



#plymplanning

Democratic and Member Support

Chief Executive's Department
Plymouth City Council
Ballard House
Plymouth PL1 3BJ

Please ask for Lynn Young
T 01752 304163
E lynn.young@plymouth.gov.uk
www.plymouth.gov.uk/democracy
Published 18 October 2016

PLANNING COMMITTEE

Thursday 27 October 2016
2.00 pm
Council House, Plymouth

Members:

Councillor Wigen, 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.

This meeting will be webcast and available on-line after the meeting. By entering the Council Chamber, councillors are consenting to being filmed during the meeting and to the use of the recording for the webcast.

The Council is a data controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with authority's published policy.

For further information on attending Council meetings and how to engage in the democratic process please follow this link - <http://www.plymouth.gov.uk/accesstomeetings>

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 29 September 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.

6.1.54 Beaconfield Road, Plymouth - 16/01628/FUL (Pages 7 - 16)

Applicant:	Mrs Hayley Johns
Ward:	Peverell
Recommendation:	Refuse

6.2. 40 Pollard Close, Plymouth - 16/01485/FUL (Pages 17 - 28)

Applicant: Mr Simon Richardson
Ward: Plymstock Radford
Recommendation: Grant Conditionally

6.3. 33 Chaddlewood Close, Plymouth - 16/01796/FUL (Pages 29 - 34)

Applicant: Mrs Carole Knapp
Ward: Plympton Chaddlewood
Recommendation: Grant Conditionally

6.4. Legacy Plymouth International Hotel, 270 Plymouth Road, Plymouth - 16/01100/FUL (Pages 35 - 58)

Applicant: EOP II PROP CO I S.A.R.L.
Ward: Moor View
Recommendation: Grant Conditionally

6.5. Legacy Plymouth International Hotel, 270 Plymouth Road, Plymouth - 16/01102/S73 (Pages 59 - 88)

Applicant: EOP II PROP CO I S.A.R.L.
Ward: Moor View
Recommendation: Grant Conditionally subject to a S106 Obligation.

7. Planning Application Decisions Issued (Pages 89 - 122)

The Assistant Director for Strategic Planning and Infrastructure, acting under powers delegated to him by the Council, will submit a schedule outlining all decisions issued from 20 September 2016 to 16 October 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 123 - 124)

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

Planning Committee

Thursday 29 September 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, McDonald (substitute for Councillor Morris), Mrs Pengelly, Sparling, Stevens, Jon Taylor and Tuohy.

Apologies for absence: Councillors Martin Leaves and Morris.

Also in attendance: Carly Francis (Major Developments Team Leader), Julie Parkin (Senior Lawyer) and Lynn Young (Democratic Support Officer).

The meeting started at 2.00 pm and finished at 3.16 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.

53. Declarations of Interest

Name	Minute Number and Item	Reason	Interest
Councillor Kelly	60 - 134 Vauxhall Street, Plymouth – 16/00007/FUL	Owens a property in East Quay House, located within the Sutton Harbour area	Personal

54. Minutes

Agreed the minutes of the meeting held on 1 September 2016.

55. Chair's Urgent Business

There were no items of Chair's urgent business.

56. Questions from Members of the Public

There were no questions from members of the public.

57. 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.

58. **9 Berry Park Road, Plymouth - I6/01439/FUL**

Mrs Elliott

Decision:

Application **DEFERRED** to allow further negotiation.

(The Committee heard from Councillor Ken Foster, ward councillor, speaking against this application)

(The Committee heard representations against this application)

(A Planning Committee site visit was held on Wednesday 28 September 2016 in respect of this application)

(Councillor Mrs Foster's proposal to defer the application to allow further negotiation, seconded by Councillor Stevens, was put to the vote and declared carried)

(Councillor Jon Taylor was absent for the conclusion of this item and therefore did not take part in the vote)

59. **Home Park Football Ground, Outland Road, Plymouth - I6/01409/FUL**

Mr Gary McGuire

Decision:

Application **WITHDRAWN**.

60. **I34 Vauxhall Street, Plymouth - I6/00007/FUL**

Mr Manoch Bahmanzadeh

Decision:

Application **REFUSED**.

(The Committee heard from Councillor Penberthy, ward councillor, speaking against this application)

(The Committee heard from the applicant's agent)

61. **Planning Application Decisions Issued**

The Committee noted the report from the Assistant Director for Strategic Planning and Infrastructure on decisions issued for the period 22 August 2016 to 19 September 2016.

62. **Appeal Decisions**

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

Schedule of voting

Please note

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

This page is intentionally left blank

PLANNING COMMITTEE – 29 September 2016

SCHEDULE OF VOTING

Minute number and Application		Voting for	Voting against	Abstained	Absent due to interest declared	Absent
6.1	9 Berry Park Road, Plymouth – 16/01439/FUL Amended recommendation to defer	Councillors Mrs Bridgeman, Cook, Sam Davey, Fletcher, Mrs Foster, Kelly, McDonald, Mrs Pengelly, Sparling, Stevens, Tuohy and Wigens				Councillor Jon Taylor
6.3	134 Vauxhall Street, Plymouth - 16/00007/FUL	Unanimous				

This page is intentionally left blank

PLANNING APPLICATION REPORT



Application Number 16/01628/FUL

Date Valid 07/09/2016

Item 01

Ward Peverell

Site Address 54 BEACONFIELD ROAD, PLYMOUTH

Proposal New dwelling

Applicant Mrs Hayley Johns

Application Type Full Application

Target Date

02/11/2016

Committee Date

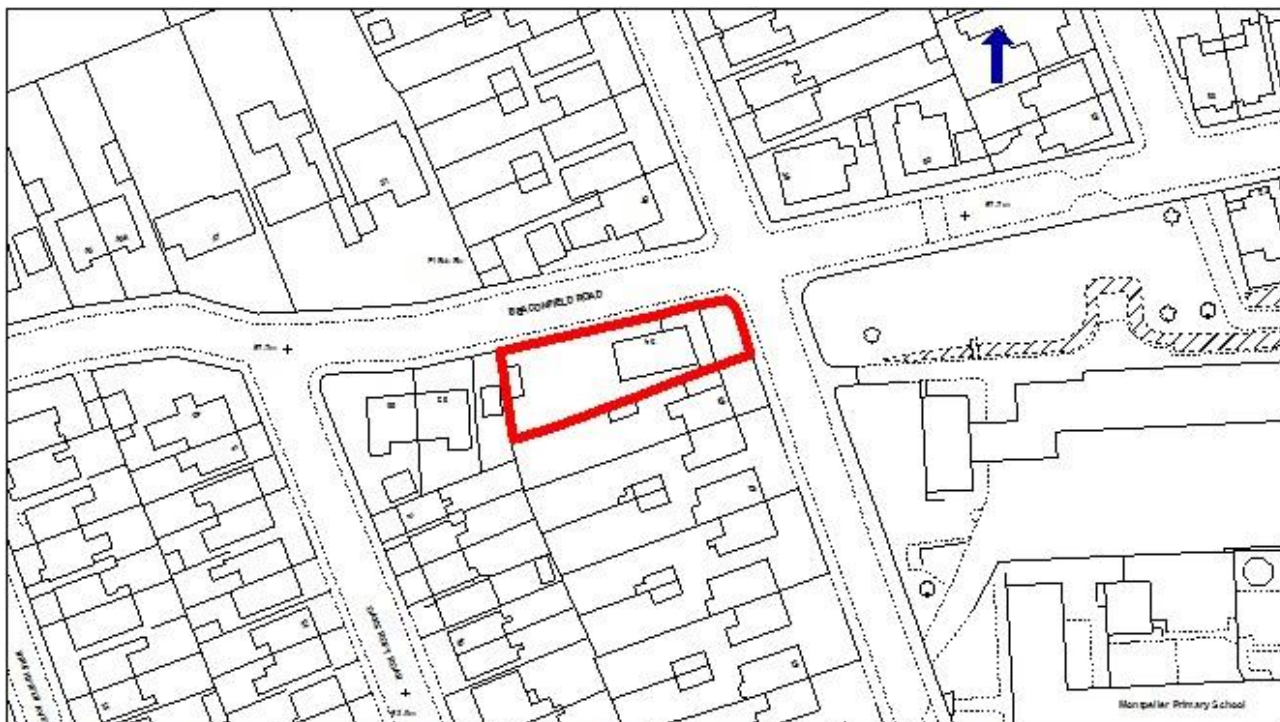
**Planning Committee: 27
October 2016**

Decision Category Member/PCC Employee

Case Officer Amy Thompson

Recommendation Refuse

Click for documents www.plymouth.gov.uk



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

1. Description of site

54 Beaconfield Road is a two-storey detached property on a corner plot between Beaconfield Road and Fircroft Road and is located in the Beacon Park area of the city. The area is predominantly a residential area but there is a school and various local shops in the vicinity. The application site is approximately 11 meters wide by 14 meters deep.

2. Proposal description

New detached dwelling within the garden of 54 Beaconfield Road

3. Pre-application enquiry

16/00166/MIN- Erect a detached house in part of the garden fronting Beaconfield Road- Officer raised concerns in regard to the impact on the street-scene and neighbour amenity and recommended that a bungalow design should be considered.

4. Relevant planning history

15/01254/EXUS- Establish existing use as a single family dwelling- Certificate of lawfulness issued.

5. Consultation responses

Public Protection Service- No objection subject to added condition.

Local Highway Authority- Recommends refusal.

6. Representations

2 letters of representation received objecting to the proposal with main concerns of;

- Not adequate parking
- Overlooking
- Overcrowding
- Increased traffic
- Privacy
- Out of character

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

5 year housing supply:

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

Paragraph 47 of the NPPF stipulates that “to boost significantly the supply of housing, local planning authorities should...identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning

authorities should increase the buffer to 20% (moved from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”

Paragraph 49 of the NPPF states that “housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

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

The NPPF (footnote 11) also specifies that to be considered deliverable, a site must be:

- Available to develop now
- Suitable for residential development in terms of its location and sustainability; and
- Achievable, with a reasonable prospect that homes will be delivered on the site within five years and in particular that the development of the site is viable.

Paragraph 14 of the NPPF states “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking...

For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted”

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

8. Analysis

1. This application has been considered in the context of the development plan, the emerging Plymouth Plan, the Framework and other material policy documents as set out in Section 7. The main planning considerations in this case are the impact on the character and appearance of the

area, the effect on neighbouring amenity, highway safety and parking, and land contamination.

Principle of development

2. The proposal is to erect a two storey detached dwelling in the garden of 54 Beaconfield Road with integral garage. Some of the garden relating to number 54 will be retained for the sole purpose of the donor property.
3. The application site itself is set within an established residential area, and would be of a comparable size to the adjacent developed plots. Officers consider that the proposal is not inappropriate development of a residential garden. It is not contrary to Policy 39 of the Plymouth Plan or the NPPF as although it is a garden development, this will not impact on the City's green space resource or the character and amenities of the area if appropriately designed. The proposal therefore accords with paragraph 53 of the National Planning Policy Framework (NPPF) and Policies CS01, CS02, CS16 and CS34 of the Core Strategy. The principle of this proposal is therefore considered acceptable.

Neighbour amenity

4. The proposal would be set into the garden of 40 Pollard Close. The proposed windows on the rear elevation would face onto the garden of 49 Parker Road. These windows would serve a hallway and are high level windows. There is one side window that would face onto the donor property and this would be obscured glazed as it serves a bathroom. Due to the type and position of the windows, it is not considered that the proposal would have a detrimental impact on the privacy of neighbours.
5. The proposed dwelling would be located approximately 9 meters away from the donor property. The Development Guidelines Supplementary Planning Document asks that the minimum distance between a main habitable room window and a blank wall should be at least 12 metres; therefore the proposal does not comply with this guidance. As raised within the pre-application, the close proximity to the donor property is considered to have a detrimental impact on the outlook of the donor property.

Residential amenity

6. The proposal is for a two-storey dwelling house that will accommodate a lounge, kitchen and dining room on the ground floor, three bedrooms and a bathroom on the first floor. The dwelling would exceed the minimum internal space guidance as stated in the Development Guidelines SPD for a three bedroom house which is 82m², the dwelling is approximately 98m², and all rooms will be of a sufficient size.
7. It is also noted that, although not adopted, the national minimum internal floor space for a three bedroom two storey dwelling should be between 84m² and 102m². It is therefore considered, that with the guidance set out within the SPD, that the dwelling is of a satisfactory size.
8. The proposed rear garden for the new dwelling would be approximately 59m² and the donor property would have a rear garden of approximately 122m². The size of the rear garden of the proposed dwelling is therefore considered lower than the recommended standard of 100 square metres for detached dwellings in the Development Guidelines SPD. However the SPD also states that within more densely developed neighbourhoods of Plymouth, it is not unreasonable to assume that outdoor amenity space provision might be lower, and it is also noted that the landscaped areas to the front of the properties could be considered as amenity spaces (these being 22m²). Although the garden falls short of the recommended amount of amenity space the gardens are considered to be adequate and in character with development in the vicinity. Therefore, on balance, officers consider the plot is of an adequate size to accommodate an additional dwelling that would be in character with the area and have a satisfactory level of amenity. Officers therefore consider that there is no conflict with policies CS15 or CS34.

Character and amenity

9. The proposed dwelling would be a two storey property with an integral garage, which would be located between the donor two-storey detached property and a bungalow at 52 Beaconfield Road. It was noted on the site visit, that within the immediate surroundings, the majority of properties are single storey. There are couple of bungalows located at 50 and 52 Beaconfield Road, to the west of the application site, and to north-west of the site on the opposite side of the road are three detached bungalows. Directly opposite the site is a single storey sub-station and a single storey garage.
10. Paragraph 4.10 and 4.11 of the Sustainable Design Supplementary Planning Document asks that the scale of the development, which is the size and height, should relate to the surrounding buildings. Its goes onto to state that the massing of a building, which is the arrangement, volume and shape of a building should also relate to the buildings around the proposed site.
11. It is therefore considered by your officers that the proposed two storey property would be out of keeping with the area due to its scale and massing and would have a detrimental impact on the street-scene.
12. This issue was raised within the pre-application enquiry and it was advised by the officer that that the applicant should consider a bungalow design at this location.

Local Highway Authority

13. Whilst the Local Highway Authority in principle have no objections to the creation of a property in this location, it would appear that the development will lead to the loss of the garage and driveway which serves the existing property (no 54 Beaconfield Road). With no replacement car parking proposed for the existing unit, residents would be forced to park on-street thereby adding to the considerable amount of on-street kerbside car parking that currently takes place. Therefore in view of the reduction in car parking serving the existing property the Local Highway Authority would have to recommend this application for refusal.

Contaminated Land

14. The Public Protection Service notes that an appropriate contamination assessment has been submitted to accompany the application and are satisfied with its findings. A condition is however recommended to cover the matter of unexpected contamination.
15. Therefore, in the context of this application, officers consider that the proposed two storey dwelling would have a detrimental impact on the character of the area, would have a significant impact on the outlook of the donor property and would result in a loss of parking provision for the donor dwelling; it is therefore considered that the proposal does not comply with policy and is recommended for refusal.

9. Human Rights

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

10. Local Finance Considerations

The development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). 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

Planning obligations are not required in respect of this application.

12. Equalities and Diversities

No further issues to be considered.

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal does not accord with policy and national guidance and specifically CS02, CS28 and CS34 of the Core Strategy, the Supplementary Planning Document Guidance and the emerging Plymouth Plan. This application is therefore recommended for refusal.

14. Recommendation

In respect of the application dated **07/09/2016** and the submitted drawings Site location plan, block plan, 2781, it is recommended to: **Refuse**

15. Reasons

DETRIMENTAL TO THE STREETSCENE

(1) The Local Planning Authority considers that the proposed dwelling by virtue of its size, position and massing will be unduly prominent in the street-scene and out of character with the area. By virtue of its two storey nature the proposal is not considered to relate well to its surroundings, and therefore would be contrary to Policies CS02 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007, paragraph 4.10 and 4.11 of the Sustainable Design Supplementary Planning Document and advice in the Development Guidelines Supplementary Planning Document (2010). The proposal is also considered to be contrary to Policies 29 (7), and 39 of the emerging Plymouth Plan and paragraphs 56-68 of the National Planning Policy Framework.

DETRIMENTAL TO NEIGHBOUR AMENITY

(2) The Local Planning Authority considers that the proposed dwelling, by virtue of its size and position, would have a detrimental impact to the outlook of No. 54 Beaconfield Road. The significant impact it would have on neighbouring amenity, would be contrary to Policy CS34 of the adopted City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and advice in the Development Guidelines Supplementary Planning Document (2010) (paragraph 2.2.31). The proposal is also considered to be contrary to Policy 29 (3) and 39 of the emerging Plymouth Plan and paragraphs 64 to 66 of the National Planning Policy Framework.

LOSS OF PARKING

(3) The proposal will result in the loss of the existing off street car parking area serving 54 Beaconfield Road. The applicant has not demonstrated that these spaces are no longer required and the proposal could therefore lead to further vehicles parking on street, giving rise to conditions likely to cause: -

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

which is contrary to Policy CS28 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007. The proposal is also considered to be contrary to Policies 30 (4), and 30 (5) of the emerging Plymouth Plan and paragraph 39 of the National Planning Policy Framework.

INFORMATIVE: REFUSAL (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 works in a positive and pro-active way with Applicants and looks for solutions to enable the grant of planning permission. This includes the offer of pre-application discussions to resolve issues of concern to the Council prior to formal submission of a planning application. However in this case the proposal is not sustainable development for the reasons set out and the Council was unable to identify a way of securing a development that improves the economic, social and environmental conditions of the area.

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.

Relevant Policies

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

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS02 - Design

SPD1 - Development Guidelines First Review

SPD3 - Design Supplementary Planning Document

NPPF - National Planning Policy Framework March 2012

PP29 - Place shaping and the quality of the built environment

PP30 - Safeguarding environmental quality, function and amenity

PP39 - Defining the spatial distribution of housing in Plymouth

This page is intentionally left blank

PLANNING APPLICATION REPORT



Application Number 16/01485/FUL

Date Valid 30/08/2016

Item 02

Ward Plymstock Radford

Site Address 40 POLLARD CLOSE, PLYMOUTH

Proposal Erection of dwelling

Applicant Mr Simon Richardson

Application Type Full Application

Target Date

25/10/2016

Committee Date

**Planning Committee: 27
October 2016**

Decision Category Member Referral

Case Officer Amy Thompson

Recommendation Grant Conditionally

Click for documents www.plymouth.gov.uk



This application has been referred to Planning Committee by Councillor Michael Leaves.

1. Description of site

40 Pollard Close is a semi-detached two storey dwellinghouse which is located in the Hooe area of Plymouth. 40 Pollard Close is a north-facing property and is set up and away from the road, fronted by a gently inclining garden and driveway with a detached garage to the east of the site. The property is at the end of a row of semi-detached properties, which then changes to a cul-de-sac of detached properties situated at the end of Pollard Close. Opposite the site is a row of three-storey linked semi-detached properties that appear to be two storey from Pollard Close, that gained consent in 2003. The property has a public footpath that runs along its eastern boundary.

2. Proposal description

Erection of dwelling within the garden of 40 Pollard Close.

3. Pre-application enquiry

15/01663/MIN- To demolish an existing garage and replace it with a new detached 4 bedroom dwelling (1 dwelling)- Officer concluded that a planning application should be submitted to the Local Planning Authority for careful consideration and will be subject to the design to ensure it is in keeping with the surrounding properties. Local Highways Authority requested details about parking and cycle storage and the Public Protection Service requested details regarding the contamination of the land.

4. Relevant planning history

None for application site.

Neighbouring properties

39 Pollard Close- 03/01289/FUL- Erection of 10 three-storey dwellings with 11 associated parking spaces- Granted subject to section 106 obligation.

5. Consultation responses

Local Highway Authority- No objection subject conditions.

Public Protection Service- Approval subject to added condition.

MOD Safeguarding- No objection.

Housing Strategy and Development- Did not wish to comment.

