



#plymplanning

Democratic and Member Support

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PLANNING COMMITTEE

Thursday 5 April 2018

2.00 pm

Council House, Plymouth

Members:

Councillor Wogens, Chair

Councillor Mrs Bridgeman, Vice Chair

Councillors Ball, Sam Davey, Fletcher, Kelly, Morris, Mrs Pengelly, Riley, Stevens, Tuohy and Winter and (one vacancy).

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

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 8 February 2018.

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 Abbey Hall, Catherine Street, Plymouth, PL1 2AD - (Pages 7 - 12) 18/00129/LBC

Applicant:	Abbey Hall Management Committee
Ward:	St Peter & The Waterfront
Recommendation:	Grant Conditionally
Case Officer:	Mrs Jess Maslen

6.2 Former Quality Hotel Cliff Road Plymouth PLI 3BE - 18/00234/S73 **(Pages 13 - 58)**

Applicant: Henley Real Estate Developments Ltd
Ward: St Peter & The Waterfront
Recommendation: Grant Conditionally
Case Officer: Mr Tim Midwood

6.3 95 Durnford Street, Plymouth, PLI 3QW - 17/02444/FUL **(Pages 59 - 72)**

Applicant: Dominic Robinson
Ward: St Peter & The Waterfront
Recommendation: Grant Conditionally
Case Officer: Mr Chris Cummings

6.4 22 Grand Parade, Plymouth, PLI 3DF - 17/02379/FUL **(Pages 73 - 98)**

Applicant: Mr Andrew Welch
Ward: St Peter & The Waterfront
Recommendation: Grant Conditionally
Case Officer: Mrs Katie Saunders

6.5 From Estover Close to National Trust Land Adjacent to Elizabeth Cottage - WCA.008 **(Pages 99 - 106)**

Applicant: Mrs Carol Launder
Ward: Moorview
Recommendation: Approval
Case Officer: Mr Robin Pearce

7. Planning Application Decisions Issued (Pages 107 - 136)

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 137 - 138)

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 8 February 2018

PRESENT:

Councillor Wigen, in the Chair.
 Councillor Mrs Bridgeman, Vice Chair.
 Councillors Ball, Fletcher, Kelly, McDonald (substitute for Councillor Sparling),
 Morris, Mrs Pengelly, Stevens, Tuffin (substitute for Councillor Sam Davey), Tuohy
 and Winter.

Apologies for absence: Councillors Sam Davey, Sparling and Riley.

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

The meeting started at 2.00 pm and finished at 3.25 pm.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

90. 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 McDonald	Minute 96 – 20 Wolsdon Street, Plymouth, PL1 5EH – 17/02278/FUL	Ward Councillor speaking in opposition to an item and also substituting on the Planning Committee as a Member.	Open Declaration
Councillor Tuffin	Minute 95 Highland Cottage, New Street, Plymouth PL1 2ND – 17/01827/FUL	Ward Councillor speaking in opposition to an item and also substituting on the Planning Committee as a Member.	Open Declaration

91. **Minutes**

Agreed the minutes of the meeting held on 11 January 2018.

92. **Chair's Urgent Business**

There were no items of Chair's urgent business.

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

There were no questions from members of the public.

94. **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.

95. **Highland Cottage, New Street, Plymouth, PL1 2ND - 17/01827/FUL**

Mr Bill Rabbetts

Decision:

Application GRANTED conditionally subject to the amendment of condition 10 to refer to the design of the security grill for the gym window.

(A Planning Committee site visit was held on 7 February 2018 in respect of this application)

(The Committee heard from Councillor Tuffin, ward Councillor, speaking in objection to the application)

(The Committee heard from the applicant's agent in support of the application)

96. **20 Wolsdon Street, Plymouth, PL1 5EH - 17/02278/FUL**

Mr Nathan Miles

Decision:

Application REFUSED on the basis of Impact on neighbour amenity (Core Strategy policy CS22(1) and Joint Local Plan Policy DEV11(2); and inadequate outdoor amenity (Core Strategy policy CS15(5)).

(The Committee heard from Councillor McDonald, ward Councillor, speaking in objection to the application)

97. **Planning Application Decisions Issued**

The Committee noted the report from the Assistant Director for Strategic Planning and Infrastructure on decisions determined since the last committee.

98. **Appeal Decisions**

Peter Ford (Head of Development Management, Strategic Planning and Infrastructure) advised Members that the Inspector provided a split decision upon the Shaw Way application previously submitted to committee whereby the side porch and canopy was approved however the balcony was refused.

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

99. **Exempt Business**

There were no items of exempt business.

Schedule of Voting

*** Please note ***

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

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PLANNING COMMITTEE – 8 February 2018

SCHEDULE OF VOTING

Minute number and Application		Voting for	Voting against	Abstained	Absent due to interest declared	Absent
6.1	<p>Minute 95 Highland Cottage, New Street, Plymouth, PL1 2ND 17/01827/FUL</p> <p>Officer recommendation to Grant Conditionally. Members voted to Grant Conditionally subject to the amendment of condition 10 to refer to the design of the security grill.</p>	Councillors Ball, Mrs Bridgeman, Fletcher, Kelly, Morris, Mrs Pengelly, Stevens, Tuohy, Wiggins, Winter.	Councillor McDonald (substitute for Councillor Sparling),		Councillor Tuffin (substitute for Councillor Sam Davey but unable to vote due to Open Declaration)	Councillor Riley Councillor Sam Davey (sent substitute) Councillor Sparling (sent substitute)
6.2	<p>Minute 96 20 Wolsdon Street, Plymouth, PL1 5EH 17/02278/FUL</p> <p>Officer Recommendation to Grant Conditionally. Members voted to refuse this application based on CS15 (5), 22 (1)</p>	Councillors Mrs Bridgeman, Fletcher, Kelly, Mrs Pengelly, Wiggins.	Councillors Ball, Morris, Stevens, Tuffin, Tuohy, Winter.		Councillor McDonald (substitute for Councillor Sparling but unable to vote due to Open Declaration)	Councillor Riley Councillor Sam Davey (sent substitute) Councillor Sparling (sent substitute)

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PLANNING APPLICATION OFFICERS REPORT



Application Number	18/00129/LBC	Item	01
Date Valid	06.02.2018	Ward	ST PETER AND THE WATERFRONT
Site Address	Abbey Hall Catherine Street Plymouth PL1 2AD		
Proposal	Replacement windows (south elevation)		
Applicant	Abbey Hall Management Committee		
Application Type	Listed Building Consent		
Target Date	03.04.2018	Committee Date	05.04.2018
Extended Target Date	N/A		
Decision Category	Member/PCC Employee		
Case Officer	Mrs Jess Maslen		
Recommendation	Grant Conditionally		

1. Description of Site

Abbey Hall is the Grade II listed church hall and assembly rooms, which is associated with St Andrews Church, and fronts onto Catherine Street. Built in 1895 of Plymouth limestone rubble with freestone detailing in the Perpendicular Gothic style, the building stands to the west of the 14th century Grade I Prysten House and south of the Grade I Church of St Andrew, in a strongly composed group.

2. Proposal Description

The proposal is to replace the two windows on the south elevation of the building.

3. Pre-application Enquiry

None

4. Relevant Planning History

08/00914/LBC Internal alterations to provide wheelchair accessible platform lift GRANTED CONDITIONALLY

99/00580/FUL Vary conditions 02 & 03 of Planning Permission 1518/96 to permit use of premises as a restaurant and to extend GRANTED CONDITIONALLY

96/00845/CAC Repair work including rebuilding of chimney GRANTED CONDITIONALLY

94/01340/LBC Alterations in association with installation of replacement boiler GRANTED CONDITIONALLY

87/00431/FUL Use of hall as day nursery GRANTED CONDITIONALLY

5. Consultation Responses

None received

6. Representations

None received

7. Relevant Policy Framework

The legislation under which listed building consent applications are considered is the Planning (Listed Buildings and Conservation Areas) Act 1990 together with the relevant paragraphs of the NPPF – National Planning Policy Framework 2012.

