



#plymplanning

Democratic and Member Support

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PLANNING COMMITTEE

Thursday 11 January 2018

2.00 pm

Council House, Plymouth

Members:

Councillor Wiggins, Chair

Councillor Mrs Bridgeman, Vice Chair

Councillors Ball, Sam Davey, Fletcher, Kelly, Morris, Mrs Pengelly, Riley, Sparling, Stevens, Tuohy and Winter.

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.

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Tracey Lee

Chief Executive

Planning Committee

Agenda

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 14 December 2017.

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.

I.I. 90-92 Plymstock Road, Plymouth, PL9 7PJ - 17/01976/FUL (Pages 7 - 20)

Applicant:	Mr & Mrs Steve Shirley
Ward:	Plymstock Radford
Case Officer:	Mrs Alumeci Tuima
Recommendation:	Refuse

1.2. Bretonside Bus Station, Bretonside, Plymouth, PL4 0BG - **(Pages 21 - 28)**
17/01591/S257

Applicant: Alan Swan
Ward: St Peter & The Waterfront
Case Officer: Mr John Douglass
Recommendation: Grant Conditionally

7. Planning Application Decisions Issued (Pages 29 - 46)

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 since the last committee 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 47 - 48)

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

9. Exempt Business

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

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Planning Committee

Thursday 14 December 2017

PRESENT:

Councillor Wigen, in the Chair.

Councillor Mrs Bridgeman, Vice Chair.

Councillors Ball, Cook (substitute for Councillor Mrs Pengelly), Sam Davey, Fletcher, Kelly, Morris, Riley, Stevens, Tuffin (substitute for Councillor Sparling), Tuohy and Winter.

Apologies for absence: Councillors Mrs Pengelly and Sparling.

Also in attendance: Peter Ford (Head of Development Management), Julie Parkin (Senior Lawyer), Helen Rickman (Democratic Advisor) and Jamie Sheldon (Democratic Advisor).

The meeting started at 2.00 pm and finished at 3.15 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.

70. Declarations of Interest

The following declarations of interest were made in accordance with the code of conduct –

Name	Minute Number and Item	Reason	Interest
Councillor Ball	30 Canhaye Close Plymouth PL7 IPG - 17/01937/FUL	Applicant is known to him	Personal
Councillor Mrs Bridgeman	30 Canhaye Close Plymouth PL7 IPG - 17/01937/FUL	Applicant known to her	Personal
Councillor Cook	30 Canhaye Close Plymouth PL7 IPG - 17/01937/FUL	Applicant known to him	Personal
Councillor Sam Davey	30 Canhaye Close Plymouth PL7 IPG - 17/01937/FUL	Applicant known to him	Personal
Councillor Fletcher	30 Canhaye Close Plymouth PL7 IPG - 17/01937/FUL	Applicant known to him	Personal
Councillor Kelly	30 Canhaye Close Plymouth PL7 IPG - 17/01937/FUL	Applicant known to him	Personal

Councillor Morris	30 Canhaye Close Plymouth PL7 IPG - 17/01937/FUL	Applicant known to him	Personal
Councillor Riley	30 Canhaye Close Plymouth PL7 IPG - 17/01937/FUL	Applicant known to him	Personal
Councillor Stevens	30 Canhaye Close Plymouth PL7 IPG - 17/01937/FUL	Applicant known to him	Personal
Councillor Tuffin	30 Canhaye Close Plymouth PL7 IPG - 17/01937/FUL	Applicant known to him	Personal
Councillor Tuohy	30 Canhaye Close Plymouth PL7 IPG - 17/01937/FUL	Applicant known to her	Personal
Councillor Wigen	30 Canhaye Close Plymouth PL7 IPG - 17/01937/FUL	Applicant known to him	Personal
Councillor Winter	30 Canhaye Close Plymouth PL7 IPG - 17/01937/FUL	Applicant known to him	Personal

71. **Minutes**

Agreed the minutes of the meeting held on 16 November 2017.

72. **Chair's Urgent Business**

There were no items of Chair's urgent business.

73. **Questions from Members of the Public**

There were no questions from members of the public.

74. **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.

75. **30 Canhaye Close Plymouth PL7 IPG - 17/01937/FUL**

Councillor David James

Decision:

Application GRANTED CONDITIONALLY

(A Planning Committee site visit was held on 11 December 2017 in respect of this application)

76. **Home Park Football Ground Outland Road Plymouth PL2 3DQ - 17/01684/OUT**

Mr Tony Hopwood

Decision:

Application GRANTED subject to S106 Obligation with delegated authority to Assistant Director for Strategic Planning & Infrastructure to refuse if timescales are not met.

The following addition was also agreed:

(I) that the Events Management Plan contained within Condition 28 of the application is agreed in consultation with the Chair, Vice Chair and Lead Opposition Member for Planning.

(The Committee heard from Councillor Dr Mahony, ward councillor, speaking in support of this application)

(The Committee heard representations in support of this application)

(A Planning Committee site visit was held on 11 December 2017 in respect of this application)

77. **Planning Application Decisions Issued**

The Committee noted the report from the Assistant Director for Strategic Planning and Infrastructure on decisions issued for the period 24 October 2017 to 24 November 2017.

78. **Appeal Decisions**

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

79. **Exempt Business**

There were no items of exempt business.

Schedule of Voting (Pages 5 - 6)

Please note

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

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PLANNING COMMITTEE – 14 December 2017

SCHEDULE OF VOTING

Minute number and Application		Voting for	Voting against	Abstained	Absent due to interest declared	Absent
6.1	<p>Minute 30 Canhaye Close Plymouth PL7 1PG - 17/01937/FUL</p> <p>Application Granted Conditionally.</p>	<p>Unanimous</p> <p>Councillors Ball, Mrs Bridgeman, Cook, Sam Davey, Fletcher, Kelly, Morris, Riley, Stevens, Tuffin, Tuohy, Wigens, Winter.</p>				
6.2	<p>Minute Home Park Football Ground Outland Road Plymouth PL2 3DQ - 17/01684/OUT</p> <p>Application GRANTED subject to S106 Obligation with delegated authority to Assistant Director for Strategic Planning & Infrastructure to refuse if timescales are not met.</p> <p>The following addition was also agreed:</p> <p>(1)that the Events Management Plan contained within Condition 28 of the application is agreed in consultation with the Chair, Vice Chair and Lead Opposition Member for Planning.</p>	<p>Unanimous</p> <p>Councillors Ball, Mrs Bridgeman, Cook, Sam Davey, Fletcher, Kelly, Morris, Riley, Stevens, Tuffin, Tuohy, Wigens, Winter.</p>				

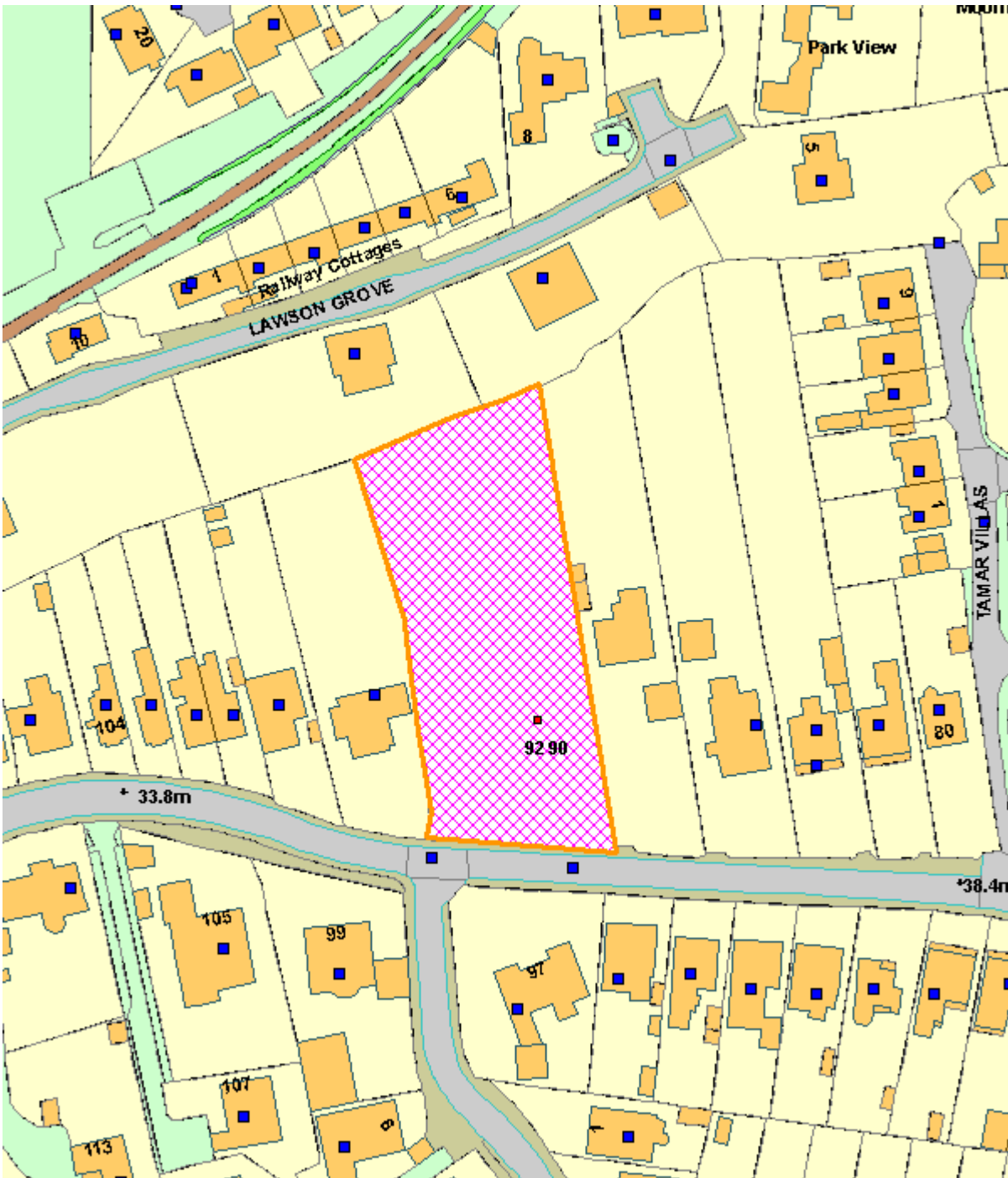
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PLANNING APPLICATION OFFICERS REPORT



