally

Item No 37

Application Number: 16/01077/TPO **Applicant:** Mr Richard Keen
Application Type: Tree Preservation
Description of Development: Magnolia - Remove
Site Address ADMIRALTY HOUSE, MOUNT WISE GARRISON,
CUMBERLAND ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 02/08/2016
Decision: Grant Conditionally

Item No 38

Application Number: 16/01078/EXUS **Applicant:** Mr M Christie
Application Type: LDC Existing Use
Description of Development: Use of dwelling as two self contained flats
Site Address 198 LIPSON ROAD PLYMOUTH
Case Officer: Ben Wilcox
Decision Date: 03/08/2016
Decision: Issue Certificate - Lawful Use

Item No 39

Application Number: 16/01083/TPO **Applicant:** Mr Paul Foulkes
Application Type: Tree Preservation
Description of Development: Whitebeam (T10) - fell
Pine (T9) - fell
Walnut (T11) - fell
Lime (T12) reduce crown to previous pruning points
Laburnum (T13) - reduce overextended branches by 1m only
Macrocarpas (T7 and 8 - next door) - reduce branches
overhanging by up to 2m keeping green growth.
Site Address WHITE OAKS, WIDEWELL LANE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 09/08/2016
Decision: Grant Conditionally

Item No 40

Application Number: 16/01084/FUL **Applicant:** Vodafone
Application Type: Full Application
Description of Development: Shopfront and internal alterations
Site Address 6 NEW GEORGE STREET PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 09/08/2016
Decision: Grant Conditionally

Item No 41

Application Number: 16/01085/ADV **Applicant:** Vodafone
Application Type: Advertisement
Description of Development: Repositioned fascia sign
Site Address 6 NEW GEORGE STREET PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 09/08/2016
Decision: Grant Conditionally

Item No 42

Application Number: 16/01088/TPO **Applicant:** Mr M Conyers
Application Type: Tree Preservation
Description of Development: T2 Sweet Chestnut & T5 Ash - fell
Site Address 4 WOODLANDS END PLYMOUTH
Case Officer: Jane Turner
Decision Date: 04/08/2016
Decision: Grant Conditionally

Item No 43

Application Number: 16/01089/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Construction of pedestrian and cycle path on former railway line
Site Address FORMER RAILWAY LINE BETWEEN SUGAR MILL & ROCK GARDENS, REAR OF BILLACOMBE ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 02/08/2016
Decision: Grant Conditionally

Item No 44

Application Number: 16/01092/FUL **Applicant:** Mr Kenneth Dungate
Application Type: Full Application
Description of Development: Excavate front garden to form hardstanding
Site Address 53 HIGHER EFFORD ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 02/08/2016
Decision: Grant Conditionally

Item No 45

Application Number: 16/01097/FUL **Applicant:** Vivienne Jones
Application Type: Full Application
Description of Development: 2 storey side extension.
Site Address 5 SOUTHWELL ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 09/08/2016
Decision: Grant Conditionally

Item No 46

Application Number: 16/01098/FUL **Applicant:** Mrs Vivian Jones
Application Type: Full Application
Description of Development: 2 semi-detached dwellings.
Site Address 5 SOUTHWELL ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 09/08/2016
Decision: Application Withdrawn

Item No 47

Application Number: 16/01103/FUL **Applicant:** Mr David Conway
Application Type: Full Application
Description of Development: Single rear extension
Site Address 6 SOUTH DOWN ROAD PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 08/08/2016
Decision: Grant Conditionally

Item No 48

Application Number: 16/01112/FUL **Applicant:** Southside Street Ltd
Application Type: Full Application
Description of Development: Change of use of restaurant to 3 bed apartment - Ground and part First Floor
Site Address MEZE GRILL, SUTTON WHARF PLYMOUTH
Case Officer: Kate Price
Decision Date: 09/08/2016
Decision: Grant Conditionally