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, when considering whether to grant listed building consent for any works the local planning authority... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts (including the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990, the determination must be made in accordance with the plan unless material considerations indicate otherwise. The relevant policy of Plymouth's adopted development plan is CS03, and in the emerging Plymouth and South West Devon Joint Local Plan, policies DEV20 and DEV 21 deal with the historic environment.

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

* Development Guidelines Supplementary Planning Document

NPPF CHAPTER 12 Conserving and enhancing the historic environment paragraphs 129, 131 and 132 are particularly relevant to this application.

Paragraph 129 states:

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 131 states:

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

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

Paragraph 132 states:

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

Therefore the relevant heritage assets in this application are the Grade II listed building itself, and the nearby listed buildings that wrap around the building, with the adjoining Grade I listed Prysten House to the east; the Grade II* Synagogue to the west and the Grade II Baptist Church and Dispensary standing to the south and south west.

8. Analysis

1. This application has been considered in the context of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The building provides an important architectural and historical presence on Catherine Street, with the backdrop of St Andrews and the adjoining truncated Prysten House providing strong visual markers to the late Victorian meeting hall, which displays a Perpendicular Gothic style to reflect the style of the older church behind, and is built in limestone rubble, allowing it to relate well to the group as a whole.

3. An extract from the Historic England listing description, dating from 1998 for Abbey Hall is as follows:

SX4754 CATHERINE STREET, Plymouth 740-1/57/414 (East side) St Andrew's Abbey Hall and Church House Assembly Room

GVII

Church hall and assembly rooms. 1895 on rainwater head. Plymouth limestone rubble with freestone dressings including moulded mid-floor string; steep dry slate roof with coped gable ends and an embattled parapet at the front with a moulded and carved cornice; plain parapet at rear. Perpendicular Gothic style. Rectangular plan. 2 storeys; 1:6-window range. Doorways at far left and right. Moulded 4-centred stilted arch to principal left-hand doorway and relief lettering: ST ANDREW'S ABBEY HALL; tall triple transomed and traceried 3-light principal window above. Other doorway has chamfered rubble jambs, a tudor arch and a Y-traceried fanlight above. The other

windows are 2-light and transomed with moulded jambs, the 5 ground-floor windows with Y-traceried heads, the taller 1st floor windows with traceried heads. INTERIOR: suspended ceiling to first floor. Strong group value with Prysten House, Abbey Place (qv) and Church of St Andrew, Catherine Street (qv).

4. The reason for replacement of these windows is a health and safety issue, in that the current timber window frames have become rotten putting those using the car park below at risk of falling panes of glass, and therefore there is an urgent need to replace them. Taking advantage of this issue, the applicant seeks to improve the look of the windows, to improve the character and appearance of the elevation through a higher quality design. Following discussion with the Historic Environment Officers, the applicant proposes to replace the existing timber windows that overlook the car park on the south elevation with single glazed timber windows in a more coherent style, relating better to both the age of the building and to each other.

5. The difficulty is that both window reveals are of different height and width, and the reveals themselves, created during the 1970s when the original windows in the south elevation were blocked in, are set at a height and width at odds with the rest of the windows in the building.

6. The applicant has agreed that as far as possible the windows will match each other, in terms of opening mechanisms, design and material so that the windows create a more consistent look on this elevation of the building and improve the visual appearance as a whole. The applicant also proposes to remove the excessive clutter around the windows to create a more attractive look.

7. Design

The design, whilst of a more contemporary style to the rest of the windows in this building, is considered to be an acceptable compromise. It is important to recognise that these windows are seen in isolation from the other, older windows in this building, so whilst they do not match the design, materials and opening mechanisms of the other windows, they create a contemporary response to the existing 1970 reveals, whilst being constructed in materials of an appropriate quality.

8. The justification for the proposed replacement is to ensure the health and safety of those using the car park below. However, the applicant has sought to ensure that the replacements to the existing windows are of a more attractive design that will improve the look of the elevation overall.

9. Other Impacts

This building stands in the Barbican Conservation Area, and the existing windows create an unattractive and discordant presence overlooking the car park. The proposal to create a more coherent design of window on this elevation is to be celebrated as it will ensure that the look of the elevation is improved creating an aspect more in keeping with the Conservation Area as a whole, an area identified as of special architectural and historic interest, the character and appearance of which it is desirable to preserve and/or enhance.

10. Therefore, the application is considered to comply with Policy CS03 (Historic Environment) of the Council's Adopted Local Development Framework – Core Strategy 2007, policies DEV21 and DEV22 of the emerging Plymouth and South West Devon Joint Local Plan, as well as the guidance as set out in the Development Guidelines SPD First Review 2013.

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

Under the present Community Infrastructure Levy charging schedule no CIL contribution is required for this development.

11. Planning Obligations

Not applicable.

12. Equalities and Diversities

None applicable to this application

13. Conclusions

Officers have taken account of the NPPF and the Planning (Listed Buildings and Conservation areas) Act 1990, and have concluded that the proposal accords with policy and national guidance and, for the reasons discussed above, will not cause any significant harm to the listed building's special architectural and historic interest. Officers therefore recommend conditional approval.

14. Recommendation

In respect of the application dated **06.02.2018** it is recommended to **Grant Conditionally**

15. Conditions / Reasons

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

I CONDITION: APPROVED PLANS

Window Detail Cutting List Diagrams 16-08-17 - received 29/01/18

Window Detail Large Drawings with Setting Out 1 of 3 16-08-17 - received 26/01/18

Window Detail Large Drawings with Setting Out 2 of 3 16-08-17 - received 26/01/18

Site Plans Block plan identifying elevation where the windows are to be replaced 290118 - received 26/01/18

Site Location Plan Site Location Plan 29012018 - received 29/01/18

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.

2 CONDITION: TIME LIMIT COMMENCEMENT

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

Reason:

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

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

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

PLANNING APPLICATION OFFICERS REPORT



Application Number	18/00234/S73	Item	02
Date Valid	14.02.2018	Ward	ST PETER AND THE WATERFRONT
Site Address	Former Quality Hotel Cliff Road Plymouth PL1 3BE		
Proposal	Section 73 application to modify conditions: 1 (plans), 10 (further details), 11 (materials samples), 35 (deliveries and refuse collection) & 36 (use of loading bays) of planning permission 17/00952/FUL to allow for various amendments to the external design of the scheme, amended hours for deliveries and reconfiguration of the service yard to incorporate staff car parking spaces		
Applicant	Henley Real Estate Developments Ltd		
Application Type	Removal or variation of a condition		
Target Date	16.05.2018	Committee Date	05.04.2018
Extended Target Date	N/A		
Decision Category	Major - More than 15 Public Comments		
Case Officer	Mr Tim Midwood		
Recommendation	Grant conditionally subject to agreement of product specification of apartment building balconies balustrades and subject to completion of a Section 106 agreement		

I. Description of Site

The application site formerly accommodated a hotel. The hotel originally opened as the Mayflower Post House in 1970 coinciding with the 350th anniversary of the ship The Mayflower setting sail from Plymouth to America. The hotel passed through various operators and was most recently part of the Quality Hotel chain until it ceased operation in January 2014.

After a period of the site being monitored and secured, security was removed from the site in early 2015; there followed vandalism and anti-social behaviour, and a major fire occurred in May 2015.