Application Number	17/01976/FUL	Item	01
Date Valid	02.10.2017	Ward	PLYMSTOCK RADFORD

Site Address	90 - 92 Plymstock Road Plymouth PL9 7PJ		
Proposal	First floor and part ground floor extensions including rear car parking (Resubmission of 17/01236/FUL)		
Applicant	Mr & Mrs Steve Shirley		
Application Type	Full Application		
Target Date	27.11.2017	Committee Date	11.01.2018
Extended Target Date	15.01.2018		
Decision Category	Member referral		
Case Officer	Mrs Alumeci Tuima		
Recommendation	Refuse		



This application is brought to Planning Committee by Councillor Michael Leaves

1. Description of Site

90-92 Plymstock Road, known as 'The Oasis' is an established residential care home. The site was formerly 2 detached dwellings (90 to the east and 92 to the west) which have been linked at ground floor level and previously extended to the rear for the purposes of the care home (see planning history).

The property occupies a relatively large site, with parking/landscaping to the front and good sized garden to the rear. The site is within an established residential area. The property is bound to the east, west and north by detached dwelling houses.

The site is relatively level east-west and falls to the north (rear). Lawson Grove to the north is at a significantly lower ground level.

The care home currently provides 33 bedrooms and is registered under the Care Quality Commission (CQC) for an occupancy of 35.

The boundary to the adjacent residential properties 88 and 94 comprise of hedgerows and timber fencing.

2. Proposal Description

The proposal seeks to construct a first floor and part-ground floor extensions & additional rear car parking accessed via a side access along the eastern boundary. The residential care home offers a range of care services for the elderly.

The proposal includes 15 bedrooms at ground floor level and 22 bedrooms at first floor level, an increase of 4 bedspaces from the current 33 bringing the total number of rooms including an extant permission to 49. The proposed drawings also show extensions permitted by an earlier consent (09/01646/FUL) referred to here as the extant permission to include 12 additional rooms at ground floor and lower ground floor level. Please also refer to the planning history and analysis sections..

3. Pre-application Enquiry

There was no pre-application however post refusal meetings for the previously refused application (17/01236/FUL) resulted in a positive outcome having viewed the proposed revised plans.

4. Relevant Planning History

17/01236/FUL : First floor and part-ground floor extensions for the provision of 54 bedspaces including additional rear car parking - REFUSAL. The refusal reasons are outlined below:

- (i) Outlook - The most impacted window is the principle bedroom (habitable room) window which is unusually, side facing.
- (ii) Light - The proposal is to the west of number 88 and therefore is likely to result in loss of light and direct sunlight to the neighbouring property particularly during the afternoons/evenings. No. 88 benefits from a relatively large rear garden but the decking area (detailed above) appears and is likely to be used as the primary outdoor amenity area for this dwelling. As the rear of this property is north facing, the loss of direct sunlight in the afternoons and evenings is considered significant in this instance, and is likely to result in a

significant loss of enjoyment of this part of the garden. This loss of light, combined with the dominance of the proposal by virtue of its proximity and height, is considered to be unreasonable.

(iii) Privacy - The design of windows is intended to allow a forward (south) facing views from 3 rooms and one to the north/rear. Officers consider this window design will go a long way to mitigate overlooking of the most private parts of the adjoining garden, however, it will result in some increased overlooking of the neighbouring garden - specifically the area around the front door and to the front of the garage, which is well set back from the road and is screened from view of existing windows.

(iv) Noise is another issue raised in letters of representation. There are no records of noise complaints relating to the property and the level and frequency of noise disturbance from the existing comings and goings, deliveries and collections is not clear. In response to these comments, the applicant has submitted further detail on the current collections and deliveries, these include: food deliveries 3 times a week, refuse collection weekly, hazardous waste weekly, septic tank emptied 2-3times a year. The applicant contends that the enlargement of the home will not increase the frequency of the deliveries but the quantity will.

13/01776/FUL - Proposed two storey side extension and movement of first floor fire exit door and staircase to accommodate new platform lift - GRANTED CONDITIONALLY - included a condition for trees to front to be retained. (This permission allowed for relatively minor works to the south eastern corner of the building).

09/01646/FUL - Extension to existing care home to provide additional en-suite bedrooms, extension to existing dayroom and formation of new laundry and staff room below existing single-storey bedroom wing - REFUSED but ALLOWED ON APPEAL (Appeal allowed on 21 October 2010, valid until 21 October 2013 for commencement of extant permission) .

The scheme allowed at appeal following 09/01646/FUL permitted a proposal essentially for an L-shaped range of bedrooms to the rear, at ground floor level, enclosing a central courtyard. The rear garden slopes fairly steeply down to the north, so advantage has been taken of the change of level to include a row of additional rooms at lower ground floor level facing the garden. 12 new bedrooms are being provided but this has yet to be built. The proposals also include the provision of a stair case and lift facing the internal courtyard and reinstating the former car park to the rear of no.90.

09/03332/FUL - Continue use of number 92 as residential care home (combined with existing home at number 90), part two storey, part single storey extensions to both properties, alterations to vehicular access and formation of additional parking area (amendments to previous scheme) - GRANTED CONDITIONALLY.

09/00332/FUL was in part retrospective however the proposed extensions do not appear to have been built. Records show that conditions relating to this permission have been agreed. This proposal was superseded by application 09/01646/FUL.

09/00331/FUL - Part two-storey, part single storey, extension to residential care home, extensions to enlarge day room and provision of overspill car parking (for day use only) (amended scheme) - REFUSED - APPEAL DISMISSED.

08/01440/FUL - Part two-storey, part single-storey, extension to residential care home, extensions to enlarge day room, and provision of overspill car parking (for day use only) - REFUSED
06/01073/FUL - Change of use of number 92 from dwellinghouse to residential care home (to be combined with existing home at number 90), part two storey, part single-storey, extensions to both properties, alterations to vehicular access and formation of additional parking area - REFUSED but ALLOWED ON APPEAL

5. Consultation Responses

Local Highways Authority

No objection with conditions

Natural Infrastructure Team

No objection subject to conditions for an arboricultural method statement and trees/hedgerow to be retained/protected.

Public Protection Service

No objection subject to further mitigating action. The proposal will not increase the number of collections/ deliveries but does have the potential to increase the length of each collection/ delivery. As the day to day activities are already existing, this is not considered a significant change and as such we have no objection to the application. Should our department receive complaints in the future, we will have a duty to investigate them and if an issue is substantiated, we will liaise with the care home and take relevant action at the time as deemed necessary.

Housing Delivery Team and Community Connections

No objection with statement in support of appropriate housing delivery for ageing population. Housing Delivery and Adult Social Care Strategic Co-operative Commissioning support this application. "The SHMNA sets out that the city needs 1,188 additional residential and nursing bed spaces by the end of the plan period, but these need to be focused on the correct type of bed spaces to best meet the client group needs rather than

simply volume. Support will be given to schemes offering best outcomes for clients which tend to be found (by CQC inspection results) in smaller residential homes."

6. Representations

Four letters of representation have been received in respect of this proposal - The letters all object to the application on the basis of:

The issues raised were with regards to:

- o Overbearing and intrusive impact
- o Loss of privacy, light and outlook.
- o Impact on separation distance to nearest habitable rooms
- o Noise disturbance from cars, residents through proposed windows, deliveries and waste collections; and
- o Parking on the highway
- o Impact on character of the area
- o Overdevelopment of site.

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).

Local Plan (the JLP) will replace the Core Strategy and other Plymouth Development Plan Documents as the statutory development plan for Plymouth once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For Plymouth's current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

- For the JLP which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at an advanced stage of preparation having now been submitted to the Planning Inspectorate for Examination, pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations. It is considered to be a sound plan, consistent with the policies of the Framework, and is based on up to date evidence. It is therefore considered that the JLP's policies have the potential to carry significant weight within the planning decision, particularly if there are no substantive unresolved objections. The precise weight will need to be determined on a case by case basis, having regard to all of the material considerations as well as the nature and extent of any unresolved objections on the relevant plan policies.

Other material considerations include the policies of the Framework itself, guidance in National Planning Practice Guidance (NPPG). Additionally, the following planning documents are also material considerations in the determination of the application:

- * Development Guidelines Supplementary Planning Document.

8. Analysis

1. This application has been considered in the context of the development plan, the draft JLP, the Framework and other material policy documents as set out in Section 7.
2. The main consideration in assessing this proposal is the impact on the neighbouring property's amenities, the streetscene, local highway network and trees. The application turns on policy CS02, CS19, CS22, CS28 CS34 of the Core Strategy and the detailed guidelines set out in the Development Guidelines SPD. Policies DEV1 (Protecting Health and Amenity), DEV2 (Air, Water, Soil, Noise and land), DEV 7 (Meeting local housing need in the Plymouth Policy Area), DEV20 (Place shaping and the quality of the built environment), DEV30 (Trees, Woodlands and Hedgerows), and DEV31 (Specific Provisions relating to transport) of the JLP, and the National Planning Policy Framework (NPPF) 2012. The primary planning considerations in this case are the impact on neighbour amenity, the impact on the character and appearance of the area and the amenity of future occupants.