6. Representations

8 Letters of representation received objecting to the proposal with main concerns of;

- Cause congestion on the highway.
- May result in dangerous movements on the highway
- Contribute to parking problems
- Loss of light to neighbouring properties

- Overlooking of neighbouring properties
- Overdevelopment
- Out of character
- The proposal would cause disruption within the area with increased dirt, noise and problems with parking.
- The adjacent footpath should not be closed during construction as it is a safe route for children going to and from Hooe Primacy Academy.
- A two storey property would dominate the skyline.
- Soil spill, pollution from site causing issues with drainage systems.
- Concerns of children safety.
- Concerns of safety of users of the footpath through the construction of the property and after.
- A precedent will be set for knocking down detached garages and building houses in its place.

Due to amended plans being received the application has been re-advertised for 14 days for further observation, if any additional comments are received they will be within an addendum report.

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

5 year housing supply:

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

Paragraph 47 of the NPPF stipulates that “to boost significantly the supply of housing, local planning authorities should...identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”

Paragraph 49 of the NPPF states that “housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

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

The NPPF (footnote 11) also specifies that to be considered deliverable, a site must be:

- Available to develop now

- Suitable for residential development in terms of its location and sustainability; and
- Achievable, with a reasonable prospect that homes will be delivered on the site within five years and in particular that the development of the site is viable.

Paragraph 14 of the NPPF states “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking...

For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted”

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

8. Analysis

1. This application has been considered in the context of the development plan, the emerging Plymouth Plan, the Framework and other material policy documents as set out in Section 7. The main planning considerations in this case are the impact on the character and appearance of the area, the effect on neighbouring amenity, highway safety and parking, and land contamination. The proposal seeks to erect a detached four bedroom property within the garden of 40 Pollard Close. The proposal would include two off-street car parking spaces to the front of the property.

Principle of development

2. The proposal is to erect a two storey dwelling in the garden of 40 Pollard Close. Some of the garden relating to number 40 will be retained for the sole purpose of the donor property. The application proposes two parking spaces for both the donor property and the new property and proposes spaces for secure bicycle storage.
3. The application site itself is set within an established residential area, and would be of a comparable size to the adjacent developed plots. Officers consider that the proposal would be a continuation of the pattern of development to the east of the site, and is not inappropriate development of a residential garden, it is not contrary to Policy 39 of the Plymouth Plan or NPPF as although it is a garden development, this will not impact on the City’s green space resource, or the character and amenities of the area if appropriately designed. Therefore the proposal accords with paragraph 53 of the National Planning Policy Framework (NPPF) and Policy CS01, CS02, CS16 and CS34 of the Core Strategy. The principle of this proposal is therefore considered acceptable.

Neighbour amenity

4. The area is characterised by compact residential development. The properties in Pollard Close are made up of dwellings of varying scales. The proposal would be set into the garden of 40 Pollard Close. The proposed windows on the side elevation that faces onto 40 Pollard Close are proposed to be obscure glazed as they serve bathrooms. The windows on the eastern side elevation, which are directed toward 42 Pollard Close, serve the proposed hallways. There are no windows on the side elevation of 42 Pollard Close that face the application site.
5. The proposed dwelling meets the 45 degree guideline (set out in the Development Guidelines SPD) that considers the loss of light to neighbouring properties, it is also considered to be acceptable having considered the position and orientation of the property would not have a detrimental impact on the neighbour's access to natural light.
6. To the rear of the application site is 7 Stefan Close, which is at a higher ground level to the application site and is approximately 28 meters away from the proposed property. This neighbouring dwelling is also set at an angle, so the rear of the property does not face directly onto the application site.
7. 42 Pollard Close is set behind the proposed building and there is a public footpath that separates the two sites. Due to the proposed properties location it is not considered that the proposal would result in a detrimental impact on the privacy or outlook of the residents of 42 Pollard Close.
8. Concerns have been raised in the letters of representation received relating to noise and disturbance from the site. The development will need to accord with Plymouth City Councils Code of Construction, which will protect the amenities of existing residents.
9. The development is similar in form and scale to the properties located to the east of the site. Officers therefore consider that, on balance, the development will not result in harm to the existing residential properties in Pollard Close or Stefan Close in accordance with Paragraph 53 of the NPPF. Officers consider the proposal also complies with policies CS15 and CS34 of the Core Strategy.
10. In order to ensure problems do not arise in the future, given the constrained location of the dwellings, Permitted Development Rights for further extensions and alterations are proposed to be removed through an appropriate condition.

Residential amenity

11. The property will be a two-storey dwelling house that will accommodate a lounge, kitchen and W.C on the ground floor, two bedrooms and a bathroom on the first floor and two bedrooms and a bathroom within the roof space. The properties exceed the minimum internal space guidance as stated in the Development Guidelines SPD for a four bedroom house, which is 106m², the dwelling is approximately 149m², and all rooms will be of a sufficient size.
12. It is also noted that, although not formally adopted through policy, the national minimum internal floor space for a four bedroom two storey dwelling should be between 97m² and 124m². It is therefore considered, that with the guidance set out within the SPD that the proposal provides sufficient space for basic daily activities.
13. The proposed rear garden for the new dwelling would be approximately 16m² and the donor property would have a rear garden of approximately 12m². The sizes of the rear gardens are therefore considerably lower than the recommended standard of 100 square metres for detached dwellings in the Development Guidelines SPD. However the SPD also states that within more densely developed neighbourhoods of Plymouth it is not unreasonable to assume that outdoor amenity space provision might be lower and it is also noted that the landscaped areas to the front of the properties could be considered as amenity spaces (these being 15m² and 16m²). Although quite small the gardens are considered to be adequate and in character with

development in the vicinity. On balance, officers consider the plot is of an adequate size to accommodate an additional dwelling that would be in character with the area and have a satisfactory level of amenity. Officers therefore consider that there is no conflict with policies CS15 or CS34 of the Core Strategy.

Character and amenity

14. In terms of appearance it is recognised that the design of the surrounding properties vary in style. The properties directly to the west are generally semi-detached dormer bungalows, the properties directly opposite are three storey semi-detached properties that appear to be two storey from Pollard Close, and the properties to the east are detached two storey properties. It is therefore considered that there is a mixture of different architectural styles within the street-scene and no clear building line.
15. Amendments were sought from the initial submission that brought the front elevation in line with 40 Pollard Close, where it was originally set forward of the front elevation on 40 Pollard Close. Amendments were also sought to show the property as half render and half brick to match the properties to the east, as it was originally proposed to be all brick. The amendments sought are considered to ensure the proposed dwelling does not dominate the existing street-scene and is in keeping with the neighbouring properties. The proposal is therefore considered to be of a suitable design which accords with policies CS02 and CS34 of the Core Strategy.

Highways

16. The Local Highways Authority notes that the applicant has adhered to the advice given at pre-application stage by providing two off street parking spaces for each dwelling. Cycle storage and bin storage is proposed in the rear garden of the new build and a new side gate is proposed to provide access from the adjacent footpath.
17. However it is noted that the applicant has not provided details of the dropped kerb. The dropped kerb will need to be shared to comply with policy and therefore a condition will be added to ensure that a suitable shared dropped kerb, at a width of 5.6 metres is provided. The proposed parking spaces, for both properties, can be accessed from a 5.6 metre wide dropped kerb crossover.
18. It is noted that concerns have been raised regarding parking in the area. This development will provide two spaces which is in accordance with the current maximum standards.
19. Officers therefore consider that the proposal along with the recommended conditions complies with policy CS28 of the Core Strategy.

Contaminated Land

20. The Public Protection Service notes that an appropriate contamination assessment has been submitted to accompany the application and are satisfied with its findings. A condition is however recommended to cover the matter of unexpected contamination.
21. It is noted that within the letters of representation received that concerns were raised that the public footpath would be closed during construction. The applicant has provided details on the amended plan stating that the public footpath would be available to use at all times during construction.
22. Therefore, in the context of this application, where officers consider that on balance there will not be significant harm to neighbouring amenity, the development provides a decent standard of accommodation and the dwelling will be in keeping with the pattern of development in the area considerable weight should be given to providing a new dwelling in the City.

Housing supply

23. 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), paragraphs 10.34, 17.1 and 7.13 of the Core Strategy and Policy 46 of the Plymouth Plan.

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 £5,371.61 (index-linking applied, but subject to change before final liability confirmed). A breakdown of the final calculation will be shown in the liability notice once planning permission first permits the development (including all pre-commencement conditions details being agreed). The liable party(s) will be given the opportunity to apply for social housing relief or ask for a review of the calculation at that stage. There is no negotiation of CIL. The Levy is subject to change and will be index-linked. The applicant should check the current rates at the time planning permission first permits development, see www.plymouth.gov.uk/cil for guidance.

11. Planning Obligations

Planning obligations are not required in respect of this application.

12. Equalities and Diversities

No further issues to be considered.

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policies CS01 (Development of Sustainable Linked Communities), CS02 (Design), CS15 (Overall Housing Provision), CS22 (Pollution), CS28 (Local Transport Considerations), and CS34 (Planning Application Considerations) the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021 and the aims of the Council's Development Guidelines Supplementary Planning Document 'First Review' (2013) and is considered to be compliant with National Planning Policy Framework guidance.

14. Recommendation

In respect of the application dated **30/08/2016** and the submitted drawings Proposed Floor Plans and Elevations 10102016, it is recommended to: **Grant Conditionally**

15. Conditions

CONDITION: DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

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

Reason:

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

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, DWG 1, Proposed Floor Plans and Elevations 10102016.

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-occupation Conditions

PRE-OCCUPATION: CYCLE PROVISION

(4) The new building shall not be occupied until space has been laid out within the site in accordance with the approved plans for at least 1 bicycle to be securely parked. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

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

PRE-OCCUPATION: PROVISION OF PARKING AREA

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

Reason:

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

Other Conditions

CONDITION: REPORTING OF UNEXPECTED CONTAMINATION

(6) 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. 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 this condition has been complied with in relation to that contamination.

An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme shall be prepared which is subject to the approval in writing of the Local Planning Authority. It is recommended that the applicant contacts the Local Planning Authority for further advice on what information should be included in such reports. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason:

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

CONDITION: RESTRICTIONS ON PERMITTED DEVELOPMENT

(7) Notwithstanding the provisions of Article 3 and Classes A, B and C of Part 1 to Schedule 2 of the The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargements, improvements or other alterations, including to the roof, shall be constructed to the dwelling hereby approved.

Reason:

In order to protect neighbour amenity, 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.

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 including pre-application discussions and has imposed planning conditions to enable the grant of planning permission.

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

(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: CODE OF PRACTICE

(3) During development of the scheme approved by this planning permission, the developer shall comply with the relevant sections of the Public Protection Service, Code of Practice for Construction and Demolition Sites, with particular regards to the hours of working.

The Code is available from Planning, or online at:

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

This page is intentionally left blank

PLANNING APPLICATION REPORT



Application Number 16/01796/FUL

Date Valid 21/09/2016

Item 03

Ward Plympton Chaddlewood

Site Address 33 CHADDLEWOOD CLOSE PLYMOUTH

Proposal Rear two storey and single storey extensions

Applicant Mrs Carole Knapp

Application Type Full Application

Target Date

16/11/2016

Committee Date

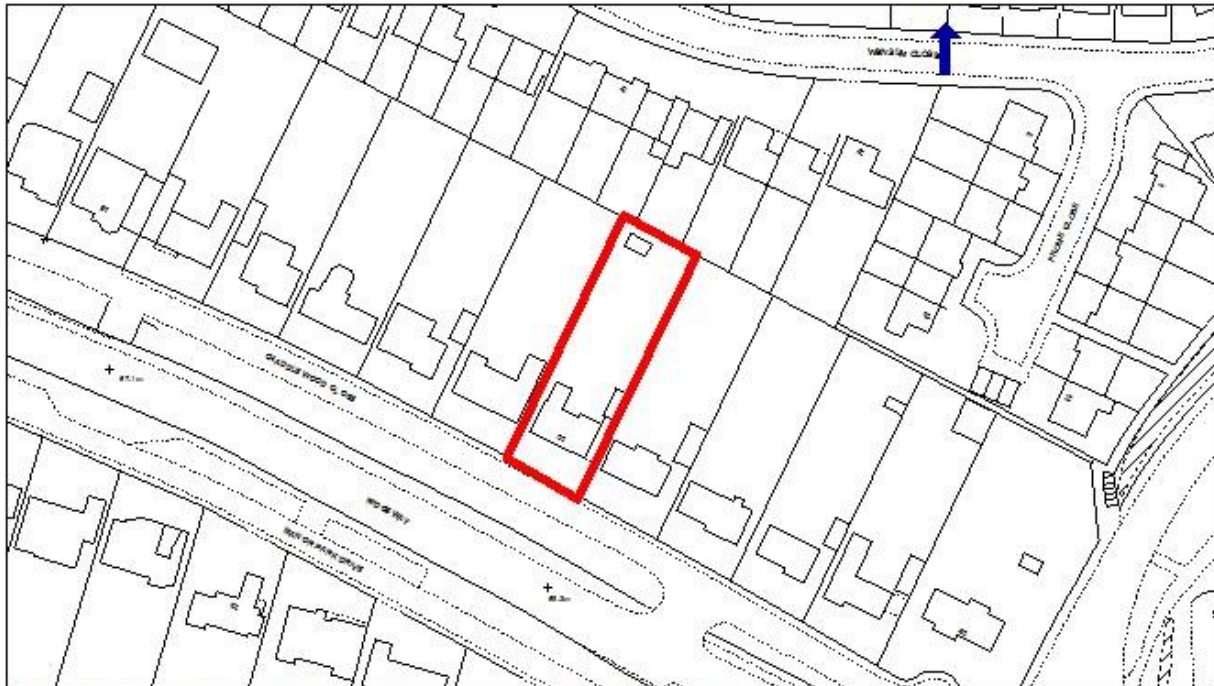
**Planning Committee: 27
October 2016**

Decision Category Member/PCC Employee

Case Officer Liz Wells

Recommendation Grant Conditionally

Click for documents www.plymouth.gov.uk



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2016 Scale 1:1250

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

1. Description of site

33 Chaddlewood Close is a detached residential property in the Chaddlewood ward of Plympton.

Chaddlewood Close is a private road which runs parallel to Ridgeway (road) – one of the main access roads into Plympton. The close has houses on the north side only and to the south is separated from Ridgeway by a band of mature trees.

The house is north facing at the rear, with a long rear garden which slopes down away from the house. The property has a detached garage to the side and set back from the rear of the house. The house has previously been extended at single storey to the rear west-side with a garden room, and has a small patio area immediately to the rear, with steps down to the lower garden level beyond.

2. Proposal description

Rear two storey and single storey extensions.

The proposal is to extend across the full-width of the house, incorporating the existing garden room, to create an enlarged kitchen/lounge. The proposed two storey extension is set to the east side of the rear of the house, to enlarge an existing bedroom. The projection of the rear extension is approximately 3.5 metres and has a flat roof with roof lantern to the single storey part, and extends the existing gable feature at first floor. The plans show steps to the centre of the house, leading down to the garden.

3. Pre-application enquiry

None.

4. Relevant planning history

No planning history for this property. Neighbouring properties on either side appear to have been extended to the rear. In 2014, no. 35 was permitted extensions and alterations, including two storey rear extension with a raised patio area.

5. Consultation responses

Local highways Authority – no objection.

6. Representations

No letters of representation received at the time of writing.

7. Relevant Policy Framework

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

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

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

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

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

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

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

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

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

- Development Guidelines Supplementary Planning Document First Review

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.
- 8.2 The main consideration in determining this application is the whether the impact on the neighbouring properties amenities and impact on streetscene is acceptable in accordance with policies CS34 of the Local Development Framework Core Strategy and the detailed guidance contained in Plymouth Development Guidelines SPD.

Amenity

- 8.3 The most significant impact is on no. 35 to the east, as the two storey extension is set to this side, however, the extension will remain separated from this neighbour's boundary by the existing garage and car port. No. 35 has recently been extended to the rear and has a no windows in the facing flank wall. As such, the proposed extension is not considered to result in any significant loss of light or outlook to no. 35's house or garden. The change in position of the enlarged bedroom window is not considered to result in any significant loss of privacy to this property.
- 8.4 The proposal comes no closer to no.31 as it incorporates the existing single storey rear extension. The two storey element of the proposal is set well-away from the boundary from no.31 and no. 31 has no windows in the facing flank wall. As such, the proposal is not considered to result in any unreasonable impact on this neighbour's residential amenity.
- 8.5 The nearest neighbour to the north is in Wensum Close, over 30 metres away and set at a significantly lower ground level to Chaddlewood Close. Officers do not consider the impact on properties in Wensum Close to be significant, and adequate screening is provided by existing boundary treatment.

Design

- 8.6 The design of the proposal is in keeping with the materials and style of the existing house, and due to the position to the rear, the proposal will not have any detrimental impact on the visual amenity of this street in Officers' opinion. From Wensum Close, the proposal will be seen in the context of the existing house. A condition is recommended to ensure that the materials match the main house.

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

Due to the small scale of the proposal it does not attract any Community Infrastructure Levy liability (CIL) under the current charging schedule.

11. Planning Obligations

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

12. Equalities and Diversities

None raised by this proposal.

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and specifically does not harm the streetscene or neighbouring properties amenities. The proposal is recommended for approval in accordance with submitted plans.

14. Recommendation

In respect of the application dated **21/09/2016** and the submitted drawings site location plan, site/block plan, existing elevations 256-1, existing plans 256-2, proposed elevations 256-3 and proposed plans 256-4, it is recommended to: **Grant Conditionally**

15. Conditions

CONDITION: DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, site/block plan, existing elevations 256-1, existing plans 256-2, proposed elevations 256-3 and proposed plans 256-4.

Reason:

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

CONDITION: MATCHING MATERIALS

(3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the main house.

Reason:

To ensure that the materials used are in keeping with the appearance of the building and the character of the area in accordance with Policy CS34 of the Plymouth Local Development

Framework Core Strategy (2006-2021) 2007, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

Informatives

INFORMATIVE: CONDITIONAL APPROVAL WITHOUT 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.

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

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

PLANNING APPLICATION REPORT



Application Number 16/01100/FUL

Date Valid 07/07/2016

Item 04

Ward Moor View

Site Address

LEGACY PLYMOUTH INTERNATIONAL HOTEL, 270 PLYMOUTH ROAD PLYMOUTH

Proposal

Erection of drive-thru restaurant (Class A3/A5) with access and servicing arrangements, car parking, landscaping and associated works

Applicant

EOP II PROP CO I S.A.R.L

Application Type

Full Application

Target Date

31/10/2016

Committee Date

**Planning Committee: 27
October 2016**

Decision Category

Major - more than 5 Letters of Representation received

Case Officer

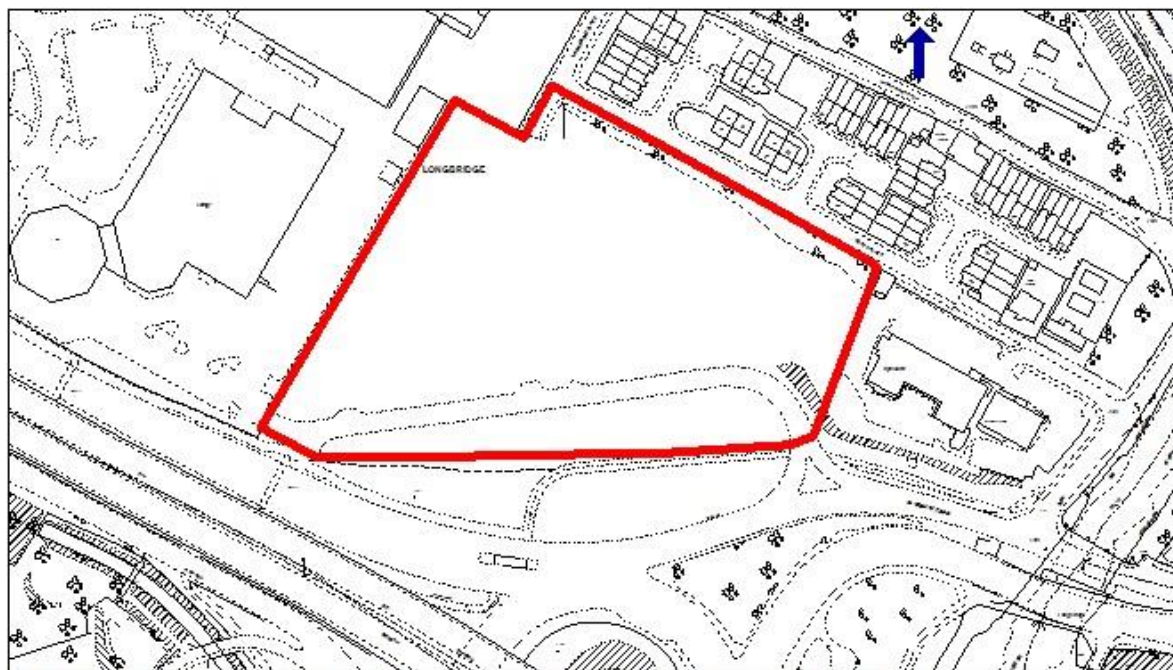
Ali Wagstaff

Recommendation

Grant Conditionally

Click for documents

www.plymouth.gov.uk



1. Description of site

This site forms part of the former Legacy Hotel premises which occupied a site of approximately 2.1 hectares north of the principle junction into Plymouth from the A38 Parkway at Marsh Mills.