Plymouth City Council acquired the site in January 2016, and demolition of the hotel took place in summer 2016. The demolition included all structures on site with the exception of a concrete substation which is retained at the south-eastern corner of the site. The hardstanding areas were broken up and the crushed aggregate was distributed across the site as a temporary surface. The trees along the northern boundary of the site have been protected and retained. There is a secure hoarding fence surrounding the sites entire boundary. There is a natural stone wall enclosing the site's southern side, which extends partly up Leigham Street and Prospect Place - other parts of the site boundaries are walls constructed from reconstituted (concrete) stone.

Prior to the demolition, the hotel provided 110 bedrooms. It comprised of a 10 storey concrete rectangular tower constructed in the 'brutalist' style, with a lower pavilion style two-storey extension to its western side. The building stood significantly forward of the Elliot Terrace/Cliff Road building line with a 148-space car park to the rear (accessed from Prospect Place and Leigham Street) so was highly prominent from the Hoe and beyond.

The site has two vehicle accesses - one from Leigham Street towards its junction with Cliff Road, and one from Prospect Place at the site's north western corner.

The site adjoins the Plymouth Marine Laboratory (PML) to the North, Leigham Street to the east (beyond which lies the residential development known as 'Azure'), and Prospect Place to the west. To the south of the site lies Cliff Road. The site itself slopes gently downwards from east to west, before the land drops away sharply beyond the western boundary down Walker Terrace and Cliff Road towards Millbay. To the south a large historic retaining wall constructed from Plymouth Limestone supports the site in a prominent, elevated position above Cliff Road. The northern footway of Cliff Road is also elevated significantly above the carriageway, and with the exception of the area where there is a concrete covered walkway and seating area, there is no railing or wall. Pedestrian access is available to the site's boundaries with the exception of that to the PML site. From the vehicular section of Prospect Place (which immediately west of the site is a single carriageway serving only 5 residential parking spaces to 1 Walker Terrace) a footpath ramps down to Cliff Road. A steep flight of historic steps also leads westwards down to Cliff Road from the Prospect Place footpath.

With the exception of the PML site, the site's context is residential. The Azure building to the east of Leigham St comprises residential apartments (and duplexes) with parking below. To the west of the site are residential uses fronting Walker Terrace and Cliff Road; closest to the site are 6 apartments at number 1 Walker Terrace and the apartments in Trinity Place which are at lower level on Cliff Road. Trinity Place sits at a lower level (fronting Cliff Rd) such that its roof projects only a small amount above the wall along the Prospect Place Footpath. 1 Walker Terrace features south-facing balconies on its rear elevation and benefits from views of the Sound over Trinity Place.

Although the site does not lie within a Conservation Area, The Hoe Conservation Area extends close to the site to include Azure and the eastern footway of Leigham Street, and West Hoe Park and the southern footway to Cliff Road to the south of the site. As discussed in the analysis section of this report, the Conservation Area also includes some of the city's finest Heritage assets, including the Citadel (Scheduled Monument), Smeaton's Tower and the Lorimer War Memorial (both Grade I listed), several Grade II*, and numerous Grade II listed buildings. The Hoe Park is also listed as Grade 2 on Historic England's Register of Parks and Gardens. To the south of the site its boundary is similar to that of the Conservation Area (although it excludes the Cliff Road footway), but it extends further west to include the Children's Play Area and Treasure Island.

2. Proposal Description

The application comprises various proposed amendments to the hotel and apartment's scheme consented by Planning Committee in July 2017 (ref: 17/00952/FUL).

The following areas are subject to amendment as proposed within this application.

External cladding: as consented it was expected that the exterior of the proposed buildings would be clad in anodised aluminium. The use of this material had been agreed through the assessment of the earlier application, with a condition attached to the consent to agree the exact product and colouration of the cladding.

Proposed amendment: It is now proposed that the cladding is a steel product.

Roof overhang to the south façades: both the apartment building and the hotel building are approved with 'Brise Soleil' roof overhangs for solar shading.

Proposed amendment: It is proposed that the apartment building roof overhang is reduced to 1.8m and the hotel overhang to 1.5m.

Glazed balustrading to south elevation of the apartment building: as approved the waveform design to the balconies to the southern elevation were to be achieved through the affixing of cladding to the glazed balcony balustrades.

Proposed amendment: Details of the proposed balcony balustrades solution are still to be finalised at the time of writing.

Secondary canopy to apartment building entrance: the consent includes a secondary canopy to the apartment building entrance.

Proposed amendment: This feature is proposed to be omitted.

Glazing to the south elevation of the hotel: as approved the scheme would be brought forward with the hotel southern elevation glazed with a Structural Silicone Bonding (SSG) system.

Proposed amendment: This application proposes that a Capped Curtain Walling system is used instead. Externally this results in the glazing framing being increased from 25mm to 50mm. There is no change to the extent of glazing.

Perimeter feature frame to the south elevation of the hotel: approved plans indicate a 'feature fin' framing this elevation.

Proposed amendment: It is proposed that the feature frame is removed from the scheme.

Glazing to the hotel lift shafts on the north elevation to be opaque: the approved scheme included clear glazing to the north facing lift shafts of the hotel.

Proposed amendment: It is now proposed that the lift shafts glazing will be opaque, this is to obscure views of the concrete lift shaft structure.

Window to first floor hotel terrace: as approved a window is shown above the health suite.

Proposed amendment: This window is proposed to be removed.

Hotel swimming pool: as approved the hotel pool was of a length of 12.5m.

Proposed amendment: The applicants now propose a swimming pool of 7m.

Service yard reconfiguration and introduction of staff parking: the rear service yard to the hotel includes a substation and refuse store accommodated within freestanding buildings as approved.

Proposed amendment: It is proposed that these rear buildings are removed from the proposals with the facilities to be accommodated internally. The space made available through this change is proposed to be utilised for 8 staff car parking spaces. The omission of the buildings within the service yard would result in the loss of sedum roof provision.

Shelter within garden area: approved plans show a freestanding shelter within the garden terrace area.

Proposed amendment: The shelter is proposed to be removed.

Boundary and retaining walls: the approved scheme includes the retention of the Plymouth limestone boundary wall along the lane at the site's western boundary. This is retained within this proposal.

Proposed amendment: Some retaining walls are now proposed to be finished with render.

Landscaping and pedestrian access: the consented scheme included a stepped pedestrian access linking to the public footpath to the north side of Cliff Road.

Proposed amendment: Revised plans show the pedestrian path to Cliff Road removed. Other minor amendments to the layout of the front garden are proposed.

Hotel deliveries hours: the hotel has been approved with refuse collection and deliveries hours of 0700 to 2200 Monday to Saturday.

Proposed amendment: It is proposed that the refuse collection hours remain as consented, with approval sought for additional delivery hours on a Sunday and a Bank Holiday. As submitted this

application sought delivery hours of 0700 to 2200 on a Sunday and a Bank Holiday, however 1000 to 1600 on a Sunday and a Bank Holiday is now proposed.

3. Pre-application enquiry

A pre-application enquiry (17/02432/MAJ) was submitted in December 2017 to ascertain officer's opinions on a number of design amendments to the approved development. The changes concerned a number of the matters set out within the 'Proposal Description' section of this report, and advice was provided to the applicants prior to the current submission, however not all matters were resolved at this time and have since been subject to discussion and negotiation during the course of this application.

4. Relevant planning history

The most recent and relevant planning application is:

17/00952/FUL - Demolition of the existing sub-station and erection of two buildings comprising a 80-bed hotel and ancillary facilities (11 storeys) and 88 residential dwellings (15 storeys), access, pedestrian/cycle way, landscaping, car parking and servicing and associated infrastructure works - approved by Planning Committee 27th July 2017 with a decision notice dated 15th September 2017.