Principle of Development

3. The site has an established use as a residential care home which addresses increasing demands of Plymouth's ageing population. The use is therefore established and the considerations relate to its extension rather than to the principle of the use.

4. The Joint Local Plan (DEV 7 and section 6.29) and Strategic Housing Market Needs Assessment (SHMNA) evidence (Appendix 6) sets out to deliver a wide choice of high quality homes to create sustainable, inclusive and mixed communities. It refers specifically to the need for smaller dwellings most suited to younger and older people and to the need for housing suitable for households with specific needs. The Housing Delivery Team and Community Connections response supports to the need for specialist health care provision for our ageing population.
5. SHMNA evidence (Appendix 6) sets out that the city needs 1,188 additional residential and nursing bed spaces by the end of the plan period, but these need to be focused on the correct type of bed spaces to best meet the client group needs rather than simply volume. It states that support will be given to schemes offering best outcomes for clients which tend to be found (by CQC inspection results) in smaller residential homes. The proposal site would meet this criteria of a smaller residential home.

Amenity

Intensity of Use

6. The permission 09/01646/FUL, which allowed for a 12 bedroom rear extension L-shape extension including a lower ground floor element, although granted some years ago is considered by officers to be an extant consent and therefore can be implemented without the need for an additional planning consent.
7. The current application proposes that the number of bed spaces in the care home will be 37 plus the 12 from the extant permission 09/01644/FUL. The refusal application 17/0123/FUL proposed 42 bed spaces plus the 12 from the extant permission. However, the reduction in bed spaces is complicated by a reconfiguration of rooms that has recently taken place.
8. The closest neighbour impacted by the development is 88 Plymstock Road to the east. The first floor extension has been designed with a flat roof so its height is at a minimum to create a first floor above the existing ground floor extension. The windows on the east side have been designed to protrude in triangular bays with 3 forward (south) and one rear (north) facing windows and obscure glazed sides. These windows have been designed to limit overlooking of the neighbouring property.
9. Officers have carefully considered the impact on no.88 and have concluded that whilst the design has taken account the impact on the neighbour will still be contrary to policy and guidance set out in the Development Guidelines SPD. The unreasonable impacts are outlined below.

10. Outlook - The most impacted window is the principle bedroom (habitable room) window which is unusually, side facing. No 88 Plymstock Road benefits from an open outlook and distant views visible above the existing roof slope of the rear extension. This outlook will be replaced by a vertically clad wall, approximately 1.5 metre above the existing ridge, and a limited amount of sky above. Whilst the increase in height may be considered modest, when viewed from the bedroom, it is considered by officers to significantly reduce this open outlook. The window to wall separation is approximately 7 metres which increases from approximately 7 metres to 10 metres as the roof slopes away. A separation distance of 12 metres is required as noted in the Development Guidelines SPD paragraphs 2.2.30 and 2.2.31 which in this case does not comply with minimum acceptable standards.

11. It is acknowledged that this bedroom benefits from a dual-aspect, with two narrow windows that face north - down the garden. However, these north facing windows, due to their size and position, offer limited outlook and are considered secondary to the west facing window.

12. When viewed from the garden - including the decked area which wraps around the west side of the rear of the property and part of the front garden closest to the house - the creation of the first floor in such close proximity to the boundary, is considered to result in an overbearing and dominant impact, compared to the existing. This is again contrary to the SPD guidance and policy. Other windows/rooms may be impacted but to a lesser extent and not unreasonably so in Officer's view.

13. Light - The proposal is to the west of number 88 and therefore is likely to result in loss of light and direct sunlight to the neighbouring property particularly during the afternoons/evenings. No. 88 benefits from a relatively large rear garden but the decking area (detailed above) is likely to be used as the primary outdoor amenity area for this dwelling. As the rear of this property is north facing, the loss of direct sunlight in the afternoons and evenings is considered significant in this instance, and is likely to result in a significant loss of enjoyment of this part of the garden. This loss of light, combined with the dominance of the proposal by virtue of its proximity and height, is considered to be unreasonable. The SPD guidance on light focuses on the impact on light to windows/rooms. Officers do not consider the loss of light to the neighbouring windows/rooms would be unreasonable in this case. Similarly, the proposed extension would result in further impact on the 45 degree rule whereby the extension at first floor level would potentially reduce natural light to the nearest habitable rooms at No 88.

14. Privacy - The design of windows is intended to allow a forward (south) facing views from 3 rooms and one to the north/rear. Officers consider this window design will go a long way to mitigate overlooking of the most private parts of the adjoining garden, however, it will result in some increased overlooking of the neighbouring garden - specifically the area

around the front door and to the front of the garage, which is well set back from the road and is screened from view of existing windows.

15. Noise is another issue raised in letters of representation. There are no records of noise complaints relating to the property and the level and frequency of noise disturbance from the existing comings and goings, deliveries and collections is not clear. In response to these comments, the applicant has submitted further detail on the current collections and deliveries, these include: food deliveries 3 times a week, refuse collection weekly, hazardous waste weekly, septic tank emptied 2-3 times a year. The applicant contends that the enlargement of the home will not increase the frequency of the deliveries but the quantity will.

16. Officers do not consider these deliveries or collections alone would result in unreasonable noise disturbance to neighbours. However, it is acknowledged that there is currently no planning control over the frequency or times of deliveries, and whether these increase as a result of the proposal. Furthermore, the proposed enlargement of the home, will undoubtedly result in increased movements from the property in terms of staff and visitors.

17. The property is situated on Plymstock Road which is a classified road and a bus route. This is a predominantly residential road but is relatively busy due to its relatively close proximity to the district shopping centre of Plymstock and the number of residential roads it serves. As such, comings and goings along this road during the day are high. The question therefore, is whether the proposed enlargement of the home will significantly and unreasonably increase the intensity of the use, to an extent that it changes the character, and results in unreasonable harm on neighbouring amenities.

18. In terms of noise from windows, the proposed room use as bedrooms are not generally noisy, although the neighbours have reported hearing shouting from confused residents. Given the very close proximity of the proposed windows to the boundary, such noises are likely to be clearly audible from the neighbours bedroom when windows are open. This further adds to the Officers' concern about the impact the proposed extension will have on the neighbouring residential amenity. Therefore in conclusion on noise issues officers consider that the noise created through the proposal will add to the general impact on the amenity of local residents rather than being a specific harm through unreasonable noise.

Impact on parking and highway safety

19. Letters of objection received noted substantial impact on traffic and comings and goings at the site with noise and associated environmental impacts to neighbours and road users. The consent seeks to mitigate this through designated staff parking for 9 bays to the rear of the property. A previous application set out that the hardstanding to the rear was

previously used as car parking, and use of this area for car parking was also permitted as part of consent ref 17/01236/FUL.

20. In order to reduce noise and other impacts with access to the rear, the applicant is in support of a condition to limit hours of use to the proposed rear car park. Officers consider this would be an acceptable way to address objectors' concerns on this matter.

21. The Local Highways Authority confirms that it is not possible to provide two-way access to the rear but as the intention is for staff parking only it is accepted that conflicts will be minimal and the route, being inter-visible, will ensure drivers can wait until the route is clear. Shift patterns would further reduce the potential for conflict as well as vehicle flow will be tidal in nature.

Other -Trees

22. Officers note that the proposed extension will have no impact on trees but the access and new parking to the rear will. The tree survey provided along with the Tree Constraints Plan, Tree Protection Plan and initial Arboricultural Method Statement are adequate. This resubmission does not have any additional impact on trees therefore the comments and conditions from the previous application still stand and are repeated.

Viability

23. The applicant does not set out any risks to the viability of the care home's operations in the event the application is refused and therefore viability has not been a specific consideration in the officers' assessment of this application.

Design/Streetscene

24. The proposed first floor link is set well back from the front of the original dwellings (90 and 92), and is proposed be flat roofed, contemporary design and set well below ridge height. This will be visible from the street. The linking of the two buildings has already been established from the ground floor link, and combined with the open layout of the front of the combined properties gives the appearance of one site. The proposal for a modern design and materials, will contrast with the original house and allow the original form of the property to be visible. In this context, Officers consider the additional link is acceptable in design terms , as it retains the original built form of the two dwellings, whilst not creating any demonstrable harm to the streetscene.

25. The proposed first floor extension is to the rear of no. 90, set behind the original two-storey house, with a flat roof which is set well below ridge level of the main house. Whilst it is large - projecting approximately 26 metres to the rear and 10 metres wide - the property is set back from the road and the pattern of development and existing trees will help to screen

the extension from public vantage points on Plymstock Road and is therefore not considered to harm the streetscene.

26. The site has a long rear garden and is set at a higher ground level than properties to the rear (north) and therefore the proposed extension will not be dominant when viewed from other vantage points. The key benefits of the proposal are the additional specialist support for bed spaces that would be provided in compliance with JLP policy DEV7 and as evidenced (1,188 additional residential and nursing bed spaces by the end of the plan period) in the SHMNA. The proposal would also create improved standard of accommodation for future residents.. These benefits have been weighed against the impacts of the development to the neighbouring residents and particularly no 88 Plymstock Road, and particularly the harm on the neighbouring residential amenities. On balance, Officers do not consider the benefits of the scheme outweigh the harm caused.

9. Human Rights

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

10. Local Finance Considerations

None. As a Residential Institution, it will not attract any Community Infrastructure Levy under the current charging schedule.

11. Planning Obligations

Not applicable for this application.