Item No 49

Application Number: 16/01113/LBC **Applicant:** Southside Street Ltd
Application Type: Listed Building
Description of Development: Change of use of restaurant to 3 bed apartment - Ground and Part First Floor
Site Address MEZE GRILL, SUTTON WHARF PLYMOUTH
Case Officer: Kate Price
Decision Date: 09/08/2016
Decision: Grant Conditionally

Item No 50

Application Number: 16/01114/FUL **Applicant:** Friend Properties
Application Type: Full Application
Description of Development: Erection of dwelling at first floor above garage.
Site Address 12A MILLER COURT PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 09/08/2016
Decision: Refuse

Item No 51

Application Number: 16/01116/FUL **Applicant:** Mr Caleb Carter
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address LYNDHURST, 285 DEAN CROSS ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 08/08/2016
Decision: Grant Conditionally

Item No 52

Application Number: 16/01118/FUL **Applicant:** Mr Keith Becker
Application Type: Full Application
Description of Development: Change of use to 6-bed HMO (Use Class C4) and construction of cycle/bin storage to rear
Site Address 122 MOUNT GOULD ROAD PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 01/08/2016
Decision: Grant Conditionally

Item No 53

Application Number: 16/01124/FUL **Applicant:** Alec Macleod
Application Type: Full Application
Description of Development: Two storey side extension and front porch extension.
Site Address 120 RINGMORE WAY PLYMOUTH
Case Officer: Mike Stone
Decision Date: 29/07/2016
Decision: Grant Conditionally

Item No 54

Application Number: 16/01126/FUL **Applicant:** Mr Mark Perren
Application Type: Full Application
Description of Development: Single storey side extension
Site Address 129 LAKESIDE DRIVE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 08/08/2016
Decision: Grant Conditionally

Item No 55

Application Number: 16/01130/FUL **Applicant:** Mr Simon Wilkins
Application Type: Full Application
Description of Development: Two storey rear extension
Site Address 43 SAMUEL BASSETT AVENUE PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 08/08/2016
Decision: Grant Conditionally

Item No 56

Application Number: 16/01133/TPO **Applicant:** Richard Prowse
Application Type: Tree Preservation
Description of Development: Ash - reduce crown by a maximum of 20% to natural growth points and shape (amendment agreed 8/8/16 with R. Prowse).
Site Address 1 BELMONT VILLAS PLYMOUTH
Case Officer: Jane Turner
Decision Date: 09/08/2016
Decision: Grant Conditionally

Item No 57

Application Number: 16/01138/FUL **Applicant:** Mr T Ashby-Crane
Application Type: Full Application
Description of Development: Conversion to two flats (Class C3), and a replacement larger rear extension.
Site Address 54 WHITTINGTON STREET PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 18/08/2016
Decision: Grant Conditionally

Item No 58

Application Number: 16/01139/FUL **Applicant:** Mr Arthur Baldry
Application Type: Full Application
Description of Development: Hardstanding (Retrospective)
Site Address 22 ERME GARDENS PLYMOUTH
Case Officer: Mike Stone
Decision Date: 17/08/2016
Decision: Grant Conditionally

Item No 59

Application Number: 16/01144/FUL **Applicant:** Mr Derek May
Application Type: Full Application
Description of Development: Hardstanding (Retrospective)
Site Address 28 ERME GARDENS PLYMOUTH
Case Officer: Mike Stone
Decision Date: 08/08/2016
Decision: Grant Conditionally

Item No 60

Application Number: 16/01146/TPO **Applicant:** Mrs Amanda Telfer
Application Type: Tree Preservation
Description of Development: Reduce Hazel trees by 6ft & trim sidegrowth over garden
Site Address 9 COT HILL PLYMPTON PLYMOUTH
Case Officer: Jane Turner
Decision Date: 15/08/2016
Decision: Grant Conditionally

Item No 61

Application Number: 16/01147/FUL **Applicant:** Mrs Lynda Cortes
Application Type: Full Application
Description of Development: Proposed rear extension and replacement garage
Site Address 78 SHERFORD ROAD PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 29/07/2016
Decision: Grant Conditionally