5. Consultation responses

Urban Design Officer (PCC) - at the time of writing this report there remains design matters to be further addressed as detailed within the Analysis section of this report.

Design (Landscape) Officer (PCC) - no objection subject to conditions and advice, as detailed within the Analysis section of the report.

Devon and Cornwall Police Architectural Liaison Officer (Secured by Design Officer) - supports the application following the revisions received on 19th March 2018, which removed the previously proposed western pedestrian access, the proposals are now considered acceptable from a designing out crime perspective.

Devon Gardens Trust - reiterate an objection to the consented scheme, in which the Trust stated that the proposed development would result in more than substantial harm to the significance of designated heritage assets. The Trust concurs with comments made by Historic England in their letter of 19th February 2018 (detailed below).

Economic Development Department (PCC) - confirm support for the application for the reasons set out within the views on the previously permitted application.

Environment Agency - no comment.

Highway Authority - no objection subject to conditions and advices as set out within the Analysis section of this report.

Historic England - maintain a view established on the consented scheme that the proposed buildings will have a damaging impact on the setting of designated heritage assets. Historic England has considered whether the amendments will reduce the overall impact of the proposals on the surrounding historic environment. The amendments to the service yard are considered positive. The changes to the pedestrian access points and routes are not of concern. The reduction in the roof overhangs is considered positive. With regard to the balcony balustrades Historic England note the importance of a solution which ensures visual differentiation between these elements and the glazing throughout the elevation.

Historic Environment Officer (PCC) - no objections subject to conditions and advice as set out within the Analysis section of this report.

Housing Delivery Team (PCC) - no comment. The proposals do not change the housing provision.

Low Carbon Team (PCC) - no comment. The amendments do not relate to the energy generation/district heating aspects of the scheme.

Lead Local Flood Authority (PCC) - no comment. The amendments are not relevant to surface water drainage.

Ministry of Defence - no response. However the MOD's Defence Infrastructure Organisation responded at the pre-application stage (28th February 2017) to confirm that they 'have no safeguarding objections'.

Natural England- no comment. Previous comments made on the consented scheme resulted in financial contributions being secured through the Section 106 Agreement towards habitat regulations mitigation. These contributions would be secured if this application is approved.

Natural Infrastructure Team (PCC) - following the revisions received on 19th March 2018 no objection subject to conditions and advices. These revisions reinstated sufficient soft landscaping to meet the required biodiversity net gain.

Plymouth Waterfront Partnership - no response. Supported the consented scheme.

Public Health (PCC) - no response. Supported the proposals in principle at the pre-application stage.

Public Protection Service (PCC) - no objection subject to the submission of a satisfactory Delivery Management Plan, and that the delivery hours are limited to 1000 to 1600 on Sundays and Bank Holidays.

Queens Harbour Master - confirms that the proposals will have no impact on navigation.

6. Representations

Letters of representation have been received from 27 contributors, all of which raise an objection to the proposals. The key issues raised by the objectors in relation to this application are as follows.

Design:

- o There is a predominant theme of the objections received that the proposals result in a diminished build quality, with a downgrading of materials, finish, and an overall cheapening of the appearance of the proposed buildings.
- o In particular the proposed steel cladding has raised a number of concerns and notably whether this will deteriorate in a marine environment.
- o The proposed amendments to the façade appearance are of concern to a number of objectors, especially the potential for the wave form balconies impact to be decreased if the balustrade material is unsuitable, with the use of etched glass considered inappropriate as it will create a monolithic appearance, lacking contrast with the facade glazing.
- o The loss of roof detailing, through the reduced extent of the overhangs is considered a negative move by some objectors.
- o The loss of the hotel framing or feature fin to the south elevation is of concern to some.
- o There is also objection to the loss of clear glazing to the lifts as a feature.
- o Throughout a number of representations it is stated that the proposals lessen the appearance of the scheme as a high quality landmark or statement buildings.
- o There are concerns that the proposals will impact upon the conservation area, and heritage assets.

Hotel deliveries:

- o A further theme of a number of objections is that deliveries to the hotel should not occur on Sundays and Public Holidays as proposed, as this will create noise and disturbance to neighbouring occupiers (some objectors have misinterpreted this as 24 hours deliveries proposed).

Parking and highways:

- o The proposed staff parking will cause a noise nuisance.
- o Infringement to the access lane adjacent to Walker Terrace.
- o Concern regarding increased yellow lines to the junction of Prospect Place and Walker Terrace (this is not proposed).
- o The 20mph zone nearby should be extended to Citadel Road.

Other matters:

- o There are too many unoccupied apartments in Plymouth.
- o The site should come forward for a hotel development only, and not include apartments.
- o Reduced size of the swimming pool and whether this is satisfactory for a five star hotel.
- o The proposed gate to the southwest of the site is not necessary and dangerous due to lack of natural surveillance (now removed).

There are also various comments raised in association to the Former Quality Hotel, and how this building was constructed for the Mayflower 350th celebrations and did not stand the test of time in terms of a quality, and that history should not be repeated for this development.

Other matters have also been raised within the representations which cannot be considered as a part of this application, these are as follows:

- o The height of the proposed buildings - this has not changed from the consented scheme and is therefore not for consideration.
- o The replacement of the former single hotel building with two separate buildings and how this may cause subsidence to Cliff Road and impact upon the retaining wall adjacent to the children's playground - two buildings have been consented and is therefore not for consideration within this application.
- o Parking should be sufficient for both the hotel and the apartments - there is no change to the parking provision for the hotel guests, or for the apartment occupiers. There is additional parking proposed for hotel staff.
- o The vehicular access to the development should be from Prospect Place rather than Leigham Street - there is no change to the access location and as such this matter cannot be considered.

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 Plymouth and South West Devon Joint 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 I 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 for examination by the Planning Inspectorate, 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:

- Sustainable Design SPD
- Planning Obligations and Affordable Housing SPD
- Development Guidelines SPD

8. Analysis

1. This application has been considered in the context of the Core Strategy as the adopted development plan, and the submitted Plymouth and South West Devon Joint Local Plan (JLP), the Framework and other material policy documents.

2. It is important to note that this is an application seeking minor material amendments under Section 73 of the Town and Country Planning Act 1990, and therefore the matters for consideration are restricted to those amendments sought.

3. A number of key matters were considered under the previous application (17/00952/FUL) and are not reconsidered within this application, these are the five year housing land supply; the proposed use of the site for a hotel and apartments; economic benefits; the layout and siting of the buildings; height and massing; low carbon measures; land contamination; flooding and surface water drainage.

4. This report focuses on the amendments now proposed which concern design matters; public realm; ecological matters; heritage; amenity; transport and highways considerations.

Design

5. There are a number of proposed amendments to the scheme as indicated earlier within this report, and these have been considered by officers and have been subject to extensive discussions with the applicants. Taking each of these matters in turn.

Removal of structural silicone glazing (SSG) from the hotel

6. It is proposed that the SSG is replaced with a capped glazing system. Whilst the loss of the simple elegance of the SSG system is regrettable, the developer's architect has assured officers that the visual impact of the proposed capped glazing system can be minimised to safeguard the lightweight appearance of the hotel - therefore leaving the apartment building to read as the accented bookend to the Hoe Esplanade buildings as intended by the consented scheme. It is proposed that the detail of the revised glazing system be controlled by condition.

Removal of "feature fin" around hotel south elevation

7. The "feature fin" on the approved scheme acted as a frame to the hotel south elevation.

Officers support the removal of the partial frame feature around the hotel south elevation and consider that this change will assist in simplifying the hotel elevation and allow it to appear more recessive in relation to the apartment building bookend.