12. Equalities and Diversities

The proposal has been considered in the context of adopted policies and it is noted that equality and diversity issues have been considered to be present in this proposal. The proposal has sought to address the needs and demands of the ageing population through provision of appropriate levels of care, access and delivery tailored to the specific needs of vulnerable end users.

13. Conclusions

The key benefits of the proposal are the additional specialist support for bed spaces that would be provided in compliance with JLP policy DEV7 and as evidenced (1,188 additional residential and nursing bed spaces by the end of the plan period) in the SHMNA. The proposal would also create improved standard of accommodation for future residents. These benefits have been weighed against the impacts of the development to the neighbouring residents and particularly no 88 Plymstock Road, and particularly the harm on the neighbouring residential amenities. On balance, Officers do not consider the benefits of the scheme outweigh the harm caused.

14. Recommendation

In respect of the application dated **02.10.2017** it is recommended to **Refuse**

15. Conditions / Reasons

1 DETRIMENTAL IMPACT ON NEIGHBOURING RESIDENTIAL AMENITIES

The Local Planning Authority considers that the proposed extension, by virtue of its height, size, proximity to the boundary and windows, will result in an unreasonable and detrimental impact on the residential amenity enjoyed by the adjoining property, 88 Plymstock Road, including loss of outlook, noise disturbance, loss of privacy, light and enjoyment of outdoor amenity area. its scale and cumulative impact with planning consent 09/01646/FUL, will significantly increase the intensity of the use of the property as a Residential Care Home, and by virtue of the increase in activities, visitors and staff associated with this enlargement, will create a development that is incompatible with the surrounding residential area and is likely to be harmful to the residential character and result in an unreasonable disturbance of neighbouring properties The proposal is therefore contrary to policies CS02, CS19, CS22, CS28 CS34 of the Core Strategy and the detailed guidelines set out in the Development Guidelines SPD. Policies DEV1 (Protecting Health and Amenity), DEV2 (Air, Water, Soil, Noise and land), DEV 7 (Meeting local housing need in the Plymouth Policy Area), DEV20 (Place shaping and the quality of the built environment), DEV30 (Trees, Woodlands and Hedgerows), and DEV31 (Specific Provisions relating to transport) of the Joint Local Plan, and the National Planning Policy Framework (NPPF) 2012..

Informatives

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

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).

2 REFUSAL (WITH ATTEMPTED NEGOTIATION)

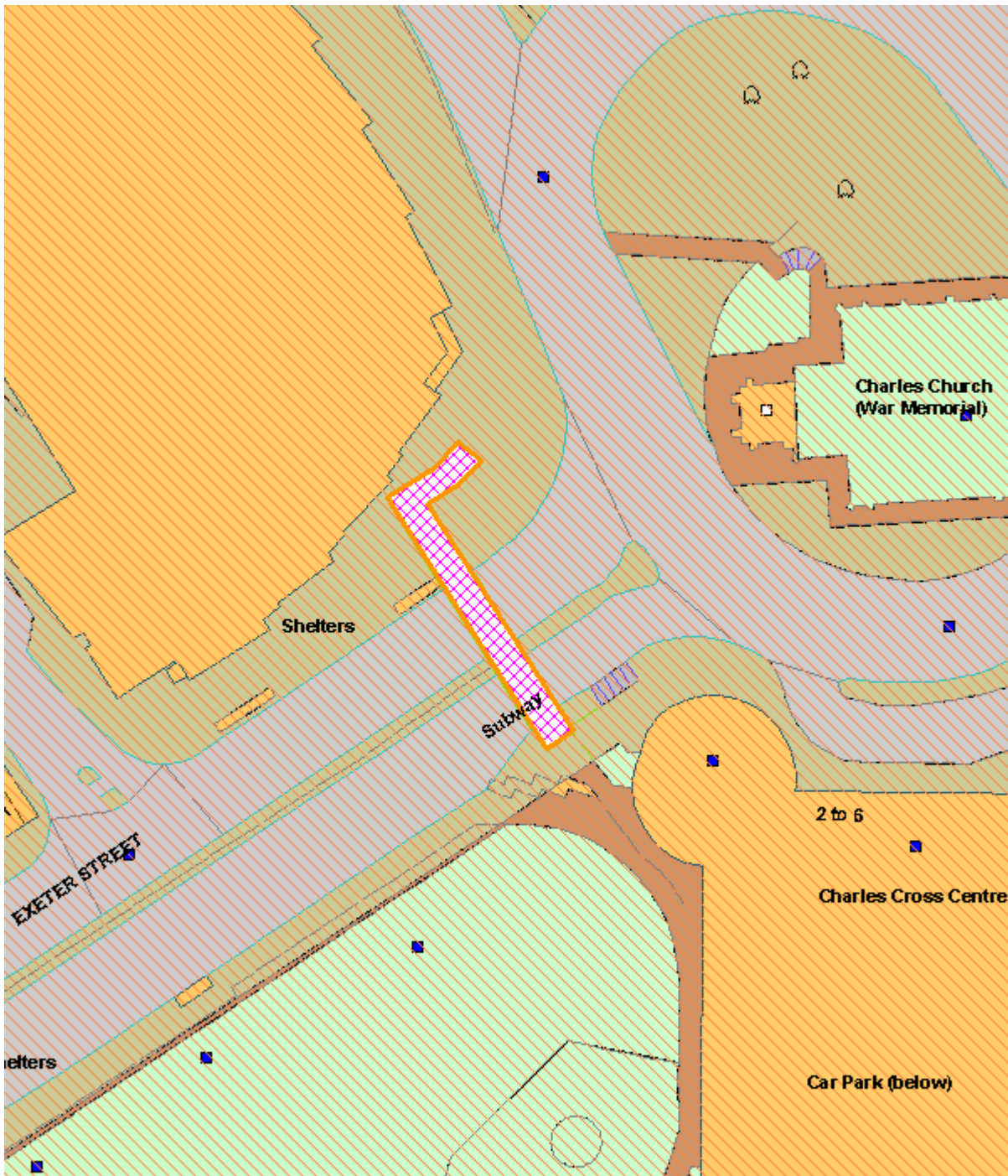
In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and proactive way with the Applicant and has looked for solutions to enable the grant of planning permission. However the proposal remains contrary to the planning policies set out in the reasons for refusal and was not therefore considered to be sustainable development.

PLANNING APPLICATION OFFICERS REPORT



Application Number	17/01591/S257	Item	02
Date Valid	01.08.2017	Ward	ST PETER AND THE WATERFRONT

Site Address	Bretonside Bus Station Bretonside Plymouth PL4 0BG		
Proposal	Stopping up of footpaths associated with the Drakes Circus Leisure redevelopment (revised order to take account of changes in 17/01409/S73M)		
Applicant	Alan Swan		
Application Type	Section 257 Application		
Target Date	26.09.2017	Committee Date	11.01.2018
Extended Target Date	N/A		
Decision Category	Constitution Other		
Case Officer	Mr John Douglass		
Recommendation	Grant Conditionally		



1. Description of Site

The site comprises the subway at the eastern end of the Exeter Street viaduct which leads from the former Bretonside Bus Station to the north side of Exeter St.

2. Proposal Description

The proposal seeks a Public Path Order under section 257 of the Town and Country Planning Act 1990 to extinguish public rights of access to the subway shown in the attached map. The subway will be physically retained, but will effectively become a private space used as an access for shoppers from the new car park that is part of the proposed Drake Circus Leisure Development (17/01409/S73M) to the footway outside Primark. As part of that

development, the stairs that provide access from the Exeter St footway down to the subway on the south side of Exeter St (outside the Evans cycles store) are also to be removed (filled in). However, this area will remain part of the adopted highway (HMPE) so is not shown for stopping up.

The S257 process requires officers to instruct the legal team to prepare a draft order, which is then subject to a statutory period of publicity and consultation with statutory undertakers. If no objections are received, or objectors are willing to withdraw their objections, then the order can be confirmed by planning committee. If objections are maintained, then the order must be referred to the Secretary of State for determination.

3. Pre-application Enquiry

There have been various pre-application enquiries on the main Bretonside scheme (see planning history) and informal discussions about S257 orders as part of this, but there has been no formal pre-application specific to this application.

4. Relevant Planning History

Consent for the main redevelopment of the Bretonside site into a leisure complex comprising IMAX/multiple cinemas, restaurant units and car parking was first granted (subject to S106) on 14 May 2015 by consent reference 15/00159/FUL. This was then subject to minor material amendments by consent 15/01163/FUL, granted on 16 September 2015 (and subsequently further non-material amendments). Further 'minor material amendments to the scheme were then approved by consent 17/01409/S73M on 01 September 2017. Construction of the scheme is now underway.

An order to permit the stopping up of the two subways (east and west ends of the viaduct) and the public footpaths running along the site's western boundary (from the subway to Bretonside) was confirmed 09 June 2016 and advertised as such on 30 August 2016 following application reference 15/01785/S257. The order refers specifically to planning consent 15/01163/FUL, and therefore only permits stopping up in accordance with its implementation.

Works to commence (implement) consent 15/01163/FUL (as amended) were carried out in June 2017 in the form of demolition works beneath the viaduct. The previous stopping up order therefore permitted the stopping up of the subway and footpath at the western end of the site (identified as areas 1, 2 and 3 on the existing order). The northern subway exit was physically closed with hoardings to allow the demolition works to take place, and remains physically closed (heras fencing around the subway exit at Exeter St level, and hoardings at the bottom of the stairs). Although it can now be lawfully stopped up, the footpath down the western side of the site (area 3 on the existing order), and the stairs up to the southern footway of Exeter St remain open at present.