The site is 0.6 hectares and covers the perimeter of the wider site on south and west edges. The hotel has now been demolished and the site is vacant with the central section boarded with protective hoarding. Access to the site is via an existing junction which provides a direct route on to the Marsh Mills roundabout. The access road extends along the front of this application site to a small service point to the rear of Vospers car sales garage.

A large area of soft landscaping occupies the front of the site, and contains a number of trees and vegetation. Further grassed areas and planting extend around the remaining boundaries of the site.

The site is bounded by the cleared area of the former hotel and to the west are the large units of Marsh Mills Retail Park. To the north of the site is residential development arranged around a series of parking courts, which are based around Marsh Close. These are principally two storeys and are of a similar dark red brick as the nearby office development.

2. Proposal description

The development comprises the erection of “drive-thru” restaurant (Use Class A3/A5) in the south west corner of the site with an access road running to the east, to the junction of Plymouth Road. It has a second route which extends to the North although no detail is provided of this area.

The building is 2 storeys in height with a floor area of 379 sqm net. The building is clad in grey and red Kingspan wall panels, which are principally red on the ground floor and silver panelling on the upper floors. There is a corner accent detailed with Trekker vertical cladding. The entrance and principle glazed wall is on the south east elevation with powder coated doors and windows. A drive-thru lane wraps the building to the North-West and North-East side and has a bank of 15 car parking spaces to the south and cycle parking for 4 bicycles.

While not the subject matter of this application a second S73 planning application 16/01102/S73, has been submitted for the main part of the former hotel site. The proposal for that application relates to alterations to the previously consented scheme 12/02320/FUL, and provides 4 retail units to the north of the proposed A3/A5 unit with car parking and an A3 unit.

The applicant has confirmed this application for Unit 6 has only been sought as the proposal for an A3/A5 proposal falls outside of the ambit of the original permission and that this proposal forms an integral part of the strategy, to develop a small retail park scheme selling predominantly bulky goods. The applicant is happy to accept a Grampian condition to ensure the two developments are brought forward together. Therefore in determining this application the context of the proposals for the wider site are also considered.

3. Pre-application enquiry

No formal pre-application engagement has taken place on the application. Officers have however discussed how the proposed changes should be submitted, advising that a Section 73 application should deal with all matters except the additional A3/A5 Unit which should be the subject of a separate full application.

4. Relevant planning history

16/01102/S73 - Section 73 application to modify conditions: 2 (plans), 11 (car parking provision), 14 (car parking management), 19 (odour control), 20 (delivery hours), 39 (hot food takeaway), 40 (opening hours) of application 12/02320/FUL to allow re-siting of unit 5 (168 sqm) A3 restaurant/café and to trade between 7am - 11pm – Under consideration.

12/02320/FUL - Full planning application for demolition of the existing hotel and development of a maximum of 7,900 square metres of A1 retail floorspace and a maximum 712 square metres of A3 Restaurant/café floorspace, with access parking, landscaping and associated works. Granted conditionally

99/01123/ADV – Provision of new flag pole and re-siting of existing flag pole – Granted conditionally

94/01044/ADV – Illuminated welcome sign – Granted conditionally

94/00748/ADV – Illuminated welcome sign – Withdrawn

86/01831/FUL – Construction of new entrance/exit road and alterations to car park – Granted conditionally

81/00058/FUL – Erection of 101 bedroomed hotel (amendment to approved plans) – Granted conditionally

79/02608/FUL – Erection of 125 bedroomed hotel including 12 staff bedrooms – Granted conditionally

5. Consultation responses

Economic Development Department – No objection

Natural England – No Objections, however the scheme could benefit from enhanced green infrastructure (GI) provision

Natural Infrastructure Team - The S106 secured as a result of the previous application on the wider site is still required towards greenspace.

Environment Agency (EA) – Initial response advised the application should not be determined until further information has been submitted in respect of compensatory floodplain to demonstrate how floodplain storage will be maintained and ensure that flood risk is not increased.

Final Response- Advised that while the submission of further detail is preferable prior to granting planning permission, the flood risk and flood plain compensation are considered to be appropriately dealt with in this application. This judgement has been made in light of the previous approved scheme, subject to drainage conditions from applications 16/01102/S73 and 12/02320/FUL being placed on this application and wider site detail being secured through Grampian Conditions.

Lead Local Flood Risk Authority – Raise number of concerns with how flood risk and surface water are to be managed within the scheme, identify a number of factors which will require further information, the matters identified are:

- Evidence to demonstrate that the surface water drainage system is designed to the specified standard taking into account the potential for tidelocking. Details of level and condition of the outfall should be assessed.
- The level of ground water on site should be established and attenuation tanks designed to ensure they are not at risk from hydraulic lift.
- Permission to discharge to the proposed drainage system is required to be provided with confirmation of acceptance of the proposed discharge rate.

- An assessment that the system is in suitable condition for the lifetime of the development is required.
- Drawing Ref 4335 – 2900 shows exceedance flows being directed to the car parking area before being directed off the site and into Marsh Close. It should be designed so that discharge is retained on site.
- A maintenance and management schedule for the proposed system should be submitted.
- A Construction Environment Management Plan should be submitted for approval prior to construction.

It has been confirmed that these matters can be controlled by the imposition of two conditions which are in place on the wider site in relation to 'a scheme for the provision of surface water management' and 'details of proposed floodplain compensation'.

Public Protection Services – No objections subject to conditions relating to installation and adequacy of mechanical ventilation system and limitation on opening hours and delivery hours to 7am-11pm subject to a delivery management strategy to limit noise and disturbance.

Public Health - Fast food outlets are known to offer food that is traditionally high in fats, salt, sugar and carbohydrates. These types of foods do not promote healthy eating, Plymouth Plan seeks to reduce health inequalities and improve health and wellbeing. The Council is therefore working towards preventing the development of further hot food takeaway premises within Plymouth and especially those close to schools. This application is for a site which falls outside the 400m radius currently recommended by the draft Plymouth Plan. KFC have joined Public Health Responsibility Deal, this means they have made pledges to make on-going improvements to the 'health' of the food they sell. Therefore Public Health does not object to this application.

Highways England (HE) – Offer no objection to the application – HE initially placed a holding objection to application however as a result of the updated information, HE do not consider that there will be a severe impact to the strategic road network. This is subject to a condition ensuring the installation of MOVA to a number of key junctions prior to occupation.

Local Highways Authority (LHA) – Subject to conditions, LHA have no objection to the application – The application includes a Transport Assessment (TA) which justifies why the scheme is acceptable in transport terms. The LHA has considered the application alongside application 16/01102/S73; concern was expressed initially over the available stacking length on the application site. 3 comparable surveys have since been undertaken and a review of the Crownhill KFC by the applicants. These demonstrated that a queue length of 20 vehicles would not be exceeded at the proposed site. The relocated retail park entrance has extended the available stacking to 28 vehicles which the LHA consider can adequately accommodate the stacking. A queue management framework has been provided by the applicants to further reduce waiting times and this should be conditioned to be provided in detail.

The level of new trips generated by the development will be suitably mitigated for by the condition on the S73 application for the installation of MOVA at the Marsh Mills and adjoining junctions, and the enlarged access provided.

6. Representations

21 Letters of representation have been received; this includes 1 letter of support, 1 observation and 19 objections.

The key points from the representations are set out below:

Objections

- Impact on residents of the Marsh Close area need to be considered

- Traffic generation in surrounding residential streets (Marsh Close area)
- Increased traffic generation and congestion particularly Plymouth Road and Longbridge Road
- Impact on already busy area at rush hour with potential for accidents
- Impact on street parking
- Lateness of opening hours
- Surrounded area is saturated with takeaways
- Concern about litter from restaurants and takeaway
- Impact on residential amenity from; cooking odours, litter generation, opening hours, traffic noise and general disturbance
- Impact of late night use and anti-social use of car parking area
- Exacerbate issues already created by McDonalds with antisocial behaviour at all hours (boy racers) and litter on residential amenity
- Impact of early morning deliveries and refuse collection
- Concern of overlooking residential area
- Confirmation of car park being closed
- Confirmation no direct access from Marsh Close
- Confirmation of tree retention and boundary treatment for Marsh Close area

Supports

- Support additional food outlets in area
- Increase local employment provision

Observation

Controls should be placed to limit litter and waste, significant local issue which reflects poorly on the city

7. Relevant Policy Framework

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

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007). The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One was approved by the City Council in September 2015. The Plan, which incorporates draft development plan policy, has been prepared following a consultation process. As such it is a material consideration for the purposes of planning decisions.

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

(the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

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

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

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

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

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

- Sustainable Design Supplementary Planning Document
- Development Guidelines Supplementary Planning Document
- Planning Obligations & Affordable Housing 2nd Review Supplementary Planning Document

8. Analysis

1. This application has been considered in the context of the development plan including policies CS02, CS07, CS08, CS12, CS18, CS19, CS22, CS34 and Strategic Objective 7 of the Adopted Core Strategy, and policies 21, 24, 26, 29, and 30 of the Plymouth Plan Part one, the Framework and other material policy documents as set out in Section 7.
2. While this application is a full application and needs to be considered on its merits, it is also part of a wider scheme for implementation on the wider Legacy Hotel Site which is the subject of a S73 Application 16/01102/S73. The applicant has confirmed that this application for Unit 6 has only been sought as the proposal for an A3/A5 proposal falls outside of the ambit of the original permission and that this proposal forms an integral part of the strategy. A Grampian condition will ensure that the two developments are brought forward together as a single scheme. The following condition will provide the linking of the two permissions.

‘The development hereby permitted shall not be occupied unless and until planning application 16/01102/S73 or any future approved variation of that permission has been implemented and the first unit occupied in accordance with that approval.’

3. This is an important consideration as the condition would restrict the operation of the premises until the other wider scheme has been implemented including the mitigation measures secured through planning conditions and S106 agreement.

Principle of development

4. The proposed development of a A3/A5 hot food takeaway in this location is considered acceptable in principle on this brownfield site, the use is appropriate in this mixed use principally commercial area and as part of the wider scheme for the site to develop a small retail park.

Design and Appearance

5. The proposal, as set out in detail in section 2 above, is for a two storey building, with a modern finish with a mix of glazing and architectural detailing, compiled largely of Kingspan wall panels with vertical Trekker cladding, providing a corner detailing. The overall appearance of the building is considered to sit comfortably with the wider area which is comprised of commercial, retail and restaurant/ takeaway properties. The building will form an integral part of the wider, former Legacy Hotel site scheme and corresponds to the layout of building proposed forming a logical approach to the development of the wider site.
6. The building sits on an island surrounded by the access/ loading area route to the South and West with the hot-food takeaway service route running along North-eastern part of this triangular central part of the site. Concern was expressed early in the application that the proposal was largely designed with hard landscaping and that further soft landscaping would help set the scheme within the wider strategy for the site and help to improve the visual appearance. A revised layout has been submitted which introduces eleven raised planters, these help to break up and soften the built form. In addition to the central triangle of the site, the site includes the access route into the site and a section of land which is the access route and service yard for the wider scheme in 16/01102/FUL. No detail of the proposed finish and approach to this area is provided however such detail is provided in the main application and the finish details are controlled via condition on that application. While such detail would normally be a requirement of a full application, given the Grampian condition proposed, this is considered to deal with these matters.
7. In conclusion, visually the proposal is considered acceptable, and is not out of keeping with the overall appearance of a small retail park or the wider area. The proposal is considered to present an acceptable built form with integrated landscaping. Overall the proposal is considered appropriate and to accord with the requirements of policies CS02 and CS34 of the Core Strategy policy and 29 and 30 of the Plymouth Plan.

Town Centre Uses

8. The application proposes an A3/A5 use class building, with a floor area of 379 sqm, in an out of town location and as such it is important to consider the requirements set out in Section 2 of the NPPF and Strategic Objective 7, policies CS07 and CS08 of the Core strategy and policies 21 and 41 of the Plymouth Plan.
9. It is not necessary for A3 and/or A5 to assess their impact on town centre locations, however the requirement for a sequential test is relevant to the proposal as this application forms part of the wider scheme set out in application 16/01102/S73 (to be linked by a Grampian condition). That proposal was considered to have passed the sequential test in application 12/02320/FUL, given the proposal was for a principally bulky goods retail park.
10. Given that this proposal cannot be operated without that schemes implementation it is not considered that a separate sequential test for this proposal alone is required and that the

sequential test should relate to the wider scheme. This, as stated, was previously considered to have passed the sequential test in application 12/02320/FUL. While there have been material changes in circumstance, this does not, in relation to the wider scheme alter the fact that given the proposal relates to a principally bulky goods retail park, that the sequential test is still met. This is due to the fact that sequentially preferable sites are not considered suitable for the wider proposal, in line with the previous applications consideration. It is however the case, that given that A3/A5 can revert to A1 use class, under permitted development rights, and as additional A1 retail floor space here would need to be carefully considered, a condition removing its permitted development rights is required.

11. The proposal is not considered to undermine the Council's wider strategy for the city centre or surrounding network of centres and is considered to accord with the requirements of section 2 of the NPPF and Strategic Objective 7, policies CS07 and CS08 of the Core strategy and policies 21 and 41 of the Plymouth Plan.

Impact on surrounding area amenity

12. The proposal is located in a principally commercial area however there is a residential area located to the north of the wider Legacy Hotel site. In relation to the wider commercial area the development is not considered to be out of keeping with this area and there are a number of similar uses which operate successfully alongside these uses. It is not therefore considered that the proposal would have a negative impact on the wider commercial area. The proposal does however have the potential to impact on the residential area to the north and significant concern has been expressed by local residents. Concerns include; over overlooking, noise and disturbance in antisocial hours, litter, odour and disruption in residential streets from vehicle movement and patrons of the proposed vicinity, and the potential for direct access through to Marsh Close area.
13. Neither the proposal for the subject of this application or the wider scheme in 16/01102/S73 includes direct access to be provided to Marsh Close. The wider scheme also includes and conditions, enhancement of the boundary with the Marsh Close area, with an acoustic fence and improved planting to separate the site from the residential area. The proposed restaurant and takeaway is located approximately 120 metres from the closest residential properties and the retail buildings, the subject matter of the wider scheme, will further separate the proposal from the residential area. Given the distance and boundary treatment secured in the wider scheme it is not considered that there would be overlooking from the proposal to the residential properties. The distance is also considered to reduce the potential for disturbance from the facility to these properties.
14. The wider scheme includes operational restrictions and barriers to restrict access into certain areas of the car park to limit the potential impact. In relation to this proposal, given the distance and the information submitted in the noise assessment, it is not considered that noise and disturbance from the operation of the premise will create a negative relationship to the residential properties, subject to the imposition of conditions. Such matters have been identified in the consultation response from Public Health, who have recommended the following conditions: limiting noise from plant equipment; odour control measures for ventilation; and restrictions on the delivery hours to 7-11pm subject to a delivery strategy which includes the type of delivery vehicles to be used, the location of delivery drop of areas and measures to limit the noise and disturbance generated. Information has also been submitted by the applicants in relation to waste collection and storage and litter management strategy. It is considered that subject to the conditions proposed, the measures secured in

applications 12/02320/FUL and 16/01102/S73 including the S106 parking restriction contribution for Marsh Close and additional conditions requiring the litter and waste management measures, that the scheme is acceptable in relation to the impact on residential amenity. It is therefore concluded that in relation to the implications of the scheme on residential amenity, that the proposed scheme, subject to conditions, is acceptable and accords with the requirements of policies CS34 of the Core Strategy and Policy 30 of the Plymouth Plan Part One.

Flood Risk

15. The application site is located in flood zone 3 and a critical drainage area and a flood risk summary and drainage overview report has been submitted in relation to the proposals. The original consent 12/02320/FUL was considered acceptable in relation to both flood risk and surface water drainage subject to conditions securing finished floor levels, the submission of flood plan compensation detail, code of practice during construction and a satisfactory surface water drainage system. Detailed consultation responses have been received from both the EA and the Lead Local Flood Authority (LLFRA) and further information has been submitted by the applicants to overcome both consultees concerns.
16. Agreement has now been reached with the LLFRA that subject to the imposition of the same conditions, as secured on the wider site that the approach to surface water management and flood risk is acceptable. This is subject to a number of key pieces of information being submitted in the discharge of the condition in relation to this and the wider site.
17. The EA have advised that while they would ideally require further information on the system for flood management and compensation measures to be submitted they are agreeable to the grant of the application provided that the conditions relating to the wider site are included on the grant of this consent. This should include the wider site detail as Grampian Conditions relating to floodplain compensation to be included on any permission granted and the finished floor level at 4.16m AOD secured. These matters are considered essential to ensure that the scheme is safe from flood risk and deliver adequate flood plain compensation and will be included. Subject to these conditions it is considered that the scheme is acceptable in flood risk terms and accords with policies CS12 of the Core Strategy and Policy 26 of the Plymouth Plan Part One.

Land contamination

18. As a previously developed site it is important to ensure that any land contamination is considered. A detailed ground investigation report has been submitted in support of the application. It is important to ensure that land contamination is adequately dealt with, to ensure contamination would not impact the future use of the site or result in detrimental future impacts to the surrounding area, in accordance with policy CS22 of the Core Strategy. This can be dealt with via conditions which govern the approach to land contamination which is also required on the remainder of the Legacy Hotel site. It is therefore concluded that the proposal, subject to conditions, accords with the requirements of policy CS22 of the Core Strategy.

Greenspace

19. The proposed scheme occupies a relatively limited area of land where development is proposed and the wider sections of the site running north and east are routes as part of the wider scheme. This leaves little opportunity for green space features. Natural England have

identified that the scheme could benefit from enhanced green infrastructure (GI) provision. The scheme does now include 11 planters which will provide a limited amount of green provision. The wider scheme does include further provision which is also limited; however a S106 contribution was secured a £35,000 contribution to enable biodiversity improvements to be delivered in Efford Marsh Local Nature Reserve. Given that this proposal and the alterations to the wider scheme 16/01102/S73 result in a net reduction in floor space it is not considered that an additional contribution is required for this proposal. On this basis the application is considered by officers to accord with Core Strategy policies CS18, CS19 and CS34 and policy 24 of the Plymouth Plan.