Item No 62

Application Number: 16/01155/FUL **Applicant:** Mr J Webb
Application Type: Full Application
Description of Development: Rear decking with stepped access
Site Address 34 GRANGE ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 29/07/2016
Decision: Grant Conditionally

Item No 63

Application Number: 16/01162/FUL **Applicant:** Mrs Valerie Pock
Application Type: Full Application
Description of Development: Two storey east side extension to form annex, single storey west side extension, and rear porch enlargement.
Site Address 175 SPRINGFIELD ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 12/08/2016
Decision: Grant Conditionally

Item No 64

Application Number: 16/01163/S73 **Applicant:** B & M Retail Ltd
Application Type: Removal or Variation of Condition
Description of Development: Variation of condition 7 of planning application 87/03482/REM to allow the sale of pet goods, food and drink, toiletries, toys, homeware, furnishings and household goods, and non-fashion clothing and footwear.
Site Address FURNITURE WORLD, UNIT 1 COYPOOL ROAD PLYMOUTH
Case Officer: Ali Wagstaff
Decision Date: 08/08/2016
Decision: Grant Conditionally

Item No 65

Application Number: 16/01165/FUL **Applicant:** Mr & Mrs Hedges
Application Type: Full Application
Description of Development: Loft conversion and front dormers
Site Address 28 SOUTH VIEW PARK PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 29/07/2016
Decision: Grant Conditionally

Item No 66

Application Number: 16/01167/FUL **Applicant:** Mr W Badenoch
Application Type: Full Application
Description of Development: Mixed use class D1 (Non-residential Institutions) and D2 (Assembly and Leisure)
Site Address UNIT 34-35, FARADAY MILL BUSINESS PARK,
CATTEWATER ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 12/08/2016
Decision: Grant Conditionally

Item No 67

Application Number: 16/01177/GPD **Applicant:** Mr and Mrs Pealing
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4m, has a maximum height of 3.5m, and has an eaves height of 2.3m.
Site Address 15 THAMES GARDENS PLYMOUTH
Case Officer: Liz Wells
Decision Date: 28/07/2016
Decision: Prior approval not req

Item No 68

Application Number: 16/01179/FUL **Applicant:** Ms Donna Couchman
Application Type: Full Application
Description of Development: Hardstanding (Retrospective)
Site Address 26 ERME GARDENS PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 18/08/2016
Decision: Grant Conditionally

Item No 69

Application Number: 16/01180/FUL **Applicant:** Dr Ralph Smith
Application Type: Full Application
Description of Development: Change of use from residential (C3) to Dental Surgery (D1)
Site Address 22 SPRINGFIELD ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 11/08/2016
Decision: Grant Conditionally

Item No 70

Application Number: 16/01182/FUL **Applicant:** Travis Perkins PLC
Application Type: Full Application
Description of Development: Trolley park and building maintenance.
Site Address 14 MARSH MILLS PARK PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 17/08/2016
Decision: Grant Conditionally

Item No 71

Application Number: 16/01184/FUL **Applicant:** Mrs Christine Cole
Application Type: Full Application
Description of Development: External platform lift
Site Address FLAT B, 7 BORINGDON VILLAS PLYMOUTH
Case Officer: Mike Stone
Decision Date: 08/08/2016
Decision: Grant Conditionally

Item No 72

Application Number: 16/01185/TPO **Applicant:** Mr Malcolm Garrett
Application Type: Tree Preservation
Description of Development: 3 Sycamores - cut lower branches back to boundary to give 6m clearance above ground/garden level.
Site Address 9 CORNWOOD ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 16/08/2016
Decision: Grant Conditionally

Item No 73

Application Number: 16/01191/TCO **Applicant:** St. Vincent's Care Home
Application Type: Trees in Cons Area
Description of Development: Eucalyptus - remove; Ash - remove 1 limb; Sycamore - reduce by 1-2m.
Site Address 79 FORE STREET PLYMPTON PLYMOUTH
Case Officer: Jane Turner
Decision Date: 04/08/2016
Decision: Grant Conditionally