Although works on site commenced through the implementation of 15/01163/FUL, the applicant now intends to implement the revised version of the scheme consented by the most recent approval 17/01409/S73M.

A S247 stopping up order (reference 'The Stopping up of Highways (South West) (No.16) Order 2016') was also granted by the Secretary of State (Dept for Transport) on 13 July 2016. This permits the stopping up of two small areas of footway on the north side of Bretonside in association with the implementation of 15/01163/FUL. A revised order (reference 'The Stopping up of Highways (South West) (No.40) Order 2017') was made by the Secretary of State on 23 October 2017. This order allows for the stopping up of the same areas of highway in association with revised permission 17/01409/S73M.

5. Consultation Responses

Highway Authority

No objection to the proposal provided that no stopping up shall take place until an alternative new pedestrian crossing of Exeter Street has been provided to the satisfaction of the LPA and confirmed in writing.

6. Representations

The order was subject to formal consultation by way of 5 x site notices, a press advertisement, and letters to the statutory consultees:

- Openreach BT
- Cyclists Touring Club
- Drake Circus Leisure Limited
- Open Spaces Society
- PCC Economic Development
- Ramblers Association
- Byways & Bridleways Trust
- British Horse Society
- Auto Cycle Union Limited.

No representations were received from any of the statutory consultees.

No representations were received from members of the public.

7. Relevant Policy Framework

Section 257 (1) of the Town and Country Planning Act 1990 provides that any footpath or bridleway can be stopped up or diverted in order to implement a planning permission provided that the competent authority (in this case the Local Planning Authority) is satisfied that it is necessary to do so in order to enable development to be carried out in accordance with planning permission granted.

Under part (2) of section 257, the competent authority can ensure that the order: creates an alternative highway as a replacement; requires works to the relevant footpath or bridleway; preserves any rights of statutory undertakers to relevant apparatus; or requires financial contributions in respect of the cost of works.

Section 259 of the same Act sets out that any order made under section 257 shall not take effect until confirmed. Where an order is subject to opposition it must be confirmed by the Secretary of State but if it has not been opposed it can be confirmed by the authority who made it – in this case the Local Planning Authority.

8. Analysis

Is the stopping up necessary to enable development to be carried out in accordance with the permission granted?

The scheme for which planning permission was granted relies on the extinguishment of public rights of access to the land in question. This is largely because this area will be used as vehicle circulation within a private shopper car park. Although it will remain technically possible to pass beneath Exeter Street and then emerge to Bretonside, no direct route will be available, and the route through the car park would not be suitable for full public access. The applicant will also wish to lock the car park at times, meaning that this movement would not be possible.

Are alternative routes necessary (and acceptable)

The planning permission provides for a new pedestrian crossing close to Charles Cross, which is to be provided in association with the additional signals being proposed on Charles Cross roundabout. This facility is considered necessary by way of replacement for the subway, and the drafting of the order therefore ensures that the subway cannot be formally stopped up until such time as the new crossing facility has been provided. In reality it will not be possible to deliver the new crossing before the southern subway stairs are filled in, as engineers dealing with the S278 agreement suggest that this would be the first stage of the works. This means that it may be necessary for there to be no way of crossing Exeter St at this point for short periods of time. It will be possible for the highway authority to allow for

the physical closure of the subway prior to it being formally stopped up through the granting of a temporary traffic regulation order. The highway authority could insist on any temporary measures needed (if any) to cover such periods of time.

Comparing the plan attached to the proposed order (see appendix 1) to that of the existing order it is notable that as well as a replacement crossing, the previous order also secured improvements to the public realm on the southern footway of Exeter St along the site boundary. These wider works were proposed by previous planning consent 15/01163/FUL (which involved the widening of this footway and associated narrowing of the carriageway down to one lane plus cycle lane) but are no longer included in permission 17/01409/S73M. These works were offered by the applicant and secured in the previous order, but were not considered necessary by way of specific mitigation for the loss of the subway. Officers consider the critical alternative to be the new surface level crossing, which remains part of the scheme. This will allow for pedestrian movements from Charles St towards Sutton Harbour via Moon St to the east of the site. Once the 17/01409/S73M scheme is complete the new crossing will align with steps and a footpath leading down between the development and the Staples building, public access to which is secured through a condition attached to the planning permission. Subject to provision of the surface level crossing as proposed by the order, officers raise no objection.

Is it necessary to preserve right for Statutory Undertakers?

Legal officers do not consider it necessary to preserve any rights of access.

Other Issues

The only legal test that needs to be satisfied for an Order application under Section 257 is that the Order is necessary to enable development to be carried out should planning permission for that development be granted. Officers consider that the relevant tests have been met. Therefore, whilst it is not for consideration as part of this application, members are requested to note that the highway authority, when considering the planning application for redevelopment, did not raise any objection to the proposed removal of public access to the subways, or to the signals needed in association with the additional surface level crossing at the eastern end of the viaduct.

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

Stopping up would have positive (albeit not significant) financial implications by reducing lighting, cleaning and surface maintenance costs associated with the existing subways. The applicant has agreed to cover the council's reasonable costs in processing and advertising the order.

11. Planning Obligations

Not applicable.

12. Equalities and Diversities

The proposal would have positive impacts by replacing an existing subway (reliant on steps) with a new surface level crossing. This leads to a route through the development (proposed by 17/01409/S73M) which features a lift. This improvement will be of particular benefit to the 'disability' and 'gender (including marriage, pregnancy and maternity)' protected characteristics, by making access easier for those who are less mobile or in wheelchairs, less mobile due to pregnancy, or using buggies, prams etc.

13. Conclusions

Officers conclude (as previously) that the stopping up is necessary to implement the planning permission, and that the order adequately secures the necessary alternative crossing and access arrangements. Its drafting ensures that the subway facility near Charles Cross will only be formally stopped up once the new crossing facility is in place.

For these reasons, officers recommend that members of the committee agree that the Council's Legal Officers confirm the order.

APPENDIX 1: PUBLIC PATH STOPPING UP ORDER (MADE XXXXX 2017)

14. Recommendation

In respect of the application dated **01.08.2017** it is recommended to **Grant Conditionally**

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Planning Applications Determined Since Last Committee

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
01/12/2017	Agreed Minor Amendment	17/01164/AMD	Dr Paula Robinson	Non-material Minor Amendment: The addition of 2 conservation rooflights to the rear - one each side of the dormer of application 10/01671/FUL	149 Fore Street (Formerly 162 Underwood Road) Plympton Plymouth PL7 1TE	Mrs Alumeci Tuima
01/12/2017	Agreed Condition	17/02128/CDM	Mr Simon Wagemakers	Condition Discharge: Conditions 23 & 24 of application 07/01094/OUT	Saltram Meadow Billacombe Road Plymouth PL9 7JA	Mr Alan Hartridge
01/12/2017	Grant Conditionally	17/01940/FUL	Mr & Mrs Grimwood	Demolition of entrance/utility, two storey side extension and part rear extension	43 Hemerdon Heights Plymouth PL7 2EY	Mrs Alumeci Tuima
01/12/2017	Grant Conditionally	17/01960/FUL	Mr & Mrs Eames	Rear extension and garage alterations	4 Longfield Villas Plymouth PL9 7RR	Mrs Alumeci Tuima
01/12/2017	Grant Conditionally	17/02002/FUL	Mr W Legge & Ms S Lyons	Front and rear dormers and conversion of first floor flat to two self contained maisonettes	19 Pasley Street Plymouth PL2 1DP	Mr Mike Stone
04/12/2017	Agreed Minor Amendment	17/02166/AMD	Mr Russel Humphries	Non-material Minor Amendment: To amend approved plans to include an additional parking space to house 10, a change of the fencing type in front curtilage areas from 1.2m close boarded fencing to 1.2m high post and rail fencing, and change from individual cycle storage sheds for each apartment to Warrior cycle containers for application 15/01906/FUL	Former Southway School Land West Of Skerries Road Plymouth PL6 6EE	Mrs Katie Saunders
04/12/2017	Agreed Condition	16/00754/CDM	Ruth Burrows	Condition Discharge: Conditions 8, 19 & 20 of application 15/00519/REM	"Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Haye Road Plymouth PL9 8HS	Mr Ian Sosnowski

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
04/12/2017	Agreed Condition	17/01603/CDM	Mr Simon Wagemakers	Partial Condition Discharge: Condition 22 of application 07/01094/OUT (in relation to phase 1)	Land At Plymstock Quarry Billacombe Road Plymstock Plymouth	Mr Alan Hartridge
04/12/2017	Grant Conditionally	17/02007/ADV	Mr Dave Edwards	Signage re-branding	29 - 31 New George Street Plymouth PL1 1RA	Mr Macauley Potter
04/12/2017	Grant Conditionally	17/02039/ADV	Mr Alan Finlayson	3x illuminated signs & 1x ATM replacement surround	Natwest, 6 St Andrews Cross Plymouth PL4 0AE	Mr Macauley Potter
05/12/2017	Agreed Minor Amendment	17/02147/AMD	Mr & Mrs Dennis Webb	Non-material Minor Amendment: Extension of roof porch for application 17/00231/FUL	76 Ringmore Way Plymouth PL5 3QH	Mrs Alumeci Tuima
05/12/2017	Agreed Condition	17/00693/CDM	Miss Kate Baker	Condition Discharge: Conditions 7, 8, 9, 10 & 11 of application 14/00135/FUL	Land Off Towerfield Drive Plymouth	Mr Robert McMillan
05/12/2017	Agreed Condition	17/00695/CDM	Miss Kate Baker	Condition Discharge: Conditions 9, 10, 11, 12 & 13 of application 14/00223/FUL	Land Off Towerfield Drive Plymouth	Mr Robert McMillan
05/12/2017	Grant Conditionally	17/01732/FUL	Gables Farm Dogs & Cats Home	Demolition & replacement of 3x existing dog kennel buildings	Gables Farm Dogs & Cats Home 204 Merafield Road Plymouth PL7 1UQ	Mrs Karen Gallacher
05/12/2017	Grant Conditionally	17/01736/FUL	Amanda Williams	Rear extension and rear terrace with external steps	130 Vicarage Gardens Plymouth PL5 1LJ	Mr Mike Stone