Curtain wall glazing / loss of glass lifts

8. The curtain wall glazing is an important element of the scheme, and as approved the hotel also includes clear glazing to the lift cores. Officers have negotiated with the applicant to safeguard the extent of glazing, particularly that which was added to the consented scheme to ensure the north elevations did not appear as "backs" given the uncertainty around the timescale/delivery of Phase 2 of this scheme and the likelihood that these elevations will remain highly prominent in the immediate and wider city townscape for a significant time. The level of curtain wall glazing that has been retained is therefore welcome.

9. The loss of transparent glazing to the lift cores and lifts themselves (which was added to the consented scheme to generate movement and interest in the elevations, as well as drama, city views and optimisation of natural light for the occupants) is regrettable, but is accepted in the context of wider changes.

10. It is positive that, further to negotiation, glazing has been retained throughout on the top floor "attics" of both buildings to safeguard their lantern-like lightweight appearance of these elements. The approach should be consistent on all attic elevations and it is proposed that this be controlled by condition.

11. Opaque spandrel panels throughout the scheme should be glass externally with a black ceramic backing plate internally to give the appearance of glazing when viewed from street level and to give reflections of the sky with the attic components. The detailing of these elements is particularly important given the context, height and prominence of the buildings and it is proposed that this be controlled by condition.

Balustrade waveforms

12. The sweeping, curved balcony balustrade waveform is the key architectural feature of the scheme. Throughout the evolution of the scheme, the colour of the balustrade has always linked to the colour of the cladding. With the new scheme the construction of the balustrades has changed. The applicant wishes for the waveform to now be formed on the glass itself rather than by a front-mounted anodised aluminium panel as previously proposed. Officers have undertaken extensive

negotiations with the applicant with the aim of ensuring that the strong contrast of the waveform concept is retained. It is noted that the Plymouth Design Review Panel also place great weight on the need to retain the strong contrast of the balustrade waveforms. Officers are also concerned to ensure that, in the revised scheme, harmony is safeguarded between the new cladding type and colour and new balustrade type and colour. At the time of writing, the applicant has unfortunately not been able to supply a sample of balustrade glass with a colour to match their new proposed cladding colour. Officers need to see this sample to assess whether the strength of the appearance of the balustrade waveforms will be retained and it is therefore proposed that a "notwithstanding" condition is put in place in this respect.

Cladding

13. Officers have had extensive negotiations with regards to the proposed changes to the architectural cladding.

Officers are pleased that the curved form of the buildings has not been revised to a faceted approach. However, officers have been concerned with various issues relating to the cladding, including to ensure that the new product is sufficiently robust for the extreme weather the cladding will be subject to in this exposed coastal location. The applicants' architect proposed anodised aluminium with the consented scheme on the basis that they considered it the best material for the exposed context (the anodised finish being bonded at the molecular level and therefore colour-fast) and mindful of the powder coated finish wearing off components of the adjacent Azure development. Anodised aluminium has a metallic sheen that will not be present with the steel cladding option proposed and officers have taken this into consideration. Whilst the consented anodised aluminium cladding would always be officers' preference (because aluminium will never rust and never have the risk around corrosion of cut edges and damage during construction) officers consider that, on balance, the steel Europanel product now proposed can be supported in principle (subject to agreement on colour) provided the HPS200 Ultra coating, in the Signature colour range with a 30 year guarantee, is used and providing a condition is put in place to ensure that the cladding will be maintained in good, clean condition and appearance as long as the proposed buildings remain on the site and that any problems with corrosion, discolouration, weathering or other defects will be rectified promptly.

14. With regards to the new colour of the cladding - at the time of writing officers understand that the applicant's preferred option is "Albatross" grey from the HPS200 Ultra Signature colour range. However, officers need to consider this colour in relation to the revised balustrade waveform colour - a sample of which has not been received at the time of writing. Officers would have preferred to have certainty on this issue. If it proves impossible or unaffordable for the applicant to obtain bespoke balustrade waveform panels in a matching colour, it may be necessary to review the cladding colour to ensure that it achieves harmony with a balustrade colour that is available and affordable to the applicant. With this in mind, a "notwithstanding" condition is proposed to allow further review of the new cladding material when the applicant is able to obtain information and a sample of the new balustrade.

15. It should also be noted that while the compliance of the cladding material with Building Regulations is not a planning consideration, it has been confirmed by the Building Control Officer that the HPS200 Ultra Signature colour range is acceptable from a Building Regulations position.

Plymouth limestone plinth

16. Officers are pleased that, further to negotiation, the proposed Plymouth limestone plinth has been retained on the buildings, as this is considered a fundamentally important feature - ensuring the scheme links to local character, the Hoe's geology and cliffs.

Removal of roof overhang / brise soleil

17. Officers have no objection to the removal of the brise soleil and would have supported the complete removal of the roof overhang on the basis that this would reduce to some extent the apparent bulk of the buildings as experienced from street level. However, the applicant has decided to retain a smaller overhang and the solar shading function this provides is acknowledged.

Rationalisation of retaining walls, fencing and railings

18. The principle of this change can be supported. Officers have negotiated the retention of the Plymouth limestone boundary wall along the lane at the site's western boundary and are pleased that this is retained in the application. Retaining walls finished with render - as shown in the submitted sketch - cannot be supported, as render in this position would be particularly vulnerable to staining and algae growth. The preferred option would be to form the retaining walls in Plymouth limestone (including existing Plymouth limestone recycled from the site). The re-grading of landscape to achieve the reduction in retaining walls has exposed the walls of the future district heating enclosure, which is in a prominent location at the southeast pedestrian entryway to the site adjacent the Hoe Promenade. The visible walls of this structure should also be finished in Plymouth limestone.

Removal of Cliff Road steps

19. The loss of steps from Cliff Road linking to the north/south pedestrian route through the site obviously reduces pedestrian permeability through the site. However, in the context of the other changes this is not considered to be a major issue - since in reality the remaining pedestrian routes are more accessible in terms of levels and are more likely to be used in terms of desire-lines by people moving to and from the site from the Hoe park and through the site to and from Millbay.

Removal of roof window to first floor hotel terrace area above hotel health suite

20. This feature would not be visible from street level and officers have no issue with its removal.

Removal of shelter to garden terrace area

21. Officers have no objection to the removal of the garden shelter.

Reduction in the size of the hotel swimming pool

22. Officers are pleased that the swimming pool is retained, albeit in a smaller format. The revised building footprint in relation to this is supported.

Removal of external hotel service yard plant areas

23. This is considered a positive change and de-clutters the service yard area.

Removal of secondary canopy to apartment building entrance

24. There is no objection to the removal of this feature.

Design Review Panel

25. In addition to the assessment carried out by Council officers the amendments have also been presented to the Plymouth Design Review Panel and the key feedback from the panel may be summarized as follows:

- o It is felt the proposed wave form balustrade and its strong contrast is fundamental to the design integrity and concept of the approved scheme.
- o The proposed glass balustrades may result in a loss of contrast, strength and clarity of concept.
- o Etched glass can weather badly in an exposed coastal location due to salt build up.
- o The use of clamps on the glass balustrades may have a large impact upon the appearance of the building.
- o The cleaning regime for the building and its long-term management should be considered at this stage.
- o The Panel is supportive of the proposed cladding colour; although suggests a darker option could be considered in relation to the proposed stone in both dry and wet conditions. Furthermore whatever the cladding material is used, its appearance over time should be considered, not just its functional longevity.
- o The Panel is very supportive of the proposed stone; finish options should be considered.
- o The Panel are supportive of the proposed glazing change to a compression system.
- o It may be beneficial to consider thickening the roof cap or high-level stringer course on the hotel building.
- o The Panel is supportive of the removal of the previously proposed brisole.
- o The Panel is supportive of the proposed landscape changes.
- o The Panel is very supportive of the provision of public access to the external areas, and it is suggested that after dark external lighting should be considered.