Item No 74

Application Number: 16/01198/EXUS **Applicant:** Mr Paul Stewart
Application Type: LDC Existing Use
Description of Development: Use as 5 flats
Site Address 8 ST LEO PLACE PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 28/07/2016
Decision: Issue Certificate - Lawful Use

Item No 75

Application Number: 16/01200/TPO **Applicant:** Mrs Frances Dure
Application Type: Tree Preservation
Description of Development: 5 Holm Oak - reduce crown by 3-5m as is appropriate to current size of tree.
Site Address 5 MORLEY CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 16/08/2016
Decision: Grant Conditionally

Item No 76

Application Number: 16/01203/FUL **Applicant:** Calculated Glazing Solutions Ltd
Application Type: Full Application
Description of Development: Replacement windows
Site Address FLAT 13, HARBOURSIDE COURT, HAWKERS AVENUE
PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 08/08/2016
Decision: Grant Conditionally

Item No 77

Application Number: 16/01207/TCO **Applicant:** Mr John Castell
Application Type: Trees in Cons Area
Description of Development: Cypress - Fell
Site Address 135 FORE STREET PLYMPTON PLYMOUTH
Case Officer: Jane Turner
Decision Date: 08/08/2016
Decision: Grant Conditionally

Item No 78

Application Number: 16/01208/TCO **Applicant:** Mr Paul Turner
Application Type: Trees in Cons Area
Description of Development: Various tree works including removal, transplanting, and replacement as detailed in section 7 of the application.
Site Address 13 THORN PARK PLYMOUTH
Case Officer: Jane Turner
Decision Date: 08/08/2016
Decision: Grant Conditionally

Item No 79

Application Number: 16/01216/FUL **Applicant:** Mr Arthur Quirke
Application Type: Full Application
Description of Development: Part two-storey, part single-storey rear extension, and raised decking
Site Address 50 WIDEWELL ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 12/08/2016
Decision: Grant Conditionally

Item No 80

Application Number: 16/01217/FUL **Applicant:** Mr Christopher Grumble
Application Type: Full Application
Description of Development: Front shed
Site Address 54 TRURO DRIVE PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 28/07/2016
Decision: Grant Conditionally

Item No 81

Application Number: 16/01218/TCO **Applicant:** Dr Edward Kaminski
Application Type: Trees in Cons Area
Description of Development: Conifer - fell.
Site Address 11 WHITEFORD ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 04/08/2016
Decision: Grant Conditionally

Item No 82

Application Number: 16/01220/FUL **Applicant:** Mr & Mrs Haley
Application Type: Full Application
Description of Development: Side extension
Site Address 1B HILL LANE PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 09/08/2016
Decision: Grant Conditionally

Item No 83

Application Number: 16/01240/FUL **Applicant:** Mrs Tammi Hingston
Application Type: Full Application
Description of Development: Rear extension and associated access/steps
Site Address 1 HOLYROOD PLACE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 12/08/2016
Decision: Grant Conditionally

Item No 84

Application Number: 16/01245/FUL **Applicant:** Mr Mark Raymont
Application Type: Full Application
Description of Development: Rear extension
Site Address 74 AUSTIN CRESCENT EGGBUCKLAND PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 11/08/2016
Decision: Grant Conditionally

Item No 85

Application Number: 16/01247/FUL **Applicant:** Vospers Motorhouse Ltd
Application Type: Full Application
Description of Development: New entrance
Site Address VOSPERS MOTORHOUSE LTD, MARSH MILLS RETAIL PARK, LONGBRIDGE ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 11/08/2016
Decision: Grant Conditionally

Item No 86

Application Number: 16/01249/EXUS **Applicant:** Mr & Mrs Kusytsch
Application Type: LDC Existing Use
Description of Development: Use as 5 bed HMO (Class C4) and basement flat
Site Address 84 SALISBURY ROAD PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 11/08/2016
Decision: Issue Certificate - Lawful Use