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
06/12/2017	Grant Conditionally	17/01896/TPO	Mr Roger Parnell	Beech - reduce branches by approx 3m - taking care not to go beyond the previous pruning points.	2 Woodlands End Plymouth PL6 7RE	Mrs Jane Turner
06/12/2017	Grant Conditionally	17/01994/TPO	Mr Ted Hill	1x Beech - Remove dead top by 3-4m.1x Beech - Fell due to disease.	Torr Home The Drive Plymouth PL3 5SY	Ms Joanne Gilvear
06/12/2017	Grant Conditionally	17/02006/FUL	Mr & Mrs King	Extension above garage	27 Westmoor Close Plymouth PL7 2WQ	Mrs Alumecci Tuima
06/12/2017	Grant Conditionally	17/02009/FUL	Mr & Mrs Hannaford	Single storey rear extension, raised patio levels, changes in front elevation and external finishes	1 Chaddlewood Close Plymouth PL7 2HR	Miss Amy Thompson
06/12/2017	Grant Conditionally	17/02013/FUL	Mr Adam Drake	Change of use part first & second floor from dwelling to 2x 1-bed flats, change of use of part-first floor to beauty room, single storey extension (demolition of existing rear tenement) and internal alterations	31 Devonport Road Plymouth PL3 4DJ	Mr Chris Cummings
06/12/2017	Grant Conditionally	17/02024/FUL	Mr & Mrs M Courtney	Side extension with timber cladding and alterations to windows	9 Leigh Court Plymouth PL6 5YA	Mr Mike Stone
06/12/2017	Grant Conditionally	17/02030/TPO	Mr Tom Soper	1x Sweet Chesnut - fell. Plant additional Beech in rear garden.	Tanglewood Plymbridge Road Plymouth PL6 7LF	Mrs Jane Turner
06/12/2017	Grant Conditionally	17/02035/TPO	Mr Peter Searle	1x Sycamore - reduce by 5ft2x Sycamore - fell	10 Venn Court Plymouth PL3 5NS	Ms Joanne Gilvear

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
07/12/2017	Grant Conditionally	17/01704/FUL	Dr Goldhahn & Mr Young	Creation of studio & renovations to house	6 Lipson Terrace Plymouth PL4 7PR	Mrs Jess Maslen
07/12/2017	Grant Conditionally	17/01705/LBC	Dr Goldhahn & Mr Young	Creation of studio & renovations to house	6 Lipson Terrace Plymouth PL4 7PR	Mrs Jess Maslen
07/12/2017	Grant Conditionally	17/01939/FUL	Plymouth City Council	Regrading of playing pitches and associated works	Playing Field To West Of Douglas House Plymouth PL3 6NP	Mrs Katie Saunders
07/12/2017	Grant Conditionally	17/01944/FUL	Mr Duncan Martin	Erection of 4 storey building comprising 7 dwellings, commercial unit (Class A1, A2, A3, A4 or B1) & associated works (demolition of existing building)	Seawings 101 Lawrence Road Plymouth PL9 9SJ	Mr Chris King
07/12/2017	Grant Conditionally	17/01978/FUL	Mr Nathan Sanders	Construction of approximately 100m of pedestrian and cycle path on former railway	Former Railway Between Billacombe Road And Rock Gardens Plymouth	Miss Amy Thompson
07/12/2017	Grant Conditionally	17/02028/TPO	Mr Wesley Harris	Oak (T1) - shorten/lift the side branches overhanging property/roof by up to 3m in the lower crown, the lower crown being up to a maximum of 8m above ground level.	4 Valley View Road Plymouth PL3 6QJ	Mrs Jane Turner
07/12/2017	Grant Conditionally	17/02134/TCO	Mr Essy	1x Sweet Chesnut - fell	Poltair Seymour Road Mannamead Plymouth PL3 5AR	Mrs Jane Turner
07/12/2017	Granted Conditionally subject to S106	17/01608/FUL	Premier Inn Hotels Limited	Two storey hotel extension	Premier Inn Lockyers Quay Plymouth PL4 ODX	Mrs Janine Warne

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
08/12/2017	Grant Conditionally	17/01953/FUL	Mr Paul Body	Conversion of 19 room HMO (Sui Generis) to 17 studio apartments for students (Class C3) and a roof level extension	84 - 86 North Road East Plymouth PL4 6AN	Miss Amy Thompson
08/12/2017	Grant Conditionally	17/01990/LBC	Mr Alex Grassick	Internal alterations	Flat 5, 216 Citadel Road Plymouth PL1 3BB	Mrs Rachel Broomfield
08/12/2017	Grant Conditionally	17/02059/FUL	Short	Side extension	8 Cross Park Way Plymouth PL6 5AP	Mrs Alumecci Tuima
08/12/2017	Grant Conditionally	17/02148/FUL	Mr Jon Furnues	Replacement and upgrade of existing public telephone kiosks including provision of ATM service	O/S 52 Royal Parade Plymouth PL1 1DZ	Mr Mike Stone
08/12/2017	Grant Conditionally	17/02161/FUL	Mr Prior	Rear extension	15 Longview Terrace Plymouth PL3 6QF	Mr Macauley Pottel
08/12/2017	Granted Conditionally subject to S106	17/01826/S73	Devcor (Plymouth) Ltd	Variation of condition 2 of 16/00154/FUL - Minor material amendment including reduction in footprint, elevational & floor plan changes (including residential mix) and alterations to landscaping & car parking provision	Peirson House Mulgrave Street Plymouth	Mr Simon Osborne
11/12/2017	Agreed Minor Amendment	17/02168/AMD	Taylor Wimpey Exeter	Non-material Minor Amendment: Amended bird and bat box strategy for application 13/00048/FUL	Land East And West Of Pennycross Close Plymouth	Mr Chris King
11/12/2017	Agreed Minor Amendment	17/02286/AMD	Mr & Mrs Scoble	Non-material Minor Amendment: To remove the roof canopy from the front extension for application 17/01527/FUL	8 Coniston Gardens Plymouth PL6 5HS	Mr Chris Cummings

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
11/12/2017	Agreed Condition	17/01687/CDM	Mr Martin Cox	Condition Discharge: Condition 7, 8 & 9 of application 16/02229/FUL	Stoke Damerel Community College Somerset Place Plymouth PL3 4BD	Mr Robert McMillan
11/12/2017	Agreed Condition	17/02100/CDM	Mrs Maria Marks	Condition Discharge: Condition 5 of application 17/00493/FUL	Plymouth Mail Centre Breakwater Road Plymouth PL9 7XX	Miss Amy Thompson
11/12/2017	Grant Conditionally	17/02011/FUL	Mrs Sarah Best	Alterations to ventilation louvres on building elevation and air conditioning condenser units at ground level	Davy Building University Of Plymouth Drake Circus Plymouth PL4 8AA	Mrs Alumeci Tuima
11/12/2017	Grant Conditionally	17/02111/FUL	Mr Sam Harris	Hip to gable roof conversion, rear dormer and external staircase/walkway.	31 Dunclair Park Plymouth PL3 6DJ	Mr Macauley Potter
12/12/2017	Agreed Minor Amendment	17/02137/AMD	Miss Kate Baker	Non-material Minor Amendment: Addition of weather boarding and increase to ridge height for application 14/00223/FUL	Land Off Towerfield Drive Plymouth	Mr Robert McMillan
12/12/2017	Agreed Minor Amendment	17/02159/AMD	Miss Katie Baker	Non-material Minor Amendment: To change from car ports to garages on plots 1-12 and 47-64 for application 14/00135/FUL	Land At Towerfield Drive	Mr Robert McMillan
12/12/2017	Agreed Condition	17/00623/CDM	Taylor Wimpey (South West)	Condition Discharge: Conditions 8, 9, 18, 19 & 20 of application 15/00517/REM	"Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Haye Road Elburton Plymouth PL9 8DD	Mr Ian Sosnowski
12/12/2017	Agreed Condition	17/01592/CDM	Land Developments (SW) Ltd	Conditional Discharge: Conditions 7, 9, 10 & 13 of application 16/00804/FUL	Land Off Tamar Way West Park Plymouth	Mr Chris King