26. The Design Review Panel have raised a number of interesting points, the majority of which concur with officers views on the proposed amendments. A key message from this independent review is the absolute need for the waveform concept to be satisfactorily retained, and that this can only be achieved if the balcony balustrade material and approach is carefully considered and implemented.

27. The second key point from the panel is that the cladding must be not only of an appropriate colour and appearance, but also of a material that is durable for the marine location.

28. In the most part it is considered that the proposals are acceptable from a design position; however there remain reservations with respect to the appearance of the apartment building due to the currently unresolved balcony balustrade approach and how the crucially important waveform appearance is to be successfully achieved. In order to resolve this matter exact product specification for the balustrade glazing is to be provided and reviewed in the context of the proposed cladding.

29. Subject to the satisfactory outcome of the balustrade and cladding discussions, and the satisfactory discharge of planning conditions in this regard, and conditions concerning other matters outlined above, it is considered that the application would be acceptable and meet with the expectations of policy CS02 of the Core Strategy and policy DEV20 of the JLP.

Heritage:

30. The aforementioned amendments have been considered by the Council's Historic Environment Officer. It is reiterated that the assessment within this application cannot revisit the original application, it is focussed purely on the impact that the proposed changes will have on the appearance of the buildings and their immediate sensitive surroundings.

Site layout and landscape

31. From an historic environment viewpoint, the changes proposed to the landscaping and the reduction in the height of the walls are relatively minor and will have very little overall impact on the Hoe. The removal of the proposed steps to Cliff Road are considered beneficial to the scheme overall, and the site retains its public access but now via Leigham Street. The low walls appear to be rendered blockwork, but the use of natural limestone should be considered to tie in with the surrounding area. The proposed improvements to the service yard area to the north of the hotel are welcomed as this will remove some of the clutter from the space.

Amendments to the southern and northern elevations

32. The proposals change the roofline by removing the large brise soleil and reducing the size of the overhangs on both buildings. This gives them a more streamlined and simplified appearance, and reduces their visual bulk, which is considered to be an enhancement to the approved design.

33. It is proposed to change the glazing on the hotel from silicone glazed curtain walling, which gave a seamless appearance, to dark grey curtain walling. The adjacent frame around the southern elevation will also reduce in depth and the balconies will be more recessive and less obvious. This will change the appearance of the building to a degree, but it is not considered to be detrimental to the scheme overall, providing the glazing system is of a high quality and suitable for a marine environment. A sample of the glazing should be requested as a condition.

34. The balconies on the apartments building have a strong wave form on them, which is a bold and attractive feature. Without this the building takes on a more mundane and monolithic quality. Instead of aluminium, it is now proposed to form these balconies using an all-glass balustrade system with potentially the wave form pattern etched into the glass to create opaque sections, rather than using individual aluminium panels. Officers are concerned that unlike the aluminium cladding, the etched glass will not provide enough of a contrast for the wave form to be clearly visible against the glazing behind. It is therefore recommended that a sample of the proposed glass be provided so that its appearance can clearly be seen before this is agreed. Again it is essential that the glazing system is of a high quality and suitable for a marine environment.

35. On both buildings it is proposed to change the agreed rain screen cladding to steel, which despite its 30 year guarantee, officers are concerned may rust and therefore dramatically and adversely change the appearance of both buildings in a relatively short space of time. Although it states that this product is guaranteed for installation in a marine environment, officers are concerned over its

appearance and durability and would like to see examples of where this product has been used in similar locations. The cladding will require regular maintenance and treatments to ensure it does not rust and the cost of this needs to be taken into account. It is therefore recommended that this change is not agreed unless it can be clearly demonstrated that this product is suitable for the site in question and that it is of a high enough quality to withstand the weather.

36. The changes proposed to the northern elevations are relatively minor and consist of the canopy over the main entrance to the apartments being removed, and some changes to the rear glazing, which will have a minimal impact on this elevation. Officers are pleased to note however, that it is still the intention to retain all of the limestone cladding to the main base level of both buildings and the hotel podium extension.

37. In summary, given the prominent location of these buildings within the most sensitive part of the city, their appearance is extremely important, not only because they will have such a high profile, but also to minimise the harm that the development will have on the settings of a variety of designated heritage assets. The materials used must therefore be of the highest quality for them to be acceptable and for them to retain their appearance for years to come.

38. Some of the proposed changes will have a very minimal impact on the appearance of the hotel and apartment block, but others require more information before a final decision on their suitability can be reached, for example the glazing system for the hotel, the etched glass balustrade and the cladding. At present, not enough information / samples have been provided for a firm decision to be made and therefore conditions should be attached to any approval requiring further information is submitted.

39. It is considered that subject to the satisfactory resolution of matters raised within this section of the report, including the satisfactory discharge of conditions, policy CS03 of the Core Strategy and policies DEV20 and DEV21 of the JLP would be fulfilled.

Public realm:

40. The approved scheme includes a substantial amount of public realm to the front of the site; this will be accessible to the public between 8am and 10pm daily from 28th March to 28th October and from 8am to 8pm during the rest of the year. The gardens will be suitable for use for wedding or event space.

41. This application proposes some changes to the public realm. The most notable change is the loss of the previously approved southern pedestrian access point to Cliff Road, this route would have utilised steps, necessitated by the topography of the site. This application as submitted included a western pedestrian access to link to the public footpath along the western boundary of the site; however this route was considered a poor replacement for the approved route, due to lack of natural surveillance. Furthermore this westerly access route would have resulted in the loss of previously approved soft landscaping which would lessen the biodiversity benefits of the scheme.

42. It is now proposed that frontage of the site will be served by one pedestrian access point at the junction of Leigham Street and Cliff Road, this route is as per the consented scheme and is DDA compliant. Pedestrian access from the north of the site will also be retained.

43. While it is regrettable that there is a loss of pedestrian access to the grounds it is considered that there is still sufficient accessibility for hotel guests, apartment occupiers, and for the general public during the permitted hours, and that the amended proposals are acceptable from a public realm perspective.

44. Other changes to the public realm are minimal, including the removal of the shelter within the front garden area, and the slight enlargement of the lawned area and the removal of steps and terracing within this area which will make it more useable.

45. The aforementioned changes are supported by the Council's Landscape Officer, and the Police Architectural Liaison Officer has also considered the revised pedestrian access and routes, and is satisfied.

The Landscape Officer has also considered the other amendments to the public realm, and does have some concerns, firstly that some of the hard landscaping is proposed to be amended from granite or natural stone to a resin bound gravel, which is considered less robust and attractive. A revised landscape plan will be required by condition.

46. Furthermore the design of the vehicle entrance from Leigham Street needs to be reconsidered, to ensure traffic slowing while remaining attractive. Further details of this junction are required by condition, and will involve discussions between the applicants and our landscape designer, as well as the transport planning officer.

47. Again further details of the staff car park entrance will be required by condition, to be assessed by the Landscape Officer, and the Transport Officer.

48. In order to meet the full satisfaction of the Landscape Officer, all hard and soft landscape details will be subject to conditions, to include tree pits and planting details, landscape implementation and its phasing and timing pre-occupation, and the submission of a Landscape Management Plan pre-occupation.

49. Policies CS02 of the Core Strategy and DEV24 of the JLP would be satisfied subject to the resolution of items raised within this section of the report, and the satisfactory discharge of the relevant conditions.