Item No 87

Application Number: 16/01250/ADV **Applicant:** Vospers Motorhouse Ltd
Application Type: Advertisement
Description of Development: Signage
Site Address VOSPERS MOTORHOUSE LTD, MARSH MILLS RETAIL PARK, LONGBRIDGE ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 11/08/2016
Decision: Grant Conditionally

Item No 88

Application Number: 16/01261/FUL **Applicant:** Mr and Mrs Gollop
Application Type: Full Application
Description of Development: First floor side/rear extension
Site Address 185 BEVERSTON WAY PLYMOUTH
Case Officer: Liz Wells
Decision Date: 12/08/2016
Decision: Grant Conditionally

Item No 89

Application Number: 16/01263/FUL **Applicant:** Miss Sarah Atkinson
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 6 TANGMERE AVENUE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 11/08/2016
Decision: Grant Conditionally

Item No 90

Application Number: 16/01264/FUL **Applicant:** Mr & Mrs Bailey
Application Type: Full Application
Description of Development: Rear extension and decking
Site Address 10 KIMBERLY DRIVE PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 17/08/2016
Decision: Grant Conditionally

Item No 91

Application Number: 16/01265/FUL **Applicant:** Mr J Driscoll
Application Type: Full Application
Description of Development: Porch
Site Address 15 SEYMOUR ROAD PLYMPTON PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 15/08/2016
Decision: Grant Conditionally

Item No 92

Application Number: 16/01267/TCO **Applicant:** Mr C Wilmot
Application Type: Trees in Cons Area
Description of Development: 3x Sycamores - reduce lower branches over road by 1.5-2m to give clearance above road of 5m above ground level.
Site Address 12 OXFORD GARDENS PLYMOUTH
Case Officer: Jane Turner
Decision Date: 16/08/2016
Decision: Grant Conditionally

Item No 93

Application Number: 16/01287/FUL **Applicant:** Mr I Newcombe & Mrs J Reed
Application Type: Full Application
Description of Development: Side extension
Site Address 34 UPPER RIDINGS PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 15/08/2016
Decision: Grant Conditionally

Item No 94

Application Number: 16/01298/FUL **Applicant:** S & L O'Sullivan & Oxford
Application Type: Full Application
Description of Development: Rear extension
Site Address 33 SOUTH DOWN ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 11/08/2016
Decision: Grant Conditionally

Item No 95

Application Number: 16/01300/GPD **Applicant:** Mrs Ali Davies
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 3m and has an eaves height of 3m
Site Address 35 PENNYCROSS PARK ROAD PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 08/08/2016
Decision: Prior approval not req

Item No 96

Application Number: 16/01302/PRDE **Applicant:** Alec Macleod
Application Type: LDC Proposed Develop
Description of Development: Side extension
Site Address 53 POWISLAND DRIVE PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 18/08/2016
Decision: Issue Certificate - Lawful Use (Pro)

Item No 97

Application Number: 16/01329/GPD **Applicant:** Mrs F Bevan
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 3.6m, has a maximum height of 3.49m, and has an eaves height of 2.65m
Site Address 59 RADFORD PARK ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 11/08/2016
Decision: Prior approval not req

Item No 98

Application Number: 16/01337/FUL **Applicant:** Mr Martin Allen
Application Type: Full Application
Description of Development: Decking (retrospective)
Site Address 5 EASTFIELD CRESCENT PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 18/08/2016
Decision: Grant Conditionally

Item No 99

Application Number: 16/01347/PRDE **Applicant:** Mr & Mrs Chattaway
Application Type: LDC Proposed Develop
Description of Development: Rear dormer
Site Address 5 QUARRY PARK ROAD PEVERELL PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 19/08/2016
Decision: Issue Certificate - Lawful Use (Pro)