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
12/12/2017	Grant Conditionally	17/01955/FUL	Ms Deborah Brown	Proposed roof level extension to rear tenement and insertion of 3 front rooflights	9 Collingwood Villas Collingwood Road Plymouth PL1 5NZ	Mr Mike Stone
12/12/2017	Grant Conditionally	17/02058/FUL	Mr Ian Turner	Demolition of outbuildings and creation of disabled access ramps	St Judes Church Beaumont Road Plymouth	Mrs Jess Maslen
12/12/2017	Grant Conditionally	17/02061/LBC	Mr Ian Turner	Demolition of outbuildings & installation of access ramps	St Judes Church Beaumont Road Plymouth	Mrs Jess Maslen
12/12/2017	Grant Conditionally	17/02142/FUL	Mr Richard Gibson	Treehouse in rear garden (retrospective)	Fellside Haye Road South Plymouth PL9 8HL	Mr Chris Cummings
12/12/2017	Granted Conditionally subject to S106	15/00967/FUL	Plymouth Hospitals NHS Trust	Retention of extension to car park C and link road from car park C to car park D, reconfiguration of ground levels of deposited material and landscaping	Car Park C, Derriford Hospital, Derriford Road Plymouth PL6 8DH	Mr Robert McMillan
13/12/2017	Grant Conditionally	17/01869/TPO	Mrs Julia Tindall-Jones	Sycamore - reduce crown by 2-3m and raise crown over road to give 5m clearance above ground level.	35 Efford Road Plymouth PL3 6NE	Ms Joanne Gilvear
13/12/2017	Grant Conditionally	17/02040/TPO	Mr Andrew McQuillan	16x Beech - fell2x Beech - reduceRemaining Beech - crown raise to give 2.5m clearance over field.	Hooe Primary School Hooe Road Plymouth PL9 9RG	Mrs Jane Turner
13/12/2017	Grant Conditionally	17/02051/ADV	City Deal Team	Signage for the Main Office Buildings, the Industrial Units and Car park entrances to phase 1 of Oceansgate	Devonport Dockyard South Yard Saltash Road Keyham Plymouth PL1 4SG	Mr Mike Stone

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
13/12/2017	Grant Conditionally	17/02112/TPO	Mr P Rump	Remove and poison several multi-stemmed Bay along top of wall. Removal of any saplings or young trees close to wall (to prevent future issues).	Belmont House Belmont Place Plymouth PL3 4DN	Mrs Jane Turner
13/12/2017	Grant Conditionally	17/02113/TPO	Mr Richard McKeich	Sycamore (T2 on plan) - Remove 1 stem closest to property Sycamore (T3 on plan) - Remove 3 stems closest to property.	41 Consort Close Plymouth PL3 5TX	Mrs Jane Turner
13/12/2017	Grant Conditionally	17/02114/TPO	Mr Gary Watson	1x Ash - Reduce whole crown by 3m.	40 Priory Road Plymouth PL3 5EP	Ms Joanne Gilvear
13/12/2017	Grant Conditionally	17/02125/TPO	Mrs Sarah Watson	Oak (T01): prune branches back to natural growth points to provide a 2 metre separation from building.	Highglen Drive Plymouth PL7 5LJ	Mrs Jane Turner
13/12/2017	Grant Conditionally	17/02135/TPO	Mr Luke Foster	1x Taxus Baccata (Yew) - fell	11 Pine Gardens Plymouth PL3 4FG	Mrs Jane Turner
13/12/2017	Grant Conditionally	17/02201/FUL	Mrs G Gribbins	Front/side extension	11 Russet Wood Plymouth PL5 2QN	Mr Mike Stone
13/12/2017	Grant Conditionally	17/02236/TCO	Anna Kivell	Magnolia - reduce crown by 1m.	15 Thorn Park Plymouth PL3 4TG	Ms Joanne Gilvear
14/12/2017	Agreed Condition	17/01744/CDM	Mr Ian MacMartin	Condition Discharge: Conditions 13, 16, 18, 21, 22, 23, 24, 25 & 26 of application 15/00858/OUT	Chaucer Way Plymouth PL5 3EQ	Mr Thomas Westrope

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
14/12/2017	Grant Conditionally	17/02088/FUL	Ms Kerry Brodel	Change of use from single dwelling house (Class C3) to barber shop (Class A1) and serviced accommodation (Class C2)	2 Lake Road Plymouth PL9 9RA	Mr Mike Stone
14/12/2017	Grant Conditionally	17/02158/OUT	Mr M Sayers	Residential development of site including demolition of outbuildings	Land At The Chase 60 Vinery Lane Plymouth PL9 8DE	Mr Jon Fox
15/12/2017	Agreed Minor Amendment	17/02418/AMD	Ms Zoe Sydenham	Non-material Minor Amendment: Revision of the internal layout of the bowls for application 10/02045/FUL	Mayflower Drive Plymouth PL2 3DG	Mr Chris King
15/12/2017	Agreed Condition	17/02096/CDMLB	Plymouth City Council	Condition Discharge: Condition 6 of application 14/02268/LBC	Devonport Dockyard, South Yard, Area 1 East Plymouth	Mr Oliver Gibbins
15/12/2017	Grant Conditionally	17/02032/FUL	Mr Julian Payne	Removal of south porch iron gates and installation of glass doors and notice boards	St Edwards Church Church Hill Plymouth PL6 5RN	Mr Chris Cummings
15/12/2017	Grant Conditionally	17/02129/FUL	McDonald's Restaurants Ltd	Front, rear and side extensions, alterations to the roof signage and new shop front	McDonalds Restaurant Coypool Road Plymouth PL7 4TB	Mr Macauley Potter
15/12/2017	Grant Conditionally	17/02130/ADV	McDonald's Restaurants Ltd	Installation and relocation of new and existing signage	McDonalds Restaurant Coypool Road Plymouth PL7 4TB	Mr Macauley Potter
18/12/2017	Agreed Condition	17/01368/CDMLB	Mr & Mrs Steven	Condition Discharge: Conditions 5, 6, 7, 10, 12, 14, 15 & 16 of application 15/02231/LBC for works to the dairy	St Peters Convent George Lane Plymouth PL7 2LL	Mr Oliver Gibbins

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
18/12/2017	Grant Conditionally	17/01675/S73	Mr Steven	Variation of condition 2 of 15/02230/FUL to amend design and layout of plots 3, 4, 5 & 6	St Peters Convent George Lane Plymouth PL7 2LL	Mr Oliver Gibbins
18/12/2017	Grant Conditionally	17/02057/FUL	Mr Harding & Ms Hutchins	Front and side extension, loft conversion including detached garage	298 Tavistock Road Plymouth PL6 8AN	Mrs Alumeci Tuima
19/12/2017	Agreed Minor Amendment	17/02291/AMD	Taylor Wimpey (Exeter)	Non-material Minor Amendment: To amend house types on Parcels J & L following grant of planning consent 16/00287/REM	"Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Haye Road Elburton Plymouth	Mr Ian Sosnowski
19/12/2017	Agreed Condition	17/01822/CDM	Mr Neil Howells	Condition Discharge: Condition 11 of application 15/01143/FUL	Beckley Court Armada Way Plymouth PL1 1LD	Mrs Katie Saunders
19/12/2017	Agreed Condition	17/02075/CDM	Mr Nicholls	Condition Discharge: Condition 3 of application 17/01162/FUL	Widely Court Primary School Widely Lane Plymouth PL6 5JS	Mr Mike Stone
19/12/2017	Agreed Condition	17/02181/CDM	Plymouth City Council	Condition Discharge: Conditions 7 & 10 of application 16/01014/FUL	Pennycross Primary School Arden Grove Plymouth PL2 3RL	Mr Chris Cummings
19/12/2017	Grant Conditionally	17/01612/ADV	Mansell	Identity fascia sign	14 Regent Street Plymouth PL4 8BA	Mrs Jess Maslen
19/12/2017	Grant Conditionally	17/01915/FUL	Plymouth City Council	Regrading of playing pitches, erection of changing rooms, provision of parking area & associated works	Land At Bond Street/Bampfylde Way Plymouth	Mrs Karen Gallacher

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
19/12/2017	Grant Conditionally	17/01920/ADV	Mrs Natalie Gaunt	Retrospective application for illuminated ATM signage	LM Stores 264 North Road West Plymouth PL1 5DG	Mr Macauley Potter
19/12/2017	Grant Conditionally	17/01937/FUL	Councillor David James	Side extension for dependant relative including hardstanding	30 Canhaye Close Plymouth PL7 1PG	Mrs Alumeci Tuima
19/12/2017	Grant Conditionally	17/01971/FUL	Mrs Sigourney Pyle	Formation of area to exercise horses (Menage)	Land At New Barn Hill Plymouth	Mr Mike Stone
19/12/2017	Grant Conditionally	17/02025/FUL	Tesco Ltd	Service yard extension including 2.7m close board fence	17 Transit Way Plymouth PL5 3TW	Mrs Alumeci Tuima
19/12/2017	Grant Conditionally	17/02037/FUL	Mr & Mrs R Adams	Front extension	2 Blackstone Close Plymouth PL9 8UQ	Mrs Alumeci Tuima
19/12/2017	Grant Conditionally	17/02115/ADV	Aldi Stores Limited	1x wall mounted sign & 2x freestanding banners	Aldi Stores Limited Land At Southway Drive Southway Plymouth	Mrs Alumeci Tuima
19/12/2017	Grant Conditionally	17/02118/ADV	Ms Jan Clark	Internally illuminated ATM signage	ATM Site, 29 Old Town Street Plymouth PL1 1DH	Mr Macauley Potter
19/12/2017	Grant Conditionally	17/02119/ADV	Bill's Restaurants Ltd	1x externally illuminated fascia sign	Unit 19, Drake Circus Shopping Mall 1 Charles Street Plymouth PL1 1EA	Miss Amy Thompson