Ecological matters

50. The application presents some changes to the scheme which required consideration from an ecological angle, particularly the proposed changes to the extent of the soft landscaped areas.

51. As noted earlier in this report the application initially proposed reduced soft landscaping resultant of the western pedestrian link, and this would be of concern to the Council's Natural Infrastructure Officer as it would reduce the biodiversity net gain secured through the extant consent.

52. Through revisions to the application the soft landscaping has been reinstated, returning the scheme to a position where the required biodiversity mitigation and enhancement as set out in the approved EMES can be achieved. Therefore the Natural Infrastructure Officer does not object to the proposals subject to conditions 12, 25 and 30 of the extant consent being attached should consent now be granted.

53. Furthermore the Natural Infrastructure Officer notes that the submitted landscaping plan shows new trees reduced from 18-20cm girth to 12-14cm girth and this needs to be addressed, also all planting beds should be at least 500mm wide to ensure planting establishes successfully. These matters will be addressed through details to be submitted and approved for condition 12.

54. The proposals are considered compliant with Core Strategy policy CS19 and Joint Local Plan policies DEV24, DEV28 and DEV30 subject to the above considerations.

Amenity

55. With respect to amenity there are two areas which need to be addressed within this application. Firstly, the issue of the proposed increased delivery hours to the hotel. As approved the hotel benefits from permitted hours of 0700 to 2200 Monday to Saturday for both the deliveries of goods to the hotel and for refuse collection. Condition 35 of the extant consent ensures this.

56. As initially presented within this application the applicants proposed amending the delivery hours to 0700 to 2200 daily to include Sunday's and Bank Holiday's. The justification for this being the need for fresh produce deliveries to be made daily, thus ensuring that the hotel can fulfil its five star status where guests would expect that fresh fish, bread etc. was delivered daily. The applicants do not propose any amendment to the approved refuse collection hours.

57. A number of objections from neighbours and the local community have been received with respect to the proposed delivery hours, citing noise and disturbance on Sunday or a Bank Holiday as a concern.

58. The applicants have confirmed that the scale of deliveries would be modest, i.e. small vans delivering fresh bread, fish and meat. However exact details of the delivery types and frequency are unknown at this time and will become clearer as the applicants finalise operational arrangements for the hotel.

59. The proposed extended delivery hours have been considered by the Council's Public Protection Service (PPS) and it is recommended that a Delivery Management Plan (DMP) is submitted by the applicants for consideration. This DMP will set out measures to mitigate noise disturbance and must include details of the number of deliveries that will be required on a Sunday or a Bank Holiday, the nature of the deliveries, the size / type of delivery vans to be used, and how noise will be minimised, for example by restricting the use of vehicle reversing alarms and measures to prevent noise from delivery cages.

60. Furthermore the PPS has recommended that deliveries on Sundays and Bank Holidays are restricted to 1000 to 1600 only, and the applicants have confirmed that this will be acceptable and workable for the hotel operation.

61. It is therefore recommended that the amendment to Condition 35 of the extant consent is limited to additional Sunday and Bank Holiday delivery hours of 1000 to 1600, and that an additional condition is added requiring the submission of a satisfactory a DMP prior to commencement of works.

62. It is considered that the inclusion of these extra measures will ensure that the amenity of neighbouring occupiers is protected, in accordance with Core Strategy Policy CS22 and JLP Policy DEVI.

63. The second amenity matter is the addition of staff parking to the area previously reserved for service yard deliveries. This proposed change would be achieved through the relocation of a freestanding building from the service yard to the internal basement, thus freeing up space and allowing 8 staff parking spaces to be accommodated.

64. The service yard and proposed staff parking is accessed from a vehicular entrance at the corner of Prospect Place and Walker Terrace. While this area is approved for hotel servicing it is appreciated that this application proposes some additional vehicular movement associated with staff parking, and this may be of concern to neighbouring occupiers. However the staff parking spaces proposed are minimal constituting 8 spaces located behind the sites western boundary wall, and it is considered that this is unlikely to cause adverse impact upon the amenity of neighbouring occupiers, and thus the expectations of Policy CS22 of the Core Strategy and DEVI of the JLP are met. The implications of this amendment from a transport and highways aspect are discussed later in this report.

Transport and highways

65. The key change from a transport and highways perspective is the inclusion of 8 car parking spaces for employees within the area consented for hotel service yard. Condition 36 of the consented scheme requires that this area is only used for loading and unloading of vehicles.

66. The applicants seek to vary Condition 36 to enable part of the service yard to be used for car parking. This would be feasible as the formerly approved outbuilding facilities within this area are now proposed as internalised. As such there is sufficient area for proposed staff car parking spaces alongside servicing to take place.

67. The proposed amendments have been considered by the Council's Transport Officer. The provision of 8 staff parking spaces is considered acceptable for an expected employment number of 75, as this is a relatively low level of staff parking, to be used by employees essential to ensuring a 24 hour operation. The majority of staff will travel to work on foot, cycle or public transport, which is encouraged through a Green Travel Plan. The Transport officer raises no objection to the staff parking proposed.

68. The current application does not propose any additional vehicular access points beyond those approved to Leigham Street and Prospect Place under the extant consent. With respect to the approved access points there are concerns with regard to the proposed hazard to slow down vehicles entering the site from Leigham Street, this hazard was shown on previously submitted plans and remains on the current plans, however the design of this access point will be further discussed with the applicants and a condition requires further details to be submitted for consideration.

69. The Transport Officer raises no objection to the application subject to conditions ensuring the reinstatement of the footway where the existing footway crossing is removed, the submission of details of both road junctions (to Leigham Street and Prospect Place), and that the approved car parking is constructed prior to occupation. Subject to the satisfactory submission of these details it is considered that the proposals are acceptable from a transport and highways position, being compliant with Policies CS28 and CS34 of the Core Strategy and DEV31 of the JLP.

70. Furthermore the junction detail condition will ensure that neighbours' concerns that there may be an infringement to the access lane adjacent to Walker Terrace are addressed. Two other highways related matters from representations are a concern, that increased yellow lines to the junction of Prospect Place and Walker Terrace may be proposed, it is confirmed that this is not the case and that any such proposal would need to be undertaken through a Traffic Regulation Order, and not a planning application. The matter of the potential for the 20mph zone nearby to be extended to include Citadel Road is a wider matter and cannot be considered as part of this application; however our transport officers can monitor this matter.

Other matters

71. For completeness the following matters raised by objectors are addressed:

72. Comments have been received there are too many unoccupied apartments in Plymouth, in response officers advise that the applicants have put forward a range of units sizes which meet local need and appeal to the market, and the provision is considered acceptable to officers.

73. There has been some comment that the site should come forward for a hotel development only, and not include apartments, and in response officers advise that the apartment element of the proposals is needed to ensure that the scheme is viable and that hotel will come forward.

74. Representations have been received that the reduced size of the swimming pool is not suited to a five star hotel. The applicants have advised that the new pool size is more suited to a boutique style hotel, and is acceptable in planning terms.

75. Finally the proposed gate to the southwest of the site was considered unnecessary by some and dangerous due to lack of natural surveillance, this access has now been removed from the proposals.

9. Human Rights

76. 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

77. The proposed development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to the fact that it is located within the area in which residential uses are charged at £0 per square metre. Hotel uses are also charged at £0 per square metre. An informative is attached to this effect.

11. Planning Obligations

78. 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.

79. Details of the Planning Obligations secured under the earlier planning consent are set out under the report and addendum report for 17/00952/FUL and these obligations are unchanged as a result of this current application.