Highways and Transportation

20. The scheme is accessed from Plymouth Road via an access road which previously served the hotel. It will utilise the improvement to this access and enlarged junction which are provided by application 16/01102/S73 and also provided on this application. Updated plans have been received which alter the arrangement on this road. Priority access is now given to the main retail park, meaning that the vehicles visiting this A5 unit will need to give way to this traffic when egressing the site. This is considered an acceptable arrangement to access the site safely.
21. The site is located in a sustainable location with connections to local footways and cycle routes and local public transport services available nearby. The application provides 15 car parking spaces, including 2 disabled spaces, cycle parking facilities and two “grill bay” spaces, for customers with larger orders to wait. The level of car parking is considered acceptable for the proposed use and the proposal in its location is considered an acceptable form of development.
22. The inclusion of the A5 unit, the subject of this application, into the plans for the wider site, will introduce an increase in the trip generation onto the highway network to that previously considered in application 12/02320/S73. An updated Transport Assessment has been undertaken with further information provided by the applicants. This has been considered in detail by the Local Highway Authority, who considers that these trips are acceptable subject to the requirement on application 16/01102/S73, for the installation of Microprocessor Optimised Vehicle Actuation (MOVA) at the Marsh Mills and other local junctions. Given the condition which links the two applications implementation, it is considered that this mitigation ensures that this scheme is acceptable in relation to the additional trip generation on the local highway network.
23. Highways England (HE) initially placed a holding objection on the application given their concern over the level of information submitted by the applicant, in relation to the potential implications on the A38 part of the Strategic Road Network. Further information has now been provided by the applicant which has been reviewed by HE. HE now consider that on the basis of the applicants’ revised assessment and subject to the imposition of a condition relating to the installation of MOVA (prior to occupation), that they do not consider that there would be a severe impact on the Strategic Road Network as a result of the proposed development.
24. While in principle the increased traffic generated by the scheme is considered acceptable, there had been substantial concern over the potential implications of the takeaway use and the stacking of vehicles utilising this facility. These matters have been addressed in detail with

the applicants, as officers, the LHA and HE were concerned this could stack back onto Plymouth Road and interfere with the free-flow of traffic on the surrounding highway network.

25. The applicants have undertaken a comparative assessment with the KFC restaurant at Crownhill and have undertaken survey work at 3 comparable KFC drive-thru restaurants in the southwest. This has sought to demonstrate that there is sufficient stacking provided on the access road for vehicles before the entrance to the main retail park. This access road provides space for the stacking of 20 vehicles before the retail park entrance, the evidence provided by the applicants demonstrates a worst case scenario of a queue length of 18 vehicles. While a 20 vehicle stacking capacity would accommodate this adequately, officers remained concerned, given the impacts that the KFC restaurant at Crownhill can have on the A386. Given these concerns the applicant has amended the entrance into the retail park (in application 16/01102/S73) moving it approximately 40 metres to the east and making the entrance into a priority route rather than a right turn. These changes provide stacking for approximately 28 vehicles before the potential conflict with the retail park entrance. By way of comparison the KFC drive thru at Crownhill has only a stacking capacity of 14 vehicles before the entrance to B and Q. The applicant has also proposed the provision of a traffic management plan with facilities and measures, which would ensure that at busy times queues are actively managed to ensure that queue length is limited.
26. The improvements have been considered by the LHA and subject to conditions they now consider that the proposal is acceptable and that the queuing can be adequately accommodated on site. As such it is considered by officers that the scheme is acceptable and to accord with the requirements of policies CS28 and CS34 of the Core Strategy and policy 13 of the Plymouth Plan Part one.

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 Proposal is not liable to pay CIL, which only applies to Residential Development and Retail Superstores.

11. Planning Obligations

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

Planning obligations have not been sought in relation to this application as the contributions secured on the wider site, the subject matter of 16/01102/S73, are considered to mitigate the impacts of the proposed development.

12. Equalities and Diversities

The proposed development will be available to all members of the public and will not prejudice against age, gender, religion, sexuality, ethnic background or nationality. The development will be fully compliant with the Disability Discrimination Act and therefore access for the disabled is provided.

The site is accessible to people from all areas of the city as the site is extremely well served by public transport, being adjacent to an existing Park and Ride site. The development will also provide car parking and cycle storage.

The development will be available to all equality groups. The application therefore does not have any adverse impacts on any equality groups.

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 policies CS02, CS07, CS08, CS12, CS18, CS19, CS22, CS28 CS34 and Strategic Objective 7 of the Adopted Core Strategy, the Plymouth Plan Part one including policies 13, 21, 24, 26, 29, and 30, the Framework and other material policy documents as set out in Section 7.

The proposal is considered to provide an acceptable form of development and a logical extension to the proposals of the wider site secured in application 16/01102/S73. The siting, design, materials and finish of the development are considered to be acceptable and in keeping with the appearance and character of the area. While limited, the landscaping is considered suitable given the constraints of the site. Subject to detailed conditions controlling the operation of the development it is considered to preserve the amenity of the surrounding uses and residential properties and is considered to deal with the flood risk and surface water drainage requirements.

It is therefore recommended that the development be conditionally approved subject to the conditions set out below.

14. Recommendation

In respect of the application dated **07/07/2016** and the submitted drawings

10163 L94.101.B Softworks Plan, 10163 L01.101 Site Location Plan, 10163 L93.101 Hardworks Plan, 10163 L04.101.B Unit 6 Elevations and Section, 10163 L02.101 Proposed Unit 6 Floor plans, 10163 L01.102 Proposed Unit 6 Site Plan, 10163 L01.103 Proposed Unit 6 Extended Site Plan, 10163_L01.03 Illustrative Masterplan, S39 tree planter, Proposed Drive-thru Restaurant (Class A3/A5) - Supplemental Technical Note,

Transport Assessment, Applicant Response to Environment Agency Comments, Applicant Response to Consultation, Planning Statement, Tree Survey, Supplementary Ground Investigation, Phase 2 ground Investigation, Noise Assessment, KFC waste Collection, KFC Litter Management, KFC Economic Benefits, Flood and Drainage overview, Design and access statement, it is recommended to: **Grant Conditionally**

15. Conditions

CONDITION: DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

CONDITION: APPROVED PLANS

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

10163 L94.101.B Softworks Plan, 10163 L01.101 Site Location Plan, 10163 L93.101 Hardworks Plan, 10163 L04.101.B Unit 6 Elevations and Section, 10163 L02.101 Proposed Unit 6 Floor plans, 10163 L01.102 Proposed Unit 6 Site Plan, 10163 L01.103 Proposed Unit 6 Extended Site Plan.

Reason:

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

Pre-commencement Conditions

GRAMPIAN PRE-COMMENCEMENT: FLOODPLAIN COMPENSATION

(3) Prior to commencement of the development, details of proposed floodplain compensation for this site and for the wider legacy hotel site shown on plan 10163_L01.03 Illustrative Masterplan and details of its future maintenance shall be submitted to and agreed by the Local Planning Authority.

Prior to use of the development, it shall be demonstrated to the satisfaction of the Local Planning Authority that the full floodplain compensation has been completed in accordance with the agreed details. The floodplain compensation shall thereafter be maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To ensure that this development manages flood risks appropriately and does

not increase flood risk to third parties in accordance with policy CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

Justification To ensure the drainage and surface water provisions within the development are adequately provided for before development commences and do not cause undue problems to the wider drainage infrastructure.

GRAMPIAN PRE-COMMENCEMENT: SURFACE WATER DRAINAGE

(4) No development shall commence until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority for this site and the wider legacy hotel site shown on plan I0163_L01.03 Illustrative Masterplan.

The details shall include:

- Details of the drainage during the construction phase
- a timetable for construction
- a construction quality control procedure
- details of the final drainage scheme
- a plan for the future maintenance and management of the system.

Prior to occupation of the development a report shall be submitted demonstrating that the approved scheme has been implemented on site. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To ensure the provision of a satisfactory means of surface water control and disposal during construction and for the final development in accordance with policies CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

Justification To ensure the drainage and surface water provisions within the development are adequately provided for before development commences and do not cause undue problems to the wider drainage infrastructure.

PRE-COMMENCEMENT: CODE OF PRACTICE DURING CONSTRUCTION

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

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

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

PRE-COMMENCEMENT: CONTAMINATED LAND

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

Section 1. Site Characterisation

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

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

(ii) an assessment of the potential risks to:

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

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

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

Section 2. Submission of Remediation Scheme

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

Section 3. Implementation of Approved Remediation Scheme

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

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

Section 4. Reporting of Unexpected Contamination

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

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

Justification: To ensure that risks to health through contamination are properly considered and addressed before building works commence.

Other Conditions

CONDITION: ACCESS/HIGHWAY IMPROVEMENTS

(7) No development shall take place above the damp course layer until all details of the proposed changes to the site access road and its junction with the public highway have been submitted to and approved in writing by the Local planning Authority including details of safe uncontrolled cycle and pedestrian crossing across the site entrance which shall incorporate a central refuge island. The approved details shall be strictly adhered to during the course of development.

Reason:

In the interests of the safe and efficient operation of the local and trunk road networks, and to ensure that appropriate and safe access is provided in accordance with Policy CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007 and policies and provisions of the NPPF.

CONDITION: LIGHTING DETAILS

(8) No development shall take place above the damp course layer until details of any external lighting have been submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be fully implemented before the development is first occupied and henceforth permanently maintained.

Reason:

To ensure that any external lighting does not cause excessive light pollution and a resultant adverse impact upon the residential amenity of neighbouring properties in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

CONDITION: GRAMPIAN FULL SCHEME DELIVERY

(9) The development hereby permitted shall not be occupied unless and until planning application 16/01102/S73 or any future approved variation of that permission has been implemented and the first unit occupied in accordance with that approval.

Reason:

To ensure satisfactory provision of site wide flood plain compensation and surface water management measure, and also to ensure compliance with the retail sequential test, delivery of satisfactory green space mitigation measures to ensure a net gain for biodiversity and highway mitigation measures to ensure the safe operation of the development hereby approved and in accordance with policies CS02, CS07, CS08, CS12, CS18, CS19, CS22, CS34 and Strategic Objective 7 of the Adopted Core Strategy, and policies 21, 24, 26, 29, and 30 of the Plymouth Plan Part one, and the Framework.

CONDITION: LANDSCAPE DESIGN PROPOSALS

(10) Development shall take place in full accordance with the landscape details approved on plans 10163 L94.101.B Softworks Plan, 10163 L93.101 Hardworks Plans and S39 tree planter detail which must be completed prior to the operation of the unit and permanently retained and maintained thereafter.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and provisions of the NPPF.

CONDITION: CYCLE PROVISION

(11) The building shall not be occupied until space has been laid out within the site for 4 customer 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 the policies and provisions of the NPPF.

CONDITION: CAR PARKING AND CYCLE PROVISION PROVISION

(12) Unless otherwise agreed previously in writing with the Local Planning Authority, the building shall not be occupied until space has been laid out within the site in accordance with details hereby approved for 15 cars to be parked and the cycle provision shown on the approved plans. The car parking space and cycle parking shall thereafter permanently retained for that purpose.

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 the policies and provisions of the NPPF.

CONDITION: DELIVERY STRATEGY

(13) A delivery strategy plan shall be submitted to, and approved in writing by the Local Planning Authority prior to the opening of the unit. The approved scheme shall be implemented prior to the opening of the unit and permanently operated thereafter.

The strategy should include the type of delivery vehicles to be used, the location of delivery drop of areas and measures to limit the noise and disturbance generated.

Reason:

To protect the residential and general amenity of the area from disturbance for noise at unreasonable hours and avoid conflict with policy CS22 of the Plymouth Adopted Core Strategy and the NPPF

CONDITION: NOISE

(14) Prior to the Operation of the premises full details of the fixed plant and equipment: including mechanical ventilation extraction, refrigeration and/or air conditioning units installed in the unit shall be submitted to and approved in writing by the Local Planning Authority.

The noise producing equipment specified shall be installed as described and before commissioning shall be tested and shall achieve the following sound levels. The noise emanating from equipment (LAeqT) shall not exceed the background noise level (LA90) as described in the noise assessment as 38dB by more than 5dB, including an adjustment to allow for the character/tonalities of the noise, at anytime as measured at the façade of the nearest residential property.

Reason:

To protect the residential and general amenity of the area from noise emanating from the operation of any mechanical extract ventilation system and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy and the NPPF.

CONDITION: ODOUR CONTROL

(15) The development consented hereby will include the installation of a mechanical kitchen extract ventilation system. Prior to the installation of the mechanical kitchen extract ventilation system, a scheme for the installation of the associated equipment to control the emission of fumes and smell from the premises shall be submitted to, and approved in writing by, the local planning authority and the approved scheme shall be implemented and permanently thereafter. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason:

To protect the residential and general amenity of the area from odour emanating from the operation of any mechanical extract ventilation system and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (16) 2007 and policies and provision of the NPPF.

CONDITION: HOURS OF DELIVERY AND COLLECTION

(16) Hours of Delivery and Collection to the unit shall be restricted to the following times:

Monday to Sunday including Bank Holidays- 07:00 to 23:00hrs

Reason:

To protect the residential and general amenity of the area from disturbance for noise at unreasonable hours and avoid conflict with policy CS22 of the Plymouth Local development Framework Core Strategy (2006-2021) 2007

CONDITION: WASTE STORAGE

(17) Prior to the occupation of the use hereby permitted a suitably screened and covered area for the storage of waste shall be provided on site to accommodate lidded refuse storage containers.

Reason:

To ensure that trade waste does not constitute a hazard to public health or detrimentally affect the visual appearance of the neighbourhood in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the policies and provisions of the NPPF..

CONDITION PRE-OCC: TRAFFIC MANAGEMENT PLAN

(18) The use of the proposed drive-thru restaurant shall not commence until the applicant has submitted to the Local Planning Authority for approval a Traffic Management Plan (TMP). The TMP shall provide details relating to the management of all traffic queueing with measures to reduce

queue lengths accordingly. Details shall be submitted to and approved in writing by the Local Planning Authority. From the date of occupation the applicant shall operate the approved TMP.

Reason: In order to ensure that queues are properly managed in order to prevent vehicles from stacking back within the site, to the detriment of the retail park access or the local highway network, which would give 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 Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CONDITION PRE-OCC PEDESTRIAN/CYCLE ACCESS

(19) The proposed drive-thru restaurant shall not be occupied until a means of access for both pedestrians and cyclists has been constructed in accordance with the approved plans.

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

CONDITION: WASTE MANAGEMENT

(20) The KFC waste collection procedure here by approved shall be permanently operated following the opening of the store.

Reason:

To sure the waste generated from the site does not impact on the visual appurtenance and residential amenity of the surround area and in accordance with the requirements of policies CS34 of the Core Strategy and policy 30 of the Plymouth Plan Part one.

CONDITION: LITTER MANAGEMENT

(21) The KFC litter policy here by approved shall be permanently operated following the opening of the store.

Reason:

To sure the waste generated from the site does not impact on the visual appearance and residential amenity of the surround area and in accordance with the requirements of policies CS34 of the Core Strategy and policy 30 of the Plymouth Plan Part one.

CONDITION: RESTRICTION ON PERMITTED CHANGES OF USE

(22) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification),), no change of use of the proposed A3/A5 unit to a use falling within Classes A1 or A2 of Part 3 of Schedule 2 to that order shall be carried out.

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate, but that a proposal to use the premises for any other purpose would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

CONDITION: FINISHED FLOOR LEVEL

(23) The finished floor level of the proposed unit shall be at least 4.16m AOD.

Reason:

To ensure that the development is safe from flood risk and in accordance with policies CS12 of the Core Strategy and Policy 26 of the Plymouth Plan Part One.

CONDITION: OPENING HOURS

(24) The A3/A5 uses hereby permitted shall not be open to customers outside the following times: 0700 hours to 2300 hours Mondays to Sundays and Bank or Public Holidays.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and to avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

Informatives

INFORMATIVE: CONDITIONAL APPROVAL

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

INFORMATIVE: PUBLIC HIGHWAY ENGINEERING DETAILS

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

INFORMATIVE: DRAINAGE

(3) The drainage in a food preparation area should be fitted with a grease separator in line with Building Regulations Approved Document H and prEN1825-1:2004, design in accordance with prEN1825-2:2002 or other effective means of grease removal.

INFORMATIVE: KITCHEN LAYOUT AND DESIGN

(4) The applicant/s should submit details of the proposed layout and design of any proposed kitchen to the food safety and standards team prior to the installation of any equipment in order that comments can be made regarding the layout and compliance with hygiene regulations.

INFORMATIVE: DEVELOPMENT DOES NOT ATTRACT A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(5) The Local Planning Authority has assessed that this development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to its size or nature, under our current charging schedule. The Levy is subject to change and you should check the current rates at the time planning permission first permits development (which includes agreement of details for any pre-commencement conditions) see www.plymouth.gov.uk/cil for guidance. Index-linking may also apply.

INFORMATIVE: DRAINAGE AND SURFACE WATER MANAGEMENT DETAIL

(6) As part of the discharge of the Surface Water and Drainage Conditions the following information will be required:

- Evidence to demonstrate that the surface water drainage system is designed to the specified standard taking into account the potential for tidelocking. Details of level and condition of the outfall should be assessed.
- The level of ground water on site should be established and attenuation tanks designed to ensure they are not at risk from hydraulic lift.
- Permission to discharge to the proposed drainage system is required to be provided with confirmation of acceptance of the proposed discharge rate.
- An assessment that the system is in suitable condition for the lifetime of the development is required.
- Drawing Ref 4335-2900 shows exceedance flows being directed to the car parking area before being directed off the site and into Marsh Close. It should be designed so that discharge is retained on site
- A maintenance and management schedule for the proposed system should be submitted
- A construction Environment Management Plan should be submitted for approval prior to construction.

INFORMATIVE: EXTINGUISHMENT OF PUBLIC HIGHWAY RIGHTS

(7) Before the access road shown on the approved plan is constructed the public highway access rights over part of the associated land shall be formally extinguished in accordance with Section 247 of the Town and Country Planning Act.

Reason:

In the interests of public safety and amenity in accordance with Policies CS28 and CS34 of the Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

This page is intentionally left blank

PLANNING APPLICATION REPORT



Application Number 16/01102/S73

Item 05

Date Valid 07/07/2016

Ward Moor View

Site Address

LEGACY PLYMOUTH INTERNATIONAL HOTEL, 270 PLYMOUTH ROAD, PLYMOUTH

Proposal

Section 73 application to modify conditions: 2 (plans), 11(car parking provision), 14 (car parking management), 19 (odour control), 20 (delivery hours), 39 (hot food takeaway), 40 (opening hours) of application 12/02320/FUL to allow re-siting of unit 5 (168 sqm) A3 restaurant/café and to trade between 7am - 11pm

Applicant

EOP II PROP CO I S.A.R.L

Application Type

Removal or Variation of Condition

Target Date

31/10/2016

Committee Date

**Planning Committee: 27
October 2016**

Decision Category

Major - more than 5 Letters of Representation received

Case Officer

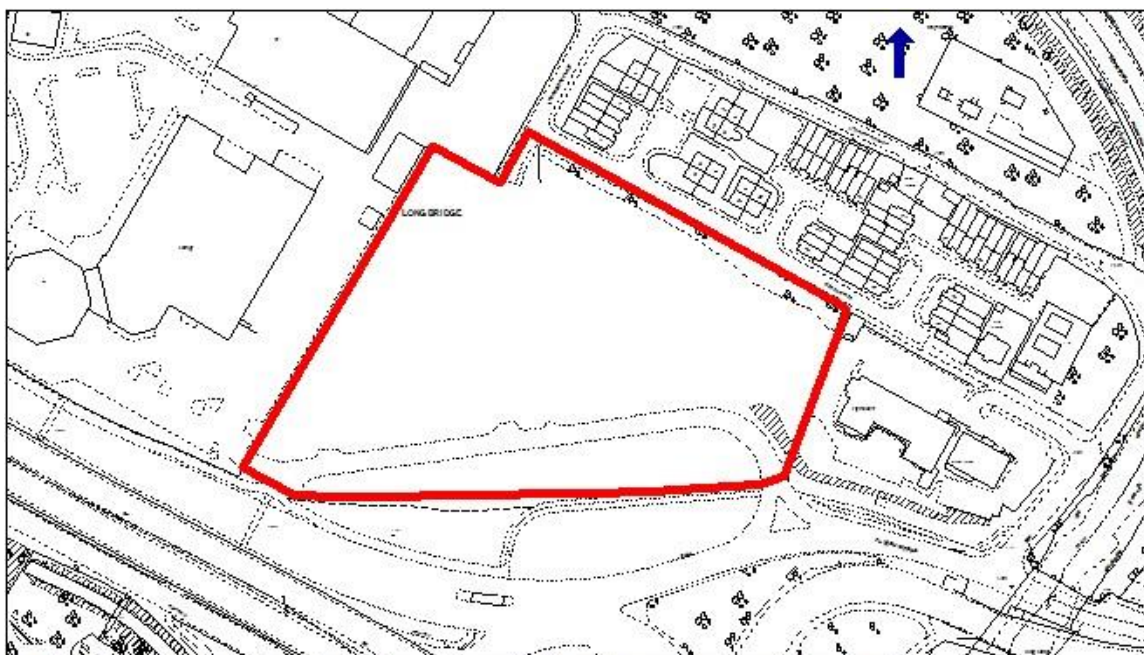
Ali Wagstaff

Recommendation

Grant Conditionally Subject to a S106 Obligation

Click for documents

www.plymouth.gov.uk



1. Description of site

The site is the former Legacy Hotel; it is a site of approximately 2.1 hectares north of the principle junction into Plymouth from the A38 Parkway at Marsh Mills. The hotel has now been demolished and the site is vacant with the central section boarded with protective hoarding. The previous building on site was constructed in the 1980s and was formed by three blocks; a single storey structure with inner courtyard and mono-pitched roof located at the centre of the site with two linked, flat-roof blocks of three and four storeys in height positioned to the north. The building had a simple materials palette of buff coloured brick, aluminium windows and metal cladding to the roof.