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
19/12/2017	Grant Conditionally	17/02120/FUL	The Guinness Partnership	Change of use from room used for temporary site office accommodation to form two bedroom flat (Class C3) on the ground floor	Wyndham Street East Plymouth PL1 5HE	Miss Amy Thompson
20/12/2017	Agreed Condition	17/01129/CDMLB	Mr Julian Cooper	Partial Condition Discharge: Condition 3 of application 17/00701/LBC	Devonport Dockyard Saltash Road Keyham Plymouth PL1 4SG	Mrs Kate Price
20/12/2017	Agreed Condition	17/02082/CDM	Mr Jon Turner	Condition Discharge: Condition 3 of application 11/01570/FUL	Millbay Docks Millbay Road Plymouth PL1 3EF	Miss Katherine Graham
20/12/2017	Agreed Condition	17/02195/CDM	Mr Alastair Carswell	Condition Discharge: Condition 32 of application 14/01448/OUT	Land At Millbay, Millbay Road Plymouth	Miss Katherine Graham
20/12/2017	Grant Conditionally	17/01899/ADV	Sherford New Community Consortium	Free standing advertisement sign	Land On The Corner Of Main Street And Haye Road Plymouth	Mrs Kate Price
20/12/2017	Grant Conditionally	17/01900/S73	IQ Student Accomodation	Vary condition 22 of 12/00922/FUL to allow the use of the accommodation for non-students during the summer months	Astor House 163 Notte Street Plymouth PL1 2AQ	Mrs Katie Saunders
20/12/2017	Grant Conditionally	17/02109/FUL	Ms Sarah King	Demolition of existing temporary classroom and erection of detached building (Class D1)	Chaddlewood Primary School Westfield Plymouth PL7 2EU	Miss Amy Thompson
20/12/2017	Grant Conditionally	17/02151/FUL	Mr Alan Archer	Replacing existing hedge with fence	The Lodge 8 Dunclair Park Plymouth PL3 6ED	Mr Macauley Potter

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
20/12/2017	Grant Conditionally	17/02152/S73	Mr John Kingdom	Vary condition 2 of application 90/03831/FUL to allow the continued use of the property as A1	51 Lanhydrock Road Plymouth PL4 9HF	Mrs Alumeci Tuima
20/12/2017	Granted Conditionally subject to S106	16/02033/FUL	Pemberton Homes Ltd	Development of 21no 1 & 2 bedroom apartments, 4no 3 bedroom houses, & 2no 2 bedroom houses	Whiteleigh Community Centre, Whiteleigh Green Plymouth PL5 4DE	Mr Chris King
21/12/2017	Grant Conditionally	17/01925/FUL	Mr Wildman	Replace existing garage with double attached garage and replace hedges with fence	150 Beverston Way Plymouth PL6 7EQ	Miss Amy Thompson
21/12/2017	Grant Conditionally	17/01964/FUL	Mr & Mrs Steve Brook	Two storey side extension	18 St Johns Drive Plymouth PL9 9SD	Mr Mike Stone
21/12/2017	Grant Conditionally	17/02077/FUL	Mr Ian Frazer	External wall insulation with rendered finish	Torridge Way Plymouth PL3 6JG	Mrs Alumeci Tuima
21/12/2017	Grant Conditionally	17/02101/FUL	Andy Chapman	Replacement rear extension including store under	50 Harewood Crescent Plymouth PL5 3PT	Mrs Alumeci Tuima
21/12/2017	Grant Conditionally	17/02140/FUL	Mr Glenn Jenkins	Proposed first floor side extension.	111 Merafield Drive Plymouth PL7 1TR	Mrs Alumeci Tuima
21/12/2017	Grant Conditionally	17/02149/FUL	Ms Walsh	Replacement aluminium door	193 Brittany Street Plymouth PL1 3FP	Mrs Alumeci Tuima

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
21/12/2017	Grant Conditionally	17/02160/FUL	Mr & Mrs Cann	Single storey rear and side extension	9 Dunstone Road Plymstock Plymouth PL9 8RG	Mrs Alumeci Tuima
21/12/2017	Granted Conditionally subject to S106	17/01439/S73M	EOP II PROP CO I S.A.R.L	Removal of condition 23 of application 17/00150/S73 & variation of condition 30	Plymouth Gateway Retail Park 270 Plymouth Road Plymouth PL6 8LN	Mr Alistair Wagstaff
22/12/2017	Agreed Minor Amendment	17/02332/AMD	Mrs Amy Crisp	Non-material Minor Amendment: Reposition plot 20 by 450mm for application 17/00570/S73M	Nightingale Close Plymouth PL9 8PN	Mrs Katie Saunders
22/12/2017	Grant Conditionally	17/01676/S73	Mr Steven	Variation of condition 2 of 15/02229/FUL to allow internal & external changes to plot 9 & 10.	St Peters Convent George Lane Plymouth PL7 2LL	Mr Oliver Gibbins
22/12/2017	Grant Conditionally	17/02124/FUL	Mr Suraj Miah	Extension to create third floor, front dormers, part 2 & part 3-storey rear extension and conversion of upper floors to form 4 flats	248 Albert Road Plymouth PL2 1AW	Miss Amy Thompson
22/12/2017	Grant Conditionally	17/02144/FUL	Mr Graham Bartlett	High level canopy to be located between units 2, 7 & 8	Princess Yachts International Ltd 2 Newport Street Plymouth PL1 3QG	Mr Mike Stone
22/12/2017	Refused	17/01504/FUL	Mr John Henson	Hardstanding	159 Southway Drive Plymouth PL6 6SN	Mr Chris Cummings
22/12/2017	Refused	17/01890/FUL	Mrs Julia Wilkins	Change of use of lower-ground floor to nail salon (retrospective)	36 Pomphlett Road Plymouth PL9 7BN	Mr Chris Cummings

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
22/12/2017	Refused	17/02048/FUL	Quimson	Conversion of car repair garage (Class B2) and extension to form new dwelling (Class C3)	155 Vauxhall Street Plymouth PL4 0DF	Miss Amy Thompson

Planning Applications Determined Since Last Committee, cont'd

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
05/12/2017	Lawful Certificate Issued	17/02136/EXUS	Mr Anthony Laurillard	Use of property as a 7 bed HMO (Sui Generis)	First & Second Floor Flat 1 Salisbury Road Plymouth PL4 8QR	Mr Chris Cummings
06/12/2017	Lawful Certificate Issued	17/02106/PRDE	Mr Phillips	Detached garage	Hardwick Nurseries Ridge Road Plymouth PL7 1UF	Mr Chris Cummings
06/12/2017	Lawful Certificate Issued	17/02205/PRDE	Mr & Mrs Beith	Rear dormer	66 Peverell Terrace Plymouth PL3 4JL	Mr Chris Cummings
06/12/2017	Prior Approval Not Required	17/02121/GP1	Mr & Mrs Philip Nott	A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 3.445m, has a maximum height of 3.484m, and has an eaves height of 2.482m	15 Tor Road Plymouth PL3 5TE	Mr Macauley Potter
13/12/2017	Prior Approval Not Required	17/02213/11	c/o agent	Prior notification of demolition of office block at the front of industrial unit (red brick structure).	Plymbridge House 10 Estover Road Plymouth PL6 7PY	Mr Mike Stone
14/12/2017	Lawful Certificate Issued	17/02054/EXUS	IQ Student Accomodation	Establish a mixed use comprising 132 serviced apartments (Class C1) and two flats (Class C3)	Opal Villas 167 Notte Street Plymouth PL1 2HF	Mrs Katie Saunders
19/12/2017	Lawful Certificate Issued	17/02386/PRDE	Mr Mark Goodwin	Single storey side extension	79 Hemerdon Heights Plymouth PL7 2EZ	Mr Chris Cummings

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
21/12/2017	Granted	17/02262/11	Go-Ahead Group PLC	Application for prior approval for the demolition of garage buildings, part of old tram sheds and sports and social club and outbuildings	1 Milehouse Road Plymouth PL3 4AA	Mr Chris Cummings
21/12/2017	Lawful Certificate Issued	17/02232/EXUS	Miss Nicola Obrien	Confirm existing use as 6 flats	44 Connaught Avenue Plymouth PL4 7BY	Mr Chris Cummings
22/12/2017	Prior Approval Not Required	17/02314/GP1	Mrs Karen Chapman	A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 6.0m, has a maximum height of 3.9m to ridge, and has an eaves height of 3.9m	106 Furzehatt Road Plymouth PL9 9JT	Mr Chris Cummings
22/12/2017	Prior Approval Refused	17/02244/GP1	Mr John Hewitt	A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 2.5m, has a maximum height of 2.4m, and has an eaves height of 3.6m	288 Westfield Plymouth PL7 2ER	Mr Chris Cummings

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Appeal Decisions between 01/12/2017 and 02/01/2018

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
08/12/2017	16/00007/FUL	2017/0020	Appeal Dismissed	APP/N1160/W/17/3172877
Ward				
St Peters & the Waterfront				
Address				
134 Vauxhall Street Plymouth PL4 0DE				
Application Description				
Demolish existing building and erection of 4-6 storey building with commercial on ground floor and student flats above (56 bed spaces).				
Appeal Process		Officers Name		
Written Representations		Miss Katherine Graham		
Synopsis				
<p>The planning inspector considered the building to have medium significance and its loss would materially harm the significance of the Conservation Area. There was a lack of evidence of marketing of the building and viability for different uses for the building. The inspector rejected the appellants suggestion that it is self-evident that re-use is unviable and concluded that the loss of the building requires clear and convincing justification which was not provided. The inspector considered that the loss of the building (a non-designated heritage asset) would have a less than substantial harm to the Conservation Area and meant that the harm needed to be weighed against the public benefits. The public benefits were considered to be the improved choice of accommodation for students (modest weight), the release of open market housing (moderate weight), and improvement to pedestrian route along Tin Lane (small weight). These were not considered of sufficient substance to outweigh the impact on the Conservation Area. The appeal was dismissed on the basis that the proposal would result in significant harm to the character and appearance of the Barbican Conservation Area and would conflict with Plymouth Core Strategy Policy CS03, Policy 28 of the Plymouth Plan Part One. It would also conflict with the aim of the Sutton Harbour Area Action Plan to conserve and enhance the Barbican and Bretonside. The proposal would also conflict with Policies DEV20 and DEV21 of the emerging Plymouth and South West Devon Joint Local Plan. However, these were given limited weight as the plan has yet to be examined. No costs were applied for by either side.</p>				

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