Item No 100

Application Number: 16/01350/FUL **Applicant:** Mr Paul Hill
Application Type: Full Application
Description of Development: Rear conservatory
Site Address PEPPER POT, PEPPER LANE PLYMSTOCK PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 17/08/2016
Decision: Grant Conditionally

Item No 101

Application Number: 16/01433/24 **Applicant:** WHP Wilkinson Helsby
Application Type: GPDO PT24
Description of Development: Replacement 12.5m monopole & equipment cabinet
Site Address MARSHALL STREETWORKS 206838, OFF MARSHALL ROAD PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 19/08/2016
Decision: Prior approval not req

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

Application Number **15/00621/FUL**
Appeal Site **LAND ADJACENT TO 859 WOLSELEY ROAD PLYMOUTH**
Appeal Proposal Erection of 4 storey dwelling with integral garage
Case Officer Karen Gallacher

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 06/02/2016
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The planning inspector agreed that the application for a 4 storey house, on the wooded foreshore of Kinterbury Creek, was unacceptable and contrary to Core Strategy policies CS02 (Design), CS20 (Sustainable Resource Use) and CS18 (Plymouth's Green Space), because it would erode the coastal landscape, result in the loss of trees of high coastal amenity value and the design would be visually harmful to the character of the area.

The application had also been refused because insufficient information had been submitted in respect of species protection and enhancement, but following the refusal the applicant had submitted information, which the inspector considered overcame this reason for refusal.

Application Number **15/01408/TPO**
Appeal Site **40 OWEN DRIVE PLYMOUTH**
Appeal Proposal Silver birch - Fell to ground level
Case Officer Chris Knapman

Appeal Category
Appeal Type Informal Hearing
Appeal Decision Allowed
Appeal Decision Date 26/07/2016
Conditions
Award of Costs

Awarded To

Appeal Synopsis

The Inspector considers the tree has limited amenity value. Although she supported the council's view that it had some group value, that it was healthy and that debris was a natural consequence of living in proximity to trees, she considered that its poor form and shading justifies its removal and considers its loss will have limited impact on amenity/character of the area.

Application Number **15/01442/FUL**
Appeal Site **12 RICHMOND ROAD PLYMOUTH**
Appeal Proposal Retrospective application for a 2 storey rear extension and raised decking
Case Officer Amy Thompson

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 04/04/2016
Conditions
Award of Costs

Awarded To

Planning permission was refused for a two storey rear extension and rear decking, the decking was considered to be contrary to Local Development Framework Core Strategy Policies CS02 (Design) and CS34 (Planning Application Considerations). It was also considered contrary to guidance contained in the Council's Design Guidelines Supplementary Planning Document and the National Planning Policy Framework.

Having reviewed the application, and visited the site, the Inspector supported the Council's view that, given the raised decking's position, it results in considerable harm to the living conditions of the occupants of the neighbouring property, specifically overlooking and loss of privacy. It is also noted by the Inspector that given the size and siting of the raised decking alongside the boundary, it would have a domineering and imposing presence to the adjoining neighbours.

Application Number **15/01861/FUL**
Appeal Site **58 COOMBE WAY PLYMOUTH**
Appeal Proposal Retention of raised deck with garden store below
Case Officer Amy Thompson

Appeal Category
Appeal Type Written Representations
Appeal Decision Dismissed
Appeal Decision Date 04/04/2016
Conditions
Award of Costs Awarded To

Appeal Synopsis

Planning permission was refused for the retention of rear decking with store below, as it was considered to be contrary to Local Development Framework Core Strategy Policies CS02 (Design) and CS34 (Planning Application Considerations). It was also considered contrary to guidance contained in the Council's Design Guidelines Supplementary Planning Document and Paragraph 64 of the National Planning Policy Framework.

Having reviewed the application, and visited the site, the Inspector supported the Council's view that, given the design and size of the decking and store, it would have an unacceptable effect on the living conditions of the neighbouring properties, specifically privacy and outlook. The Inspector also noted that given the characteristics and the topography of the area, the decking and store would appear overtly large and domineering.

Note:

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