Access to the site is via an existing junction with Plymouth Road which provides a direct route onto the site from the Marsh Mills roundabout with egress onto Plymouth Road Eastward only. The access road extends along the front of the site.

A large area of soft landscaping occupies the area in front of the site, and contains a number of bushes and trees. Further grassed areas and planting extend around the remaining boundaries of the site.

The site is bounded by a simple, three-storey, red brick, commercial office development to the east and the large units of Marsh Mills retail park to the west. To the north of the site is residential development arranged around a series of parking courts which are accessed from Marsh Close. These are principally two storeys and are of a similar dark red brick to the nearby office development.

2. Proposal description

The Planning Application is a Section 73 Application which seeks to vary a number of conditions to the previously approved application 12/02320/FUL. That application granted consent for 4 retail units and a restaurant which were located along the western edge of the site with car parking to the east in front of the units. In determining this application the consideration relates to the acceptability of the proposed changes rather than the acceptability of the full proposal as this has already been granted planning consent under application 12/02320/FUL.

The application seeks amendment to the following conditions: - 2 (plans), 11 (car parking provision), 14 (car parking management), 19 (odour control), 20 (delivery hours), 39 (hot food takeaway), 40 (opening hours) of application 12/02320/FUL to allow re-siting of unit 5 (168 sqm) A3 restaurant/café and to trade between 7am - 11pm.

These changes result from two factors, the first is that the developer has updated the external finish to improve the appearance of the building and Retail Park incorporating the requirement for the secured tenants of the scheme. Two, the previously approved scheme which contained 4 retail units and 1 restaurant is now being amended to relocate the restaurant from the south west of the site to the south east. The changes to the conditions facilitate this move and the requirements of the new occupier which includes the ability to sell takeaway drinks and warmed foods. This does not seek consent for a hot food takeaway operation and is related to a coffee shop/café with a takeaway facility.

The changes as a result of the proposed conditions are as follows:

Condition 2 (Approved Plans) - relocation of restaurant unit with associated changes to the site layout and reduction in car parking provision. Revised elevation treatment to building façades, with increased glazing entrances and inseting of advertisement panels. Alteration to internal floor spaces for each unit, but retained within the approved A1 floor space of 7,900 sqm. Associated changes to hard and soft landscaping and car parking layout. During the course of the application the entrance

to the retail park has been amended to provide a priority entrance into the retail park rather than a right turn access from the entrance road.

Condition 11 (Minimum Car Parking Provision) reduce the required parking space provision from 268 spaces to 237 spaces.

Condition 14 (Car Park Management Strategy) amend wording to reflect the proposed opening times of the car park in line with change in this regard to condition 40 for the store opening hours. This would allow car park to be open from 7am to 11.30pm, the condition currently restricts the majority of the car park to 8am-8pm Monday to Saturday and 10am to 5pm Sundays and Bank Holidays.

Condition 19 (Odour control) amended wording to remove requirement for extraction and ventilation system to be provided if the unit is not used for the cooking of food.

Condition 20 (Hours of delivery and collection) allow extended delivery hours for the relocated A3 unit to 7 am- 11pm while retaining the wider site in line with previous hours 8am-6pm Monday to Saturday.

Condition 39 (Hot food takeaway) amend the condition which currently restricts sale of hot food for consumption off the premises to allow the sale of reheated or cold food which has been prepared elsewhere.

Condition 40 (Opening hours) is to amend condition to allow the A3 unit to operate 7am to 11pm each day. The condition currently restricts opening on Sundays and bank holidays from 10am to 5pm and Monday to Saturday 8am to 11pm.

While not the subject matter of this application a second full planning application 16/01100/FUL has been submitted for part of the site which this application leaves vacant. That application is for the erection of a “drive thru” restaurant with access, servicing, car parking, landscaping and associated works. The proposed occupier is identified as KFC.

3. Pre-application enquiry

No formal pre-application engagement has taken place on the application. Officers have however discussed how the proposed changes should be submitted, advising that a Section 73 application should deal with all matters, except the additional A3/A5 Unit which should be the subject of a separate full application.

4. Relevant planning history

16/01100/FUL – Erection of drive-thru restaurant (Class A3/A5) with access and servicing arrangements, car parking, landscaping and associated works- Recommended for approval.

12/02320/FUL - Full planning application for demolition of the existing hotel and development of a maximum of 7,900 square metres of A1 retail floorspace and a maximum 712 square metres of A3 restaurant/café floorspace, with access parking, landscaping and associated works- Granted conditionally

99/01123/ADV – Provision of new flag pole and re-siting of existing flag pole – Granted conditionally

94/01044/ADV – Illuminated welcome sign – Granted conditionally

94/00748/ADV – Illuminated welcome sign – Withdrawn

86/01831/FUL – Construction of new entrance/exit road and alterations to car park – Granted conditionally

81/00058/FUL – Erection of 101 bedroomed hotel (amendment to approved plans) – Granted conditionally

79/02608/FUL – Erection of 125 bedroomed hotel including 12 staff bedrooms – Granted conditionally

5. Consultation responses

Police Designing Out Crime Officer - No objections to proposal.

Environment Agency - The variation of these conditions as proposed will be acceptable provided that a condition relating to floodplain compensation can be included on any permission granted and the finished floor level of unit 5 remains at 4.16m AOD as originally proposed.

Economic Development Department - No objections

Highways England – No objections

Natural England - No comment to make on the section 73 application. If the proposal is amended in a way which significantly affects its impact on the natural environment then Natural England should be consulted again.

Public Protection Service- recommend approval subject to conditions, Unit 5 is intended for the sale of coffee and reheating of goods and is set away from the residential properties. There is an acoustic fence sited along the boundary with Marsh Close, together with trees and shrubs. It is therefore not considered that the re-siting of unit 5, with the amended requested trading hours, will have a negative impact on residential properties. There are no objections to the proposed trading/delivery hours; however there must be plans in place to mitigate disturbance. Conditions recommended.

Natural Infrastructure Team – The S106 secured as a result of the previous application is still required towards greenspace.

Local Lead Flood Risk Authority – Raises number of concerns with how flood risk and surface water are to be managed within the scheme. Identify a number of factors which will require further information, these matters are:

- Evidence to demonstrate that the surface water drainage system is designed to the specified standard taking into account the potential for tidelocking. Details of level and condition of the outfall should be assessed.
- The level of ground water on site should be established and attenuation tanks designed to ensure they are not at risk from hydraulic lift.
- Permission to discharge to the proposed drainage system is required to be provided with confirmation of acceptance of the proposed discharge rate.
- An assessment that the system is in suitable condition for the lifetime of the development is required.
- Drawing Ref 4335 – 2900 shows exceedance flows being directed to the car parking area before being directed off the site and into Marsh Close. It should be designed so that discharge is retained on site.
- A maintenance and management schedule for the proposed system should be submitted.
- A Construction Environment Management Plan should be submitted for approval prior to construction.

It has been confirmed that these matters can be controlled by the imposition of the existing two conditions which are in place on the application, in relation to 'a scheme for the provision of surface water management' and 'details of proposed floodplain compensation'.

Local Highways Authority – Has no objection to the grant of planning permission. The Transport Assessment submitted justifies why the application is acceptable in Highway terms. While the car parking level is reduced, the reduction of the A3 use makes this acceptable. The changes to trip generation are negligible to the consented scheme and do not impact on the highway or cause capacity or safety issues. The location of the drive thru allows queuing to be contained in the site and will not interfere with the local highway network. Overall the layout and changes set out in the application are acceptable, as is the change of the MOVA condition to be fully implemented pre-occupation.

6. Representations

15 letters of representation have been received which object to the application. The key points from the representations are set out below:

- Impact on residents of the Marsh Close area need to be considered
- Traffic generation in surrounding residential streets (Marsh Close area)
- Increased traffic generation and congestion particularly Plymouth Road and Longbridge Road
- Impact on already busy area at rush hour with potential for accidents
- Impact of on street parking
- Late opening hours at takeaway facilities
- Surrounded area is saturated with takeaways
- Concerned about litter from restaurants and takeaway
- Impact on residential amenity from; cooking odours, opening hours, traffic noise and general disturbance
- Exacerbate issues already created by McDonalds with antisocial behaviour at all hours (boy racers)- impact on residential amenity
- Impact of early morning deliveries and refuse collection
- Confirmation of car park being closed
- Confirmation no direct access from Marsh Close
- Confirmation of tree retention and boundary treatment for Marsh Close area

7. Relevant Policy Framework

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

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007). The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One was approved by the City Council in September 2015. The Plan, which incorporates draft development plan policy, has been prepared following a consultation process. As such it is a material consideration for the purposes of planning decisions.

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

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

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

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

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

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

- Sustainable Design Supplementary Planning Document
- Development Guidelines Supplementary Planning Document
- Planning Obligations & Affordable Housing 2nd Review Supplementary Planning Document

8. Analysis

1. This application has been considered in the context of the development plan, the draft Plymouth Plan, the Framework and other material policy documents as set out in Section 7.
2. The application is a section 73 application which seeks to amend detail set out within conditions 2, 11, 14, 19, 20, 39, 40 of application 12/02320/FUL, therefore the consideration of this application focuses upon the changes proposed and their acceptability, rather than the acceptability of the scheme as a whole, which has already been established in the granting of the application.

Alterations to Layout and scale and design of buildings

3. The principle element of change to the layout relates to the removal of the A3 restaurant from the southwest end of the run of buildings and its relocation to the southwest corner of the site, and consequential changes to the car parking layout and hard and soft landscaping. The other key change relates to the relocation of the entrance into the retail park, the revised entrance to the retail park changes to a priority access rather than a right turn off the access lane, and is relocated approximately 40 metres further east. The landscaping area to the northeast of the building has also been amended; the previous application had a raised

landscaped bank with a close boarded timber fence, which has now been replaced by a concrete retaining wall, with close boarded fence above and with a flat Dry Swale area behind.

4. Visually these changes to the layout are considered acceptable and are not out of keeping with the overall appearance of a small retail park. They are considered to present a good quality of built form, with integrated landscaping. A key consideration of the previous application was the proximity of the buildings to Marsh Close and the impact on the residential amenity, which led to the layout being amended to move the buildings away from that area. This application retains the built line previously considered acceptable and retains the landscaping area and the trees. The exact arrangement for this boundary area is controlled by conditions 22 (Landscape Design), 23 (Soft Landscape Works), 26 (Details of Tree Planting), 28 (Existing Tree/Hedgerow to be retained/protected), and 30 (Details of Enclosure and screening). The proposals with these conditions attached are considered to provide an appropriate visual barrier and relationship to the scheme. The alterations to the external car parking area are relatively minor visually and retain a strong landscaped approach which is also considered acceptable in principle and is again controlled via the existing conditions.
5. The application makes a number of changes to the external appearance of the building, this includes the increase in height of the building and alteration to the external appearance. The wider impact of these changes is not considered by officers to be significant and makes no major alterations to the proposal in its setting. Officers however feel that the more immediate relationship to properties in Marsh Close needs more careful consideration, in relation to the height of the building. The previous application had a pitched roof with a parapet on the east elevation; this alongside the expanded distance from the properties ensured a suitable relationship. The revised approach to this application extended the parapet feature along the north elevation facing the residential properties. Following negotiation, this has been removed, which improves the relationship. The pitch and eaves of the roof of the building are slightly higher than that previously approved, however given the distance and large vegetation along the boundary, this increase is not considered to create an inappropriate relationship in line with the requirements of CS34.
6. Changes to the elevations include the enlargement of the glazed entrances to the retail units, the substantial increase in glazing wrapping around the east and south elevation of unit 4, and the setting down of the signage area within the elevations rather than raising up beyond it. These changes are considered to be an enhancement on the previous application presenting an improved visual appearance. The relocated A3 unit appearance is principally rendered with a mix of red brick, cedar cladding with aluminium framed glazed entrance and window with a single pitch roof. This building and design is considered acceptable and appropriate given its location. The exact finish of the external materials of all buildings will require submission under condition 31 of the application.
7. The removal of the former large A3 unit has left a large triangular void to the south of the 4 retail units; this area of the site is the subject of a separate full planning application (16/01100/FUL) for an A3/A5 drive thru restaurant, with access and service arrangement, car parking, landscaping and associated works. While the aspirations for this development are understood and are recommended for approval, that proposal is not included in this application. It is therefore appropriate to ensure that this area is appropriately treated should application 16/01100/FUL not be approved or developed. Therefore a condition is

proposed requiring detail of the treatment of that area, should that application not be developed, to ensure that the area forms an acceptable part of the wider site.

8. Overall the changes are considered appropriate and to accord with the requirements of policies CS02 and CS34 of the Core Strategy and policies 29 and 30 of the Plymouth Plan.

Impact on surrounding area amenity

9. There are a number of alterations to conditions which have the potential to alter the relationship to the surrounding properties' amenity. As set out above, in principle the alterations to the appearance and scale of the built form are not considered to result in an unduly negative relationship and are acceptable. However the change in location and operation of unit 5 required a more detailed consideration alongside the consequential changes to the car parking layout. Significant concern has been expressed by local residents in this regard.
10. The proposed relocation of Unit 5 is closer to the residential properties than the previous unit, it is approximately 50 metres from the closest residential properties. It is acknowledged that the relocated building and wider use will create the potential for disturbance from noise and vehicle movement; however they will be reduced by the fence and boundary planting already secured. Consideration of the potential implications of the proposal have been provided by the Council's Public Protection Service, who consider the relocation of the unit with the extended trading and delivery hours acceptable, subject to plans being in place to mitigate disturbance. This includes the requirement for a delivery strategy to limit disturbance, and a condition limiting the noise emissions from machinery. These conditions are considered reasonable and appropriate and will reduce the impact the development has on residents. The consultation response also recommends an alteration to the proposed amended condition 19, to ensure that should hot food ever be sold from the unit, that mechanical ventilation to control odour be submitted to and approved by the Council. This would ensure that should hot food, which is likely to generate odour, be sold from the store, mechanical ventilation to control odour would be provided. This would protect residential amenity in the surrounding area and as such the proposed change recommended is considered appropriate. Given the inclusion of the takeaway facility on the site, concern has been expressed in relation to the increase in litter production from the site and the impacts on the surrounding area. To ensure that this impact is mitigated it is important to ensure that adequate facilities for waste disposal are provided for the service users of the facility, it is therefore considered that a condition to require the provision of waste facilities should be attached.
11. Concern over the impacts of increased parking has also been expressed in relation to the Marsh Close area. The previous application secured a S106 contribution towards the implementation of a residents parking zone within Marsh Close and parking restrictions in the vicinity of the site. Given the securing of these measures, it is considered that any potential implications will be mitigated against. It is therefore concluded that in relation to the implications of the scheme on residential amenity, that the proposed changes, subject to conditions, are acceptable and accord with the requirements of policy CS34 of the Core Strategy and policy 30 of the Plymouth Plan Part One.
12. The previous application had a car park management strategy and a controlled barrier to limit access into the main car parking area to reduce disturbance from unauthorised vehicles outside operational hours. While the requirement for a car parking management strategy

remains, the alteration to the conditions and site plan, have the potential to increase activity and potential disturbance. The potential implications have been addressed with the applicant and a revised layout plan has been provided, this includes a high kerb running east-west and raised bollards outside Unit One, to restrict the access to the area of car parking closest to the properties after 8pm. This is considered to reduce any potential disturbance. In addition, the barrier at the entrance to the main car park will close the car park at 11:30pm. These measures are considered to maintain, alongside the other restrictions, an appropriate relationship with the residential properties, in accordance with the requirement of policy CS34 of the Core Strategy.

Flood risk

13. The previous application was considered acceptable in flood risk terms subject to condition 4 which secured the submission of flood plan compensation and condition 5 which ensured a satisfactory surface water drainage system. Both these conditions will be retained.
14. Updated technical evidence in relation to flood risk and surface water management have been submitted to support the application and has been reviewed by the Local Lead Flood Risk Authority (LLFRA), who have provided a detailed technical response to ensure that a satisfactory solution can be established for the management of surface water and its discharge. Further information has been provided by the applicant to resolve these concerns. In considering the application it is important to consider that application I2/02320/FUL was considered suitable for planning approval subject to the imposition of conditions 4 and 5 and as such the determination of this application focuses on the proposed changes. Agreement has now been reached with the LLFRA that, subject to the retention of the condition already in place, the strategy for flood risk and surface water management are acceptable in principle, subject to a number of key pieces of information being submitted in the discharge of conditions 4 and 5.
15. The Environment Agency (EA) have advised that the application as proposed will be acceptable, provided that a condition relating to floodplain compensation can be included on any permission granted and the finished floor level of unit 5 remains at 4.16m AOD as originally proposed. These matters are considered essential to ensure that the scheme is safe from flood risk and delivers adequate flood plain compensation and will be included in amended condition 5 and in a new condition to secure the finished floor level. Subject to these conditions, it is considered that the scheme is acceptable in flood risk terms and accords with policy CS12 of the Core Strategy, and Policy 26 of the Plymouth Plan Part One.

Highways and parking provision

16. The previous proposal was considered acceptable for the site, subject to a number of measures being secured, this included: - the provision of Microprocessor Optimised Vehicle Actuation (MOVA) at the Marsh Mills and other local junctions, re alignment and enlargement of the existing junction into the site and S106 contributions to enhance local cycle network and parking restriction in the Marsh Close area. An updated Transport Assessment (TA) has been submitted with this application, which has been considered by both Highways England and the Local Highways Authority. The proposal reduces the overall quantum of development reducing the size of the A3 unit through a smaller unit being provided, however the inclusion of the takeaway facility does alter the type of movements generated. Highways England have raised concern with some of the technical assumptions made in relation to the likely trip generation and have considered their own trip generation assessment of the site. While higher than that set out in the TA, they do not consider it will have a severe impact on the operation of the A38 Trunk Road.

17. The proposals have also been given detailed consideration by the Local Highways Authority, who following the alterations to the retail park entrance and the improved car parking layout are satisfied that the impacts of the proposed scheme will be adequately mitigated by the measures secured in the previous application, to ensure the safe operation of the local highway network. The scheme will also reduce the overall level of car parking proposed and the layout of the car park provided. It is considered that the level of car parking is sufficient for the proposed scheme and the layout will allow an appropriate design for vehicles to manoeuvre and the drive thru to safely operate within the site. As stated above in paragraphs 11 and 12, the car parking restrictions for access are altered from that previously proposed, however the replacement measures and Car Parking Management Strategy will ensure that the parking is appropriately managed in the site.
18. Given the above, it is considered that the proposed alterations to the scheme are acceptable and would accord with the requirement of policies CS34 and CS28 of the Adopted Core Strategy and Policies 13 and 22 of Plymouth Plan Part One.

Pre-commencement Conditions.

19. Since the determination of the previous application 12/002320/FUL the Town and Country Development Management Procedure Order 2015 has come in to force, amending the previous legislation. Section 35 part 1 (a) requires that where planning permission is granted subject to conditions, the notice must state clearly and precisely their full reasons for each condition imposed; and in the case of each pre-commencement condition, for the condition being a pre-commencement condition. Consideration has been given to this requirement specifically in relation to justification of the Pre-Commencement conditions. Those where it is considered there is justification have been retained as pre-commencement conditions, however those where the requirement for them to be pre-commencement is not sufficient, have been amended to a point in the development which is considered justified.
20. In conclusion it is considered that the amendments applied for under this Section 73 application to application 12/02320/FUL and the conditions are acceptable and are suitable for conditional planning approval.

9. Human Rights

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

10. Local Finance Considerations

The Proposal is not liable to pay CIL, which only applies to Residential Development and Retail Superstores.

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting

planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations were agreed on application 12/02320/FUL and the alterations set out in this Section 73 application are not considered to alter these requirements or the amounts secured. As such a new linked Section 106 agreement has been agreed which secures the following, as set out in the original application:

- £10,000 towards parking restrictions in the vicinity of the site and the provision of a residents parking zone within Marsh Close.
- £20,000 contribution towards the provision of the strategic cycle network including improvements to National Cycle Network 27 in the vicinity of the site and connections to it in the Marsh Mills/Coypool area.
- £35,000 contribution to enable biodiversity improvements to be delivered in accordance with the Efford Marsh Local Nature Reserve Management Plan.
- £6,500 Planning Obligations Management Fee relating to the administration, monitoring and management of the Planning Obligation.
- All of the above payable upon commencement of development.

12. Equalities and Diversities

The proposed development will be available to all members of the public and will not prejudice against age, gender, religion, sexuality, ethnic background or nationality. The development will be fully compliant with the Disability Discrimination Act and therefore access for the disabled is provided.

The site is accessible to people from all areas of the city as the site is extremely well served by public transport, being adjacent to an existing Park and Ride site. The development will also provide car parking and cycle storage.

The development will be available to all equality groups. The application therefore does not have any adverse impacts on any equality groups.

13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the changes proposed accord with policy and national guidance and specifically policies CS02, CS12, CS21, CS28 and CS34 of the Core Strategy and Policies 13, 26 and 30 of the Plymouth Plan.

The alteration to the development proposal will ensure a form of development which delivers, subject to detailed conditions, an acceptable solution to flood risk and surface water management.

The siting, design, materials and finish of the development are considered to be acceptable and in keeping with the appearance and character of the area. The alteration to the approved scheme and amended conditions are not considered to have a significant adverse impact upon neighbouring properties and will contribute to the regeneration of the area as a whole.

Officers consider that the application constitutes sustainable development that is consistent with the requirements of the National Planning Policy Framework and compliant with the Councils adopted Local Development Framework planning policy.

It is therefore recommended that the development be conditionally approved subject to the satisfactory completion of the above S106 Obligation and subject to the amended conditions set out below.

14. Recommendation

In respect of the application dated **07/07/2016** and the submitted drawings

10163_L04_06 North East Elevation Overlay, 10163_L01.01.R Proposed Site Plan, 10163 L94.01.F Softworks and Planting Plan, 10163 L93.01.D Hardworks Plan, 10163 L04.01.F Proposed Unit Elevations, 10163 L03.01.E Proposed Retail Units - Sections, 10163.L94.02.C Proposed Boundary Detail 1, 10163.L94.03.B Proposed Boundary Detail 2, 10163.L94.04.B Proposed Boundary Detail 3, 10163 L02.02 Proposed Unit 5 Floor Plan, 10163 L02.01.C Proposed Ground Floor Plan Units 1 - 4, Transport Assesment, Planning and Retail Statement, noise assesment, flooding and drainage over view.,it is recommended to: **Grant Conditionally Subject to a S106 Obligation**

15. Conditions

CONDITION: DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

CONDITION: APPROVED PLANS

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

10163_L04_06 North East Elevation Overlay, 10163_L01.01.R Proposed Site Plan, 10163 L94.01.F Softworks and Planting Plan, 10163 L93.01.D Hardworks Plan, 10163 L04.01.F Proposed Unit Elevations, 10163 L03.01.E Proposed Retail Units - Sections, 10163.L94.02.C Proposed Boundary Detail 1, 10163.L94.03.B Proposed Boundary Detail 2, 10163.L94.04.B Proposed Boundary Detail 3, 10163 L02.02 Proposed Unit 5 Floor Plan, 10163 L02.01.C Proposed Ground Floor Plan Units 1 - 4

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: CODE OF PRACTICE DURING CONSTRUCTION

(3) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the

Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

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

PRE-COMMENCEMENT: FLOODPLAIN COMPENSATION

(4) Prior to commencement of the development, details of proposed floodplain compensation, including a review of the amount of storage required and details of its future maintenance shall be submitted to and agreed by the Local Planning Authority.

Prior to use of the development, it shall be demonstrated to the satisfaction of the Local Planning Authority that the floodplain compensation has been completed in accordance with the agreed details. The floodplain compensation shall thereafter be maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To ensure that this development manages flood risks appropriately and does not increase flood risk to third parties in accordance with policy CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

Justification:

To ensure the drainage and surface water provisions within the development are adequately provided for before development commences and do not cause undue problems to the wider drainage infrastructure.

PRE-COMMENCEMENT: SURFACE WATER DRAINAGE

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

The details shall include:

- details of the drainage during the construction phase
- a timetable for construction
- a construction quality control procedure
- details of the final drainage scheme
- a plan for the future maintenance and management of the system.

Prior to occupation of the development a report shall be submitted demonstrating that the approved scheme has been implemented on site. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To ensure the provision of a satisfactory means of surface water control and disposal during construction and for the final development in accordance with policies CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

Justification:

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

PRE-COMMENCEMENT: LANDSCAPE DESIGN PROPOSALS

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

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and provisions of the NPPF.

Justification:

To ensure the landscaping can be properly incorporated within the development proposals.

PRE-COMMENCEMENT: ARBORICULTURAL METHOD STATEMENT

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

Reason:

To ensure that the trees and the landscaped zone on the northern boundary of site are protected during construction work in accordance with Policy CS18 of the Plymouth Local Development Framework Core Strategy (24) 2007 and policies and provisions of the NPPF.

Justification: To ensure the protection of landscaping and trees from the impacts of construction.

PRE-COMMENCEMENT: CONTAMINATED LAND

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

Section 1. Site Characterisation

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

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

(ii) an assessment of the potential risks to:

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

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

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

Section 2. Submission of Remediation Scheme

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

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

Section 3. Implementation of Approved Remediation Scheme

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

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

Section 4. Reporting of Unexpected Contamination

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

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

Justification: To ensure that risks to health through contamination are properly considered and addressed before building works commence.

PRE-DCP: ACCESS/HIGHWAY IMPROVEMENTS

(9) No development shall take place above the damp course layer until all details of the proposed changes to the site access road and its junction with the public highway have been submitted to and approved in writing by the Local planning Authority including details of safe uncontrolled cycle and pedestrian crossing across the site entrance which shall incorporate a central refuge island. The approved details shall be strictly adhered to during the course of development.

Reason:

In the interests of the safe and efficient operation of the local and trunk road networks, and to ensure that appropriate and safe access is provided in accordance with Policy CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007 and policies and provisions of the NPPF.

PRE-DCP: DESIGNING OUT CRIME

(10) No development shall take place above the damp course layer, a scheme detailing how the principles and practices of the 'Secured By Design' scheme are to be incorporated into the development, shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

In the interests of creating safer and sustainable communities in accordance with The National Planning Policy Framework and Local Planning Policy CS32 Designing Out Crime of the Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

PRE-DCP: DETAILS OF ENCLOSURE AND SCREENING

(11) No development shall take place above the damp course layer until there has been submitted to and approved in writing by the Local Planning Authority details of all means of enclosure and screening to be used. The works shall conform to the approved details and shall be completed before the development is first occupied.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and provisions of the NPPF.

PRE-DCP: EXTERNAL MATERIALS

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

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and provisions of the NPPF.

PRE-DCP: SURFACING MATERIALS

(13) No development shall take place above the damp course layer until details of all materials to be used to surface external areas have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and provisions of the NPPF.

PRE-DCP: LIGHTING DETAILS

(14) No development shall take place above the damp course layer until details of any external lighting have been submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be fully implemented before the development is first occupied and henceforth permanently maintained unless written agreement is given by the LPA to an alternative lighting scheme.

Reason:

To ensure that any external lighting does not cause excessive light pollution and a resultant adverse impact upon the residential amenity of neighbouring properties in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

PRE-DCP: SUSTAINABILITY - ON-SITE RENEWABLES

(15) No development shall take place above the damp course layer until, the applicant has provided to the Local Planning Authority a report for approval identifying how a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by on-site renewable energy production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L of Building Regulations. If such requirements are to be provided by means of a biomass boiler in full or part, details shall also be provided to demonstrate that the boiler will be used, which shall include a commitment to maintain the boiler and details of how a long term fuel supply can be secured and delivered.

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

Reason:

To comply with Policy CS20 of Plymouth's LDF Core Strategy and in accordance with Government advice contained within the NPPF.

PRE-DCP: MAINTENANCE SCHEDULE

(16) No development shall take place above the damp course layer until a schedule of landscape maintenance for a minimum of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason:

To ensure that satisfactory landscaping works carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and provisions of the NPPF.

Pre-occupation Conditions

PRE-OCC: CAR PARK MANAGEMENT STRATEGY

(17) Prior to the occupation of the proposed development a car parking management strategy shall be submitted to and agreed in writing by the Local Planning Authority to restrict maximum stay at the car park to 3 hours together with measures to monitor and enforce such a restriction and appropriate signage. The car parking management strategy shall also include details of how access to the car park will be restricted outside the permitted opening hours (0700-2300 Monday to Sundays and Bank Holidays) and how the northern section of the car park shall be restricted between 20:30-08:00 Monday to Sunday and Bank Holidays. The development will not be brought into use until such time that the agreed car parking management strategy has been implemented. The car parking management strategy shall thereafter be so retained and maintained.

Reason:

To restrict the length of stay to a maximum of 3 hours to prevent long stay and commuter car parking to ensure an adequate level of car parking is provided for the development and in the interests of the residential amenity of the adjoining properties in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the policies and provisions of the NPPF.

PRE-OCC: ELECTRIC VEHICLE CHARGING POINTS

(18) The development shall not be brought into use until 2 electric vehicle charging bays with appropriate infrastructure have been provided within the car in accordance with details to be submitted to and approved in writing by the LPA

Reason:

In order to promote the use of electric vehicles in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Paragraph 35 of the NPPF.

PRE-OCC: NOISE

(19) The noise producing equipment specified in the application (Mechanical Ventilation Extraction, Refrigeration and/or Air Conditioning Units) shall be installed as described in the application and before commissioning shall be tested and shall achieve the following sound levels:

The noise emanating from such equipment (LAeqT) shall not exceed the background noise level (LA90) as described in the noise assessment as 38dB by more than 5dB, including an adjustment to allow for the character/tonalities of the noise, at anytime as measured at the façade of the nearest residential property.

Prior to occupation of the development, a report shall be submitted demonstrating that the above sound levels have been achieved. The above standards shall thereafter be maintained for the lifetime of the development.

Reason:

To protect the residential and general amenity of the area from noise emanating from the operation of any mechanical extract ventilation system and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006 - 2012) 2007 and policies and provisions of the NPPF.

PRE-OCC: WASTE STORAGE

(20) Prior to the commencement of the uses hereby permitted a suitably screened and covered area for the storage of waste shall be provided on site to accommodate lidded refuse storage containers, the details of the storage area shall have been previously submitted to and agreed in writing by the Local Planning Authority. The approved details shall thereafter be permanently retained and maintained.

Reason:

To ensure that trade waste does not constitute a hazard to public health or detrimentally affect the visual appearance of the neighbourhood in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the policies and provisions of the NPPF..

PRE-OCC: LANDSCAPE WORKS IMPLEMENTATION

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

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and provisions of the NPPF.

PRE-OCC: A3 UNIT 5 DELIVERY STRATEGY

(22) Prior to the occupation of unit 5 A delivery strategy plan shall be submitted to, and approved in writing by the Local Planning Authority prior to the opening of the unit 5 (A3 Use Class) . The approved scheme shall be implemented prior to the opening of the unit and permanently thereafter.

The strategy should include the type of delivery vehicles to be used, the location of delivery drop of areas and measure to limit the noise and disturbance generated.

Reason:

To protect the residential and general amenity of the area from disturbance for noise at unreasonable hours and avoid conflict with policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007

PRE-OCC: WASTE BIN PROVISION

(23) Prior to the occupation of Unit 5 details of waste bin provision shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented in full prior to the opening of the unit and permanently retained thereafter.

Reason:

To sure the waste generated from the site does not impact on the visual appearance and residential amenity of the surround area and in accordance with the requirements of policies CSA34 of the Core Strategy and policy 30 of the Plymouth Plan Part one.

PRE-OCC: GRAMPIAN - 'MOVA' PROVISION/OFF-SITE HIGHWAY WORKS REQUIRED

(24) No part of the development hereby approved shall be occupied until the Local Planning Authority and Highways Agency have approved in writing a full scheme of works to provide Microprocessor Optimised Vehicle Actuation (MOVA) Control at the following junction:

(i) Marsh Mills Junction A38 (T)/A374/B3416.

No part of the development hereby approved shall be occupied until the Local Planning Authority has approved in writing a full scheme of works to provide Microprocessor Optimised Vehicle Actuation (MOVA) Control at the following junctions:

(ii) B3416 Plymouth Road Longbridge Road junction.

(iii) B3416 Plymouth Road Coypool Road junction.

(iv) B3416 Plymouth Road Woodford Avenue Junction.

No part of the development hereby approved shall be occupied until the approved works are in place, are operational and have been confirmed as being so by the Local Planning Authority and Highways Agency unless otherwise agreed previously in writing with the Local Planning Authority.

Reason:

To ensure the safe and efficient operation of the local and trunk road networks and to ensure that appropriate and safe access is provided in accordance with policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

PRE-OCC: LOADING AND UNLOADING PROVISION

(25) Before the building hereby permitted is first brought into use, adequate provision shall be made to enable goods vehicles to be loaded and unloaded within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To enable such vehicles to be loaded and unloaded off the public highway so as to avoid:- (i) damage to amenity; (ii) prejudice to public safety and convenience; and (iii) 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 the policies and provisions of the NPPF.

PRE-OCC: CYCLE PROVISION

(26) The building shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 23 staff bicycles and 18 customer 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 the policies and provisions of the NPPF.

PRE-OCC: MINIMUM CAR PARKING PROVISION

(27) Unless otherwise agreed previously in writing with the Local Planning Authority, notwithstanding the level of car parking shown on the submitted plans, the building shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a minimum of 236 cars to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear.

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 the policies and provisions of the NPPF.

PRE OCC: REMAINING LAND

(28) The development hereby permitted shall not be occupied unless and until planning application 16/01100/FUL or any future approved variation of that permission has been implemented on the area of land shown on Plan 10163_L01.01.Q (shown with diagonal lines and identified as Area for future development) or a scheme for the hard and Soft landscaping of that area has been submitted to and approved by the Local Planning Authority.

Development shall be undertaken in full accordance with the detail submitted or the planning permission set out above.

Reason:

To ensure that satisfactory appearance and landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and provisions of the NPPF.

PRE-OCC: TRAVEL PLAN

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

Reason:

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

Other Conditions

CONDITION: ODOUR CONTROL

(30) Prior to any use of the A3 Unit (Unit 5), for the cooking of food, a mechanical kitchen extract ventilation system to control the emission of fumes and smell from the premises shall be installed in accordance with details which shall have been previously submitted to and agreed in writing by the Local Planning Authority. All equipment installed as part of the approved scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason:

To protect the residential and general amenity of the area from odour emanating from the operation of any mechanical extract ventilation system and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provision of the NPPF.

CONDITION: HOURS OF DELIVERY AND COLLECTION

(31) Deliveries and collections should be restricted to the following times:

Monday to Saturday - 08:00 to 18:00hrs

Sundays and Bank Holidays - No deliveries or refuse collections.

The exception shall be unit 5 (as identified on plan, I0163_L01.01.Q Proposed Site Plan) which should be restricted to deliveries and collections in the following times:

Monday to Sunday (including Bank Holidays) 07:00 to 23:00 hrs

Reason:

To protect the residential and general amenity of the area from disturbance from noise at unreasonable hours and avoid conflict with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the policies and provisions of the NPPF.

CONDITION: SOFT LANDSCAPE WORKS

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

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and provisions of the NPPF.

CONDITION: DETAILS OF TREE PLANTING

(33) The plans and particulars of the landscaping works submitted in accordance with condition 22 above shall include details of the size, species and positions or density of all trees to be planted, and the proposed time of planting.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and provisions of the NPPF.

CONDITION: TREE REPLACEMENT

(34) If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and are subsequently properly maintained, if necessary by replacement and provisions of the NPPF.

CONDITION: EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

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

(a) No retained tree, hedgerow or any of the plants/shrubs on the northern boundary shown to be retained on the approved plans, shall be cut down, uprooted or destroyed, nor shall any tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with BS 3998: 2010 Tree Work Recommendations.

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

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

Reason:

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

CONDITION: BULKY GOODS RESTRICTION

(36) Notwithstanding the permitted use of the retail units hereby permitted falling within Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) the development shall only be used for the sale of bulky goods falling within any of the following categories (and for no other purposes within the Town and Country Planning (Use Classes) Order 1987 (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification):

- (i) DIY products, materials, tools and machinery for the repair, maintenance or improvement of the home, the garden and motor vehicles;
- (ii) Electrical goods and other domestic appliances of a bulky nature;
- (iii) Furniture, beds, floor coverings, wall tiles, soft furnishings and textiles of a bulky nature;
- (iv) Cycles, motor and cycle accessories of a bulky nature;
- (v) Kitchen units and accessories of a bulky nature;
- (vi) Office Furniture and Equipment of a bulky nature.

For the avoidance of doubt, only the above products and no others shall be sold at any time.

Reason:

In order to protect the vitality and viability of the City Centre and other centres in Plymouth from significant harm, to ensure the range of goods sold is appropriate for the site's location and is in line with that tested in the submitted Retail Impact Assessment and the Sequential Assessment; to ensure the range of goods sold complies with policies CS01, CS06, CS07 and CS08 of the adopted Local Development Framework Core Strategy (2006-2021) 2007, together with paragraph 24 and 26 of the National Planning Policy Framework.

CONDITION: FLOORSPACE RESTRICTION

(37) The gross internal retail floor areas of each of the ground floor and mezzanine levels hereby approved shall be constructed strictly in accordance with submitted drawing 10163 L02.01 Proposed Ground Floor Plan Units 1 - 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order revoking and re-enacting that order with or without modification), the gross retail floorspace of any unit hereby approved shall not be physically enlarged, extended, or reduced in any way within the envelope of the buildings in which they are located, at any time, unless prior approval for any such change has been obtained in writing from the Council.

For the avoidance of doubt, the gross retail floorspace of any unit shall not be reduced or subdivided in any way nor shall any additional floorspace be created by the addition of additional floors or additional mezzanine levels beyond the 70% level shown on the submitted plan in any of the units hereby permitted.

Reason:

In order to provide an acceptable form of development, to comply with policies CS06, CS07, CS08 and CS12 of the adopted City of Plymouth Core Strategy Development Plan Document, 2007 and policies and provisions of the NPPF.

CONDITION: RESTRICTION ON PERMITTED CHANGES OF USE

(38) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no change of use of the proposed A3 unit to a use falling within Classes A1 or A2 of Part 3 of Schedule 2 to that order shall be carried out without the consent in writing of the Local Planning Authority.

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate, but that a proposal to use the premises for any other purpose would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

CONDITION: BULKY GOODS RETAIL - NO FOOD SALES

(39) Notwithstanding the permitted use falling within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), the A1 premises shall not be used for the sale of food for consumption on or off the premises.

Reason:

The use of the site for the sale of food would be contrary to Policy CS08; In the interests of the safe and efficient operation of the local and trunk road networks, and to ensure that appropriate and safe access is provided in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the policies and provisions of the NPPF.

CONDITION: NO TAKE AWAY HOT FOOD

(40) Notwithstanding the permitted use falling within Class A3 of the Town and Country Planning (Use Classes) Order 1987 (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), the A3 premises shall not be used for the primary cooking of unprepared food. Only reheated or cold food that has been prepared elsewhere shall be sold from the premises, unless otherwise agreed in writing with the local planning authority.

Reason:

The use of the premises for such a purpose would be likely to cause more harm local residential amenity due to increased noise and disturbance caused by the frequent arrival and departure of customers, and/or traffic and parking problems outside the premises and in adjacent streets than considered in the determination of this application, contrary to Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

CONDITION: UNIT 5 FINISHED FLOOR LEVEL

(41) The finished floor level of the proposed Unit 5 shall be at least 4.16m AOD.

Reason:

To ensure that the development is safe from flood risk and in accordance with policies CS12 of the Core Strategy and Policy 26 of the Plymouth Plan Part One.

CONDITION: OPENING HOURS

(42) The A1 uses hereby permitted shall not be open to customers outside the following times: 0800 hours to 2000 hours Mondays to Saturdays inclusive and 1000 hours to 1700 hours on Sundays and Bank or Public Holidays.

The A3 use hereby permitted shall not be open to customers outside the following times: 0700 hours to 2300 hours Mondays to Sundays and Bank or Public Holidays.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

CONDITION: USE OF LOADING AREAS

(43) The land indicated on the approved plans for the loading and unloading of vehicles shall not be used for any other purposes unless an alternative and equivalent area of land within the curtilage of the site is provided for loading and unloading with the prior consent in writing of the Local Planning Authority.

Reason:

To ensure that space is available at all times to enable such vehicles to be loaded and unloaded off the public highway so as to avoid:- (i) damage to amenity; (ii) prejudice to public safety and convenience, and (iii) 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 policies and provisions of the NPPF.

Informatives

INFORMATIVE: CODE OF PRACTICE

(1) The management plan shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web pages, and shall include sections on the following:

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

INFORMATIVE: PUBLIC HIGHWAY ENGINEERING DETAILS

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

INFORMATIVE: TRAVEL PLAN

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

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

INFORMATIVE: TOILET FACILITIES

(4) An adequate number of toilet and hand washing facilities should be provided for use by customers as well as staff, in order to meet the provision laid down in Approved Document G and BS 6465-1:2006 & A1:2009. The aforementioned documents must be referred to in order to determine the number of facilities required in each unit in which people are invited to sit and eat based on the number of covers and staff. The facilities should be adequately ventilated with a minimum of 15 air changes per hour to remove stale air and odour.

INFORMATIVE: DRAINAGE

(5) The drainage in a food preparation area should be fitted with a grease separator in line with Building Regulations Approved Document H and prEN1825-1:2004, design in accordance with prEN1825-2:2002 or other effective means of grease removal.

INFORMATIVE: KITCHEN LAYOUT AND DESIGN

(6) The applicant/s should submit details of the proposed layout and design of any proposed kitchen to the food safety and standards team prior to the installation of any equipment in order that comments can be made regarding the layout and compliance with hygiene regulations.

INFORMATIVE: DEVELOPMENT DOES NOT ATTRACT A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(7) The Local Planning Authority has assessed that this development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to its size or nature, under our current charging schedule. The Levy is subject to change and you should check the current rates at the time planning permission first permits development (which includes agreement of details for any pre-commencement conditions) see www.plymouth.gov.uk/cil for guidance. Index-linking may also apply.

INFORMATIVE: EXTINGUISHMENT OF PUBLIC HIGHWAY RIGHTS

(8) Before the access road shown on the approved plan is constructed the public highway access rights over part of the associated land shall be formally extinguished in accordance with Section 247 of the Town and Country Planning Act.

Reason:

In the interests of public safety and amenity in accordance with Policies CS28 and CS34 of the Local Development Framework Core Strategy (2006-2021) 2007 and policies and provisions of the NPPF.

INFORMATIVE: CONDITIONAL APPROVAL

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

PLANNING COMMITTEE

Decisions issued for the following period: 20 September 2016 to 16 October 2016

Note - This list includes:

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

Item No 1

Application Number: 15/01520/FUL **Applicant:** Rebecca Millman

Application Type: Full Application

Description of Development: Development of former Downham school site consisting of 28 residential units in a mix of open market and affordable houses and flats

Site Address FORMER DOWNHAM SPECIAL SCHOOL, HORN LANE
PLYMOUTH

Case Officer: Rebecca Boyde

Decision Date: 26/09/2016

Decision: Grant Subject to S106 Obligation - Full

Item No 2

Application Number: 16/00007/FUL **Applicant:** Mr Manoch Bahmanzadeh

Application Type: Full Application

Description of Development: Demolish existing building and erection of 4-6 storey building with commercial on ground floor and student flats above (56 bed spaces).

Site Address 134 VAUXHALL STREET PLYMOUTH

Case Officer: Katherine Graham

Decision Date: 30/09/2016

Decision: Refuse

Item No 3

Application Number: 16/00207/FUL **Applicant:** Las Iguanas
Application Type: Full Application
Description of Development: Variation of condition 11 of application 14/01300/FUL
Site Address LAS IGUANAS, BREWHOUSE, ROYAL WILLIAM YARD
PLYMOUTH
Case Officer: Adam Williams
Decision Date: 07/10/2016
Decision: Application Withdrawn

Item No 4

Application Number: 16/00568/FUL **Applicant:** Blue Sea Partnership LLP
Application Type: Full Application
Description of Development: Change of use of 6 bedroom HMO (Class C4) to a 8 bedroom
HMO (Sui generis) (Retrospective)
Site Address 76 WEST HILL ROAD PLYMOUTH
Case Officer: Liz Wells
Decision Date: 05/10/2016
Decision: Grant Conditionally

Item No 5

Application Number: 16/00804/FUL **Applicant:** Land Developments (SW) Ltd
Application Type: Full Application
Description of Development: Development of 13 dwellings with access road and associated
external works
Site Address LAND OFF TAMAR WAY WEST PARK PLYMOUTH
Case Officer: Christopher King
Decision Date: 30/09/2016
Decision: Grant Conditionally

Item No 6

Application Number: 16/01141/ADV **Applicant:** Cattedown Regeneration Ltd
Application Type: Advertisement
Description of Development: Index signage for business units
Site Address 4 NEPTUNE PARK PLYMOUTH
Case Officer: Liz Wells
Decision Date: 05/10/2016
Decision: Grant Conditionally

Item No 7

Application Number: 16/01142/FUL **Applicant:** Mr Mark Rowles
Application Type: Full Application
Description of Development: Erection of community sports building, 4 cricket nets, and multi-use games area (MUGA)
Site Address MANADON SPORTS DEVELOPMENT CENTRE, ST PETERS ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 14/10/2016
Decision: Grant Conditionally

Item No 8

Application Number: 16/01230/FUL **Applicant:** Colesbourne Asset Management
Application Type: Full Application
Description of Development: Change of use of third floor from offices (Class B1) to student accomodation (Class C4) and plant room.
Site Address 1-4 DERRYS CROSS PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 26/09/2016
Decision: Grant Conditionally

Item No 9

Application Number: 16/01270/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Repairs to footpath and cliff face
Site Address JENNYCLIFF BEACH PLYMOUTH
Case Officer: Liz Wells
Decision Date: 07/10/2016
Decision: Grant Conditionally

Item No 10

Application Number: 16/01362/FUL **Applicant:** Mr and Mr T Chan
Application Type: Full Application
Description of Development: Porch and rear extension
Site Address 29 LYNDRICK ROAD PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 13/10/2016
Decision: Application Withdrawn

Item No 11

Application Number: 16/01372/S73 **Applicant:** Mr Daniel Baker
Application Type: Removal or Variation of Condition
Description of Development: Variation of condition 5 of application 14/01551/FUL to extend opening hours
Site Address 133 ARMADA WAY PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 26/09/2016
Decision: Grant Conditionally

Item No 12

Application Number: 16/01381/FUL **Applicant:** Mr Paul Davies
Application Type: Full Application
Description of Development: Rear extension with adjoining decking
Site Address 82 LOOSELEIGH LANE PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 30/09/2016
Decision: Grant Conditionally

Item No 13

Application Number: 16/01392/REM **Applicant:** Mr Colin Bennett
Application Type: Reserved Matters
Description of Development: Application for reserved matters including appearance and scale of 1no self build unit (plot 22) following grant of permission 15/00486/OUT
Site Address PLOT 22, LAND ADJOINING WANSTEAD GROVE PLYMOUTH
Case Officer: Christopher King
Decision Date: 20/09/2016
Decision: Grant Conditionally

Item No 14

Application Number: 16/01395/FUL **Applicant:** Mr Simon Soady
Application Type: Full Application
Description of Development: Roof extension, two-storey front extension and hardstanding with associated steps
Site Address 2 SOUTH VIEW CLOSE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 26/09/2016
Decision: Grant Conditionally

Item No 15

Application Number: 16/01398/FUL **Applicant:** Just Storage Ltd
Application Type: Full Application
Description of Development: Change of use of land to storage use (Class B8)
Site Address FARADAY MILL BUSINESS PARK, CATTEWATER ROAD PLYMOUTH
Case Officer: Christopher King
Decision Date: 12/10/2016
Decision: Grant Conditionally

Item No 16

Application Number: 16/01409/FUL **Applicant:** Mr Gary McGuire
Application Type: Full Application
Description of Development: Use of hospitality suite on a permanent basis (retrospective) and enlarge dressing rooms.
Site Address HOME PARK FOOTBALL GROUND, OUTLAND ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 29/09/2016
Decision: Application Withdrawn

Item No 17

Application Number: 16/01411/FUL **Applicant:** Mr & Mrs I Jewell
Application Type: Full Application
Description of Development: Erection of dwelling (amendments to application 15/01435/FUL)
Site Address LAND ADJACENT TO MILL COTTAGE, STATION ROAD TAMERTON FOLIOT PLYMOUTH
Case Officer: Christopher King
Decision Date: 28/09/2016
Decision: Grant Conditionally

Item No 18

Application Number: 16/01414/FUL **Applicant:** Mr Gary McGuire
Application Type: Full Application
Description of Development: Security fence
Site Address HARPER'S FIELD HOME PARK FOOTBALL GROUND, OUTLAND ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 30/09/2016
Decision: Grant Conditionally

Item No 19

Application Number: 16/01415/FUL **Applicant:** Mr Mike & Mrs Louise Swain
Application Type: Full Application
Description of Development: Barn conversion and infill extension between buildings
Site Address HIGHER MILFORD COTTAGE, OLD WARLEIGH LANE
PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 20/09/2016
Decision: Grant Conditionally

Item No 20

Application Number: 16/01416/FUL **Applicant:** RTG (World Wide) Limited
Application Type: Full Application
Description of Development: Conversion to 4no residential units (Class C3)
Site Address GROUND FLOOR PRYN COURT, 9 CRAIGIE DRIVE
PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 03/10/2016
Decision: Grant Conditionally

Item No 21

Application Number: 16/01418/S73 **Applicant:** Plutus Energy Limited
Application Type: Removal or Variation of Condition
Description of Development: Variation to condition 2 of 14/02387/FUL - Minor material amendment to alter layout of facility
Site Address FORMER TOSHIBA FACTORY SITE, ERNESETTLE LANE
PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 21/09/2016
Decision: Grant Conditionally

Item No 22

Application Number: 16/01424/LBC **Applicant:** RTG (World Wide) Limited
Application Type: Listed Building
Description of Development: Internal and external alteration
Site Address GROUND FLOOR PRYN COURT, 9 CRAIGIE DRIVE
PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 03/10/2016
Decision: Grant Conditionally

Item No 23

Application Number: 16/01426/FUL **Applicant:** Mr & Mrs I Cadd
Application Type: Full Application
Description of Development: Boundary wall and hardstanding (revised scheme following refusal of application 16/00622/FUL)
Site Address 28 HOPTON CLOSE EGGBUCKLAND PLYMOUTH
Case Officer: Liz Wells
Decision Date: 21/09/2016
Decision: Grant Conditionally

Item No 24

Application Number: 16/01440/FUL **Applicant:** Mr & Mrs Jeffery
Application Type: Full Application
Description of Development: New dwelling, amendments to previously appointed scheme (13/01672/FUL)
Site Address MOUNT STONE, CREMYLL STREET PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 26/09/2016
Decision: Grant Conditionally

Item No 25

Application Number: 16/01441/LBC **Applicant:** Mr & Mrs Jeffery
Application Type: Listed Building
Description of Development: New dwelling and demolition of existing structures (amendment to previously approved scheme)
Site Address MOUNT STONE, CREMYLL STREET PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 26/09/2016
Decision: Grant Conditionally

Item No 26

Application Number: 16/01446/LBC **Applicant:** Babcock International Group
Application Type: Listed Building
Description of Development: Exterior building signage
Site Address S029/S030, S059, S162, DEVONPORT DOCKYARD, SALTASH ROAD KEYHAM PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 30/09/2016
Decision: Grant Conditionally

Item No 27

Application Number: 16/01449/LBC **Applicant:** Maple Grove Developments
Application Type: Listed Building
Description of Development: Provision of external staircase at east end of building
Site Address ROYAL EYE INFIRMARY, APSLEY ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 26/09/2016
Decision: Grant Conditionally

Item No 28

Application Number: 16/01456/FUL **Applicant:** Mr & Mrs Ravi Jhangiani
Application Type: Full Application
Description of Development: Subdivision of four-bedroom flat into two no. two-bedroom flats (Use Class C3)
Site Address 24 WALKER TERRACE PLYMOUTH
Case Officer: Liz Wells
Decision Date: 27/09/2016
Decision: Grant Conditionally

Item No 29

Application Number: 16/01458/LBC **Applicant:** GO! (Great Opportunities) Toget
Application Type: Listed Building
Description of Development: Temporary (5 years) roof covering repairs
Site Address PALACE THEATRE/HOTEL, 119-123 UNION STREET PLYMOUTH
Case Officer: Kate Price
Decision Date: 12/10/2016
Decision: Grant Conditionally

Item No 30

Application Number: 16/01465/FUL **Applicant:** Beavertail Ltd
Application Type: Full Application
Description of Development: Re-position approved Aberdeen Avenue vehicular access to serve residential development
Site Address LAND OFF ABERDEEN AVENUE PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 12/10/2016
Decision: Grant Subject to S106 Obligation - Full

Item No 31

Application Number: 16/01469/FUL **Applicant:** S Foster
Application Type: Full Application
Description of Development: Extension with balcony over (revised after 16/00631/FUL)
Site Address 36 THE OLD WHARF PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 26/09/2016
Decision: Grant Conditionally

Item No 32

Application Number: 16/01474/FUL **Applicant:** Plymouth Blue Ltd
Application Type: Full Application
Description of Development: Roller shutter door to face
Site Address DOLPHIN HOUSE, SUTTON HARBOUR PLYMOUTH
Case Officer: Liz Wells
Decision Date: 14/10/2016
Decision: Refuse

Item No 33

Application Number: 16/01475/ADV **Applicant:** Mr Sangar Asaad
Application Type: Advertisement
Description of Development: Externally illuminated fascia
Site Address 54 NOTTE STREET PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 21/09/2016
Decision: Grant Conditionally

Item No 34

Application Number: 16/01477/FUL **Applicant:** Mr Colin Putt
Application Type: Full Application
Description of Development: Side, rear extension and outbuilding
Site Address 12 ASHBURNHAM ROAD PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 26/09/2016
Decision: Grant Conditionally

Item No 35

Application Number: 16/01489/FUL **Applicant:** Mr & Mrs Bell
Application Type: Full Application
Description of Development: Two storey front extension
Site Address 47 REDDICLIFF ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 28/09/2016
Decision: Grant Conditionally

Item No 36

Application Number: 16/01496/REM **Applicant:** Mr & Mrs Whitman
Application Type: Reserved Matters
Description of Development: Reserved matters application for the approval of access, appearance, landscaping, layout and scale for one no. self-build unit (following grant of outline planning permission 14/01167/OUT)
Site Address 40 NETTON CLOSE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 30/09/2016
Decision: Grant Conditionally

Item No 37

Application Number: 16/01499/TCO **Applicant:** Mr James Taylor
Application Type: Trees in Cons Area
Description of Development: Cherry - remove
Site Address FIRST FLOOR FLAT, 5 FITZROY TERRACE, FITZROY ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 23/09/2016
Decision: Grant Conditionally

Item No 38

Application Number: 16/01506/FUL **Applicant:** Mr Rodney Taylor
Application Type: Full Application
Description of Development: Front wall
Site Address 7 STANBOROUGH ROAD PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 29/09/2016
Decision: Grant Conditionally

Item No 39

Application Number: 16/01507/TPO **Applicant:** Dr Lawrence
Application Type: Tree Preservation
Description of Development: 3x Lime Trees - re-pollard
Site Address 1 QUEENS ROAD LIPSON PLYMOUTH
Case Officer: Jane Turner
Decision Date: 29/09/2016
Decision: Grant Conditionally

Item No 40

Application Number: 16/01510/FUL **Applicant:** Mr Andy Rundle
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 23 THE KNOLL PLYMOUTH
Case Officer: Mike Stone
Decision Date: 13/10/2016
Decision: Grant Conditionally

Item No 41

Application Number: 16/01517/TPO **Applicant:** Plymouth City Council
Application Type: Tree Preservation
Description of Development: Sycamore - reduce overhang to 2m
Beech - cut back to boundary
Oak - re-pollard
Site Address WOODLAND, REAR OF 49 BURNETT ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 29/09/2016
Decision: Grant Conditionally

Item No 42

Application Number: 16/01518/PRDE **Applicant:** Mr & Mrs Keith Bellan
Application Type: LDC Proposed Develop
Description of Development: Enlarged first floor window
Site Address 29 BOSTON CLOSE PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 29/09/2016
Decision: Issue Certificate - Lawful Use (Pro)

Item No 43

Application Number: 16/01520/TPO **Applicant:** Mr Kenneth Jeffery
Application Type: Tree Preservation
Description of Development: Ash - reduce stem over path by 3m, balance opposite stem & thin.
Holm Oak - reduce.
Site Address GROUNDS OF STONEHOUSE LAWN TENNIS CLUB
DEVILS POINT PLYMOUTH
Case Officer: Jane Turner
Decision Date: 04/10/2016
Decision: Grant Conditionally

Item No 44

Application Number: 16/01521/FUL **Applicant:** Mr G Lancashire
Application Type: Full Application
Description of Development: Replace windows
Site Address FLAT 7 HARBOURSIDE COURT, HAWKERS AVENUE
PLYMOUTH
Case Officer: Mike Stone
Decision Date: 28/09/2016
Decision: Grant Conditionally

Item No 45

Application Number: 16/01524/TPO **Applicant:** Plymouth City Council
Application Type: Tree Preservation
Description of Development: Sycamore - reduce to previous pruning points
Ash - reduce to previous pruning points
Site Address 51 BURNETT ROAD CROWNHILL PLYMOUTH
Case Officer: Jane Turner
Decision Date: 29/09/2016
Decision: Grant Conditionally

Item No 46

Application Number: 16/01527/TPO **Applicant:** Mr Martin Payne
Application Type: Tree Preservation
Description of Development: 4 Ash (ref:T1, T2, T3 and T5) - fell to benefit adjacent Oaks.
Ash T4 retain as agreed on site 3/10/16.
Site Address 2 STADDISCOMBE PARK PLYMOUTH
Case Officer: Jane Turner
Decision Date: 05/10/2016
Decision: Grant Conditionally

Item No 47

Application Number: 16/01531/ADV **Applicant:** My Dentist
Application Type: Advertisement
Description of Development: Non-illuminated signage
Site Address 2 THE CRESCENT PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 26/09/2016
Decision: Grant Conditionally

Item No 48

Application Number: 16/01532/FUL **Applicant:** Mr Roger Beasley
Application Type: Full Application
Description of Development: Alterations to existing annexe including replacement roof
Site Address 7 EFFINGHAM CRESCENT PLYMOUTH
Case Officer: Liz Wells
Decision Date: 07/10/2016
Decision: Grant Conditionally

Item No 49

Application Number: 16/01540/LBC **Applicant:** Plymouth Deaf Association
Application Type: Listed Building
Description of Development: Minor external and internal alterations
Site Address BLAKE LODGE, SEYMOUR ROAD MANNAMEAD
PLYMOUTH
Case Officer: Kate Price
Decision Date: 06/10/2016
Decision: Grant Conditionally

Item No 50

Application Number: 16/01541/FUL **Applicant:** Emma Turfrey
Application Type: Full Application
Description of Development: Hardstanding
Site Address 8 PLYMBRIDGE ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 04/10/2016
Decision: Refuse

Item No 51

Application Number: 16/01550/TPO **Applicant:** Mr A Musker
Application Type: Tree Preservation
Description of Development: 2x Lime - reduce to previous upper pruning points.
Site Address 1 BELMONT VILLAS PLYMOUTH
Case Officer: Jane Turner
Decision Date: 05/10/2016
Decision: Grant Conditionally

Item No 52

Application Number: 16/01555/FUL **Applicant:** Mr Barry Cole
Application Type: Full Application
Description of Development: Side extension
Site Address 33 HOLTWOOD ROAD PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 30/09/2016
Decision: Grant Conditionally

Item No 53

Application Number: 16/01558/S73 **Applicant:** Mr Shawn Putt
Application Type: Removal or Variation of Condition
Description of Development: Variation of condition 2 of planning permission 15/01072/FUL to amend the access and garage
Site Address 11 WESTFIELD AVENUE PLYMSTOCK PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 07/10/2016
Decision: Grant Conditionally

Item No 54

Application Number: 16/01564/FUL **Applicant:** Mr Duncan Tringham
Application Type: Full Application
Description of Development: Hardstanding
Site Address 5 RUSSELL AVENUE PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 13/10/2016
Decision: Grant Conditionally

Item No 55

Application Number: 16/01567/FUL **Applicant:** Mr Duncan Tringham
Application Type: Full Application
Description of Development: Rear extension and decking
Site Address 5 RUSSELL AVENUE PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 13/10/2016
Decision: Grant Conditionally

Item No 56

Application Number: 16/01569/TPO **Applicant:** Mr Price
Application Type: Tree Preservation
Description of Development: Oak - reduce lower over extended branches by 2m to natural growth points.
Plane - deadwood (exempt work)
Site Address 20 CONQUEROR DRIVE MANADON PARK PLYMOUTH
Case Officer: Jane Turner
Decision Date: 05/10/2016
Decision: Grant Conditionally

Item No 57

Application Number: 16/01573/FUL **Applicant:** Mrs Charmaine Bifett
Application Type: Full Application
Description of Development: Rear extension
Site Address 40 WYTHBURN GARDENS PLYMOUTH
Case Officer: Liz Wells
Decision Date: 06/10/2016
Decision: Grant Conditionally

Item No 58

Application Number: 16/01574/FUL **Applicant:** Mr Peter Thompson
Application Type: Full Application
Description of Development: Rear dormer (retrospective)
Site Address FIRST FLOOR FLAT, 28 MILDMAY STREET PLYMOUTH
Case Officer: Liz Wells
Decision Date: 06/10/2016
Decision: Grant Conditionally

Item No 59

Application Number: 16/01576/TCO **Applicant:** Dr Michael Callaghan
Application Type: Trees in Cons Area
Description of Development: 2x Sycamore - pollard
Site Address 2 HAVELOCK TERRACE STOKE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 23/09/2016
Decision: Grant Conditionally

Item No 60

Application Number: 16/01586/FUL **Applicant:** Mr Colin Varcoe
Application Type: Full Application
Description of Development: Formation of access and hardstanding
Site Address 173 PEMROS ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 30/09/2016
Decision: Grant Conditionally

Item No 61

Application Number: 16/01588/FUL **Applicant:** Mr Paul Surrogate
Application Type: Full Application
Description of Development: Rear extension to form garage and terrace (demolition of existing freestanding garage)
Site Address 16 EFFORD CRESCENT PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 29/09/2016
Decision: Grant Conditionally

Item No 62

Application Number: 16/01589/FUL **Applicant:** Mrs S Gibbons
Application Type: Full Application
Description of Development: Change of use to tattoo studio (Sui Generis)
Site Address UNIT 23, FARADAY MILL BUSINESS PARK, CATTEWATER ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 12/10/2016
Decision: Grant Conditionally

Item No 63

Application Number: 16/01591/FUL **Applicant:** Mr Paul Hughes-Jones
Application Type: Full Application
Description of Development: Additional bedroom to existing 9 bedroom HMO
Site Address 34 QUEENS ROAD LIPSON PLYMOUTH
Case Officer: Mike Stone
Decision Date: 30/09/2016
Decision: Grant Conditionally

Item No 64

Application Number: 16/01592/FUL **Applicant:** Boutique Coffee Brands
Application Type: Full Application
Description of Development: Extension to existing raised decking
Site Address THE HYDE PARK, 88 MUTLEY PLAIN PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 12/10/2016
Decision: Grant Conditionally

Item No 65

Application Number: 16/01596/TPO **Applicant:** Mrs Carole Potts
Application Type: Tree Preservation
Description of Development: 3x Ash - thin by 10% and reduce over extended branches by 1-3m to natural growth points.
Site Address 10 CANDISH DRIVE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 05/10/2016
Decision: Grant Conditionally

Item No 66

Application Number: 16/01597/TPO **Applicant:** Mr Richard Hall
Application Type: Tree Preservation
Description of Development: Ash - redcue two stems to previous pruning points.
- reduce stem closest to house to fork (as agreed on site 30/8/16)
- crown raise to level of first floor window sill.
Site Address 18 PERIWINKLE DRIVE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 04/10/2016
Decision: Grant Conditionally

Item No 67

Application Number: 16/01599/TPO **Applicant:** Mr Robert Fenton
Application Type: Tree Preservation
Description of Development: Work as agreed and amended during site visit dated 12/9/16
1x Beech - raise lower crown only over out building by removal of lowest (approximately) 6 branches on each side.
3x Oak - dead stumps - remove (exempt work). Removal of other 4 Oaks not necessary.
Site Address 861A WOLSELEY ROAD RIVERSIDE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 04/10/2016
Decision: Grant Conditionally

Item No 68

Application Number: 16/01601/FUL **Applicant:** Mr & Mrs Robert Hale
Application Type: Full Application
Description of Development: Rear conservatory (demolition of existing conservatory)
Site Address 5 PRINCESS AVENUE PLYMSTOCK PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 29/09/2016
Decision: Grant Conditionally

Item No 69

Application Number: 16/01602/OUT **Applicant:** Mr & Mrs Cook
Application Type: Outline Application
Description of Development: Outline application for detached dwelling with parking provision
Site Address 26 POWDERHAM ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 29/09/2016
Decision: Grant Conditionally

Item No 70

Application Number: 16/01603/FUL **Applicant:** Mrs Linda Harris
Application Type: Full Application
Description of Development: Rear extension
Site Address 14 RUSSELL CLOSE PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 07/10/2016
Decision: Application Withdrawn

Item No 71

Application Number: 16/01604/FUL **Applicant:** Memory Matters
Application Type: Full Application
Description of Development: Change of use to café (Class A3) and information resource & activity room (Sui Generis)
Site Address 69A NEW GEORGE STREET PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 14/10/2016
Decision: Grant Conditionally

Item No 72

Application Number: 16/01606/FUL **Applicant:** Plymouth College of Art & Desig
Application Type: Full Application
Description of Development: Window and access alterations
Site Address PLYMOUTH COLLEGE OF ART & DESIGN, TAVISTOCK PLACE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 28/09/2016
Decision: Grant Conditionally

Item No 73

Application Number: 16/01608/FUL **Applicant:** Mr Jeffrey Moulds
Application Type: Full Application
Description of Development: Change of use from guesthouse (Class C1) to single dwellinghouse (Class C3) (Retrospective)
Site Address 4 ST JAMES PLACE EAST PLYMOUTH
Case Officer: Liz Wells
Decision Date: 04/10/2016
Decision: Grant Conditionally

Item No 74

Application Number: 16/01610/TCO **Applicant:** Mrs Gemma Ward
Application Type: Trees in Cons Area
Description of Development: Sweet Chestnut - re-pollard
Site Address 15 WHITEFORD ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 29/09/2016
Decision: Grant Conditionally

Item No 75

Application Number: 16/01611/TPO **Applicant:** Sisters of Nazareth
Application Type: Tree Preservation
Description of Development: Pruning works to Limes (G20), 3 Holm Oaks (T25, T30, T33), Sycamore (T35) and a Pine (T29) by 1-2m to clear building. This is an ongoing consent to allow pruning when it becomes necessary (2-4 yrs).
Site Address NAZARETH HOUSE, DURNFORD STREET STONEHOUSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 06/10/2016
Decision: Grant Conditionally

Item No 76

Application Number: 16/01620/ADV **Applicant:** Food Programme Delivery Orchi
Application Type: Advertisement
Description of Development: 1x internally illuminated logo sign, 1x fence mounted aluminium panel and 1x non-illuminated post mounted panel
Site Address 3 BELL CLOSE PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 29/09/2016
Decision: Grant Conditionally

Item No 77

Application Number: 16/01621/TCO **Applicant:** Dr Peter Hickling
Application Type: Trees in Cons Area
Description of Development: 1x Sycamore & 1x Leyland Cypress - reduce beneath telephone wires
Site Address 46 THORN PARK MANNAMEAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 04/10/2016
Decision: Grant Conditionally

Item No 78

Application Number: 16/01625/TCO **Applicant:** Mrs Sally Cutler
Application Type: Trees in Cons Area
Description of Development: 1x Beech - raise crown by 7ft (no reduction in height necessary as agreed on site 30/8/16)
2x Yew - remove
1x Yew - raise crown by 6ft & reduce by 10-15ft
Site Address WADLANDS, TAMERTON FOLIOT ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 29/09/2016
Decision: Grant Conditionally

Item No 79

Application Number: 16/01627/FUL **Applicant:** Mr & Mrs Grigg
Application Type: Full Application
Description of Development: Side extension
Site Address 36 TOR ROAD PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 13/10/2016
Decision: Grant Conditionally

Item No 80

Application Number: 16/01630/TPO **Applicant:** Sunnybanks Homes
Application Type: Tree Preservation
Description of Development: Turkey Oak - crown raise to 3m above ground level and remove over extended branch above to natural growth points.
Site Address PLOT 11, 16 CARADON CLOSE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 04/10/2016
Decision: Grant Conditionally

Item No 81

Application Number: 16/01632/FUL **Applicant:** Mr Steve Browne
Application Type: Full Application
Description of Development: Front extension
Site Address 14 COMBLEY DRIVE PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 13/10/2016
Decision: Grant Conditionally

Item No 82

Application Number: 16/01636/FUL **Applicant:** Mr Scott Mansfield
Application Type: Full Application
Description of Development: Two storey rear extension
Site Address 7 GOSWELA GARDENS PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 03/10/2016
Decision: Grant Conditionally

Item No 83

Application Number: 16/01638/ADV **Applicant:** Sainsbury's Supermarkets Ltd
Application Type: Advertisement
Description of Development: Erection of new and replacement building and totem signs
Site Address SAINSBURYS SUPERMARKET, PLYMOUTH ROAD
PLYMOUTH
Case Officer: Christopher King
Decision Date: 06/10/2016
Decision: Grant Conditionally

Item No 84

Application Number: 16/01644/FUL **Applicant:** Miss Ashleigh Elmes
Application Type: Full Application
Description of Development: First floor rear extension (retrospective)
Site Address 4 POMPHLETT CLOSE PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 29/09/2016
Decision: Grant Conditionally

Item No 85

Application Number: 16/01648/ADV **Applicant:** A Share & Sons T/a SCS
Application Type: Advertisement
Description of Development: 4x internally illuminated fascia signs
Site Address UNIT A, COYPOOL ROAD PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 29/09/2016
Decision: Grant Conditionally

Item No 86

Application Number: 16/01653/GPD **Applicant:** Mrs Maria Addelsee
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 2.6m, and has an eaves height of 2.6m
Site Address 3 CRESSBROOK WALK PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 29/09/2016
Decision: Prior approval not req

Item No 87

Application Number: 16/01654/FUL **Applicant:** Mr Gary Hignnett
Application Type: Full Application
Description of Development: First floor rear extension
Site Address 38 KEYHAM STREET PLYMOUTH
Case Officer: Alumecci Tuima
Decision Date: 13/10/2016
Decision: Grant Conditionally

Item No 88

Application Number: 16/01667/FUL **Applicant:** Mrs Heather Yung
Application Type: Full Application
Description of Development: Rear conservatory, balcony over
Site Address 3 VENN WAY PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 03/10/2016
Decision: Application Withdrawn

Item No 89

Application Number: 16/01668/FUL **Applicant:** Mr and Mrs Arthers
Application Type: Full Application
Description of Development: Rear extension
Site Address 30 BROAD PARK ROAD PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 13/10/2016
Decision: Grant Conditionally

Item No 90

Application Number: 16/01669/FUL **Applicant:** Mr S Brown
Application Type: Full Application
Description of Development: First floor side extension
Site Address 42 DYNEVOR CLOSE PLYMOUTH
Case Officer: Alumeci Tuima
Decision Date: 13/10/2016
Decision: Grant Conditionally

Item No 91

Application Number: 16/01673/FUL **Applicant:** Mr Graham Quigley
Application Type: Full Application
Description of Development: Side extension to form garage/workshop (resubmission of 16/01529/FUL)
Site Address SALTMORE, HOLLY PARK CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 12/10/2016
Decision: Grant Conditionally

Item No 92

Application Number: 16/01674/ADV **Applicant:** Food Programme Delivery Orchi
Application Type: Advertisement
Description of Development: 2x internally illuminated fascia signs; 1x non-illuminated acrylic letter sign; 1x internally illuminated projecting sign; 2x non-illuminated wall-mounted panels
Site Address 25-26 ST GEORGES TERRACE PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 10/10/2016
Decision: Grant Conditionally

Item No 93

Application Number: 16/01686/FUL **Applicant:** Mr S Cordy
Application Type: Full Application
Description of Development: Front porch
Site Address 4 HESSARY DRIVE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 07/10/2016
Decision: Grant Conditionally

Item No 94

Application Number: 16/01687/TCO **Applicant:** Mrs Soraya Phillips
Application Type: Trees in Cons Area
Description of Development: Ash - raise crown by 3m; Bay - reduce crown by 0.5m-1m
Site Address 21 WYNDHAM SQUARE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 05/10/2016
Decision: Grant Conditionally

Item No 95

Application Number: 16/01689/LBC **Applicant:** Food Programme Delivery Orchi
Application Type: Listed Building
Description of Development: Non-illuminated shop signage
Site Address 8 GEORGE STREET PLYMOUTH
Case Officer: Kate Price
Decision Date: 13/10/2016
Decision: Grant Conditionally

Item No 96

Application Number: 16/01690/ADV **Applicant:** Food Programme Delivery Orchi
Application Type: Advertisement
Description of Development: Non-illuminated shop signage
Site Address 8 GEORGE STREET PLYMOUTH
Case Officer: Kate Price
Decision Date: 13/10/2016
Decision: Grant Conditionally

Item No 97

Application Number: 16/01692/LBC **Applicant:** Keychange Charity
Application Type: Listed Building
Description of Development: Replacement of timber windows
Site Address MOUNT EVENTIDE RESIDENTIAL HOME, 7 LIPSON
TERRACE PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 11/10/2016
Decision: Grant Conditionally

Item No 98

Application Number: 16/01698/ADV **Applicant:** Food Programme Delivery Orchi
Application Type: Advertisement
Description of Development: 1x internally illuminated fascia sign; 1x internally illuminated projecting sign; 1x non-illuminated wall-mounted panel
Site Address 131 to 133 BEAUMONT ROAD PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 10/10/2016
Decision: Grant Conditionally

Item No 99

Application Number: 16/01709/EXUS **Applicant:** Mr & Mrs Turner
Application Type: LDC Existing Use
Description of Development: Use as two flats
Site Address 706 BUDSHEAD ROAD PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 13/10/2016
Decision: Issue Certificate - Lawful Use

Item No 100

Application Number: 16/01710/ADV **Applicant:** Food Programme Delivery Orchi
Application Type: Advertisement
Description of Development: 3x internally illuminated fascia signs, 4x non-illuminated wall mounted panels and 1x internally illuminated totem
Site Address 2 AUSTIN CRESCENT PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 11/10/2016
Decision: Grant Conditionally

Item No 101

Application Number: 16/01715/ADV **Applicant:** Food Programme Delivery Orchi
Application Type: Advertisement
Description of Development: 2x internally illuminated fascia signs and 5x non-illuminated wall mounted panels
Site Address 10 REGENT STREET PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 11/10/2016
Decision: Grant Conditionally

Item No 102

Application Number: 16/01718/FUL **Applicant:** Torr Homes
Application Type: Full Application
Description of Development: Laundry room
Site Address 1 TORR HOME, THE DRIVE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 10/10/2016
Decision: Grant Conditionally

Item No 103

Application Number: 16/01728/FUL **Applicant:** Mrs Rachel Hanley-Wildman
Application Type: Full Application
Description of Development: Rear extension
Site Address 6 FINCHES CLOSE PLYMOUTH
Case Officer: Mike Stone
Decision Date: 30/09/2016
Decision: Application Withdrawn

Item No 104

Application Number: 16/01735/ADV **Applicant:** Food Programme Delivery Orchi
Application Type: Advertisement
Description of Development: 1x internally illuminated fascia sign; 1x internally illuminated projecting sign; 1x non-illuminated wall-mounted panel
Site Address 56 SALISBURY ROAD PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 13/10/2016
Decision: Grant Conditionally

Item No 105

Application Number: 16/01736/GPD **Applicant:** Mr Neil Hendy
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 5m, has a maximum height of 3.6m, and has an eaves height of 2.2m
Site Address 47 NORTH DOWN ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 04/10/2016
Decision: Prior approval not req

Item No 106

Application Number: 16/01741/FUL **Applicant:** Ms S Wright
Application Type: Full Application
Description of Development: Roof terrace above existing tenement
Site Address 46 PALMERSTON STREET PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 13/10/2016
Decision: Refuse

Item No 107

Application Number: 16/01750/ADV **Applicant:** HSBC CRE
Application Type: Advertisement
Description of Development: 1x non-illuminated fascia sign, 2x internally illuminated fascia signs, 1x internally illuminated projecting sign, 2x wall mounted signs
Site Address 4 OLD TOWN STREET PLYMOUTH
Case Officer: Chris Cummings
Decision Date: 13/10/2016
Decision: Grant Conditionally

Item No 108

Application Number: 16/01826/24 **Applicant:** Vodafone Limited
Application Type: GPDO PT24
Description of Development: 12.5m Jupiter column with 2 dishes, ground base cabinets, and ancillary development
Site Address LAND AT FLAMBOROUGH ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 10/10/2016
Decision: Prior approval not req

This page is intentionally left blank