12. Equalities and Diversities

80. New routes around the site are proposed. Although out of necessity given the topography of this area, some of these feature steps, however the new route from Prospect Place to Leigham Street will be step-free and the hotel will be fully accessible from the Hoe via the site frontage without steps. All apartments are also fully accessible via lifts.

13. Conclusions and Reasons for Decision

81. In drawing a conclusion on the application the consideration needs to (as set out in section 7. Relevant Policy Framework) take into account Section 70 of the 1990 Town and Country Planning Act which requires that regard be had to the development plan, any local finance and any other material considerations as well as Section 38(6) of the 2004 Planning and Compensation Act which requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. The requirements of para 12 of the NPPF are also relevant which states that 'Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.'

82. The Development plan in relation to the determination of this application and its key considerations currently comprises of the Local Development Framework Core Strategy (Adopted April 2007). The Submitted Plymouth and South West Devon Joint Local Plan (the JLP) will replace

the Core Strategy as the statutory development plan for Plymouth once it is formally adopted. Consideration therefore should look firstly to the Core Strategy as the Development Plan but also to the JLP as a material consideration. When considering the weight afforded to the JLP this must be considered in the context of the guidance in Annex I of the NPPF. Taking in to account the advanced stage of preparation of the JLP and that it is considered to be in full consistency with the NPPF this is considered to have a significant degree of weight.

83. The application proposes a series of minor material amendments to a consented scheme. The details of these amendments are set out in the Proposal Description and Analysis sections of this report.

84. As per the Proposal Description this application proposes amendments to Conditions 1 (plans), 10 (materials), 11 (material samples), 35 (deliveries and refuse collection) and 36 (use of loading bays) of the approved development.

85. Furthermore Condition 2 is amended to reflect that this is a Section 73 application and to clarify that commencement of development must occur within 2 years of 15th September 2017 (the date of the original consent).

86. Previous Condition 3 regarding the phasing of delivery has been renumbered Condition 37. New Condition 3 requires the submission and approval of a Delivery Management Plan

87. Condition 29 has been amended to reflect that there are less access points to the Publicly Accessible Areas.

88. Condition 38 is a new condition and requires a maintenance regime for the proposed cladding.

89. As detailed within the Analysis section of this report it is considered that the proposed amendments to the external design of the buildings are on balance acceptable and will not detract from the overall appearance of the scheme, or surrounding views, and will not harm the nearby designated heritage assets. However at the time of report writing the final appearance of the scheme has not been fully resolved as officers await the submission of details and a sample of the proposed balcony balustrade material to be used on the southern elevation of the apartment building. This material will be considered alongside the proposed cladding material before a final view can be reached. This process is required to ensure that officers are able to support the proposals from a design and heritage position.

90. The proposed amendments to the public realm, and hotel servicing hour's changes and the proposed staff parking are considered acceptable, subject to the various conditions attached to this report.

14. Recommendation

In respect of the application dated **14.02.2018** it is recommended to Grant conditionally subject to agreement of product specification of apartment building balconies balustrades and subject to completion of a Section 106 agreement

15. Conditions / Reasons

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

I CONDITION: APPROVED PLANS

Apartments Balcony Detailed Section and Elevation 2172_AA(21)20 - received 14/02/18

Hotel Curtain Wall Typical Detail 2172_AA(25)33 - received 14/02/18

Apartments Level -1 Proposed Plan 2172_AG(04)01 Rev D received 14/02/18

Apartments Proposed Plan Level 00 2172_AG(04)02 Rev F received 14/02/18

Apartments Proposed Plan Level 01 2172_AG(04)03 Rev E received 14/02/18

Apartments Proposed Plan Level 02 2172_AG(04)04 Rev E received 14/02/18

Apartments Proposed Plan Level 03 2172_AG(04)05 Rev E received 14/02/18

Apartments Proposed Plan Level 04 2172_AG(04)06 Rev E received 14/02/18

Apartments Proposed Plan Level 05 2172_AG(04)07 Rev E received 14/02/18

Apartments Proposed Plan Level 06 2172_AG(04)08 Rev E received 14/02/18

Apartments Proposed Plan Level 07 2172_AG(04)09 Rev E received 14/02/18

Apartments Proposed Plan Level 08 2172_AG(04)10 Rev E received 14/02/18

Apartments Proposed Plan Level 09 2172_AG(04)11 Rev E received 14/02/18

Apartments Proposed Plan Level 10 2172_AG(04)12 Rev E received 14/02/18

Apartments Proposed Plan Level 11 2172_AG(04)13 Rev D received 14/02/18

Apartments Proposed Plan Level 12 2172_AG(04)14 Rev D received 14/02/18

Apartments Proposed Plan Level 13 2172_AG(04)15 Rev E received 14/02/18

Apartments Proposed Plan Level 14 2172_AG(04)16 Rev E received 14/02/18

Apartments Roof Level Plan 2172_AG(04)17 Rev E received 14/02/18

Hotel Proposed Basement Plan 2172_AG(04)20 Rev G received 14/02/18

Hotel Proposed Ground Floor Plan 2172_AG(04)21 Rev H received 14/02/18

Hotel Proposed Plan Level 01 2172_AG(04)22 Rev G received 14/02/18

Hotel Proposed Plan Level 02 2172_AG(04)23 Rev E received 14/02/18

Hotel Proposed Plan Level 03 2172_AG(04)24 Rev E received 14/02/18

Hotel Proposed Plan Level 04 2172_AG(04)25 Rev E received 14/02/18

Hotel Proposed Plan Level 05 2172_AG(04)26 Rev E received 14/02/18

Hotel Proposed Plan Level 06 2172_AG(04)27 Rev E received 14/02/18

Hotel Proposed Plan Level 07 2172_AG(04)28 Rev E received 14/02/18

Hotel Proposed Plan Level 08 2172_AG(04)29 Rev E received 14/02/18
Hotel Proposed Plan Level 09 2172_AG(04)30 Rev E received 14/02/18
Hotel Proposed Plan Level 10 2172_AG(04)31 Rev E received 14/02/18
Hotel Proposed Roof Plan 2172_AG(04)32 Rev E received 14/02/18
Context Elevation - South 2172_AP(05)01 Rev G received 14/02/18
Context Elevation - North 2172_AP(05)02 Rev G received 14/02/18
Context Elevation - East 2172_AP(05)03 Rev G received 14/02/18
Context Elevation - North-West 2172_AP(05)05 Rev G received 14/02/18
Proposed North-South Sections - Apartments and Garden Terrace 2172_AP(06)02 Rev B received 14/02/18
Proposed North-South Site Sections - Apartments 2172_AP(06)03 Rev B received 14/02/18
Proposed West Footpath Section 2172_AP(06)05 Rev B received 14/02/18
Proposed East Sidewalk Sections 2172_AP(06)07 Rev A received 14/02/18
Proposed Service Yard Section 2172_AP(06)09 Rev A received 14/02/18
Proposed Longitudinal Section Along Leigham Street 2172_AP(06)10 Rev A received 14/02/18
Swept Path Analysis 63233-CUR-00-DR-TP-004 Rev 02 received 14/02/18
Ground Floor Site Proposed Plan 2172_AP(04)50 Rev I received 19/03/18
Context Elevation - West 2172_AP(05)04 Rev I received 19/03/18
Proposed North-South Site Sections - Hotel 2172_AP(06)01 Rev C received 19/03/18
Proposed Access Ramp Sections 2172_AP(06)08 Rev B received 19/03/18
Proposed Site Landscape Plan 2172_AP(09)01 Rev I received 19/03/18
Proposed North view 2172_AP(10)30 Rev E received 19/03/18
Proposed South View 2172_AP(10)31 Rev E received 19/03/18
Proposed North and South Elevation - Context 2172_AP(10)01 Rev D received 19/03/18

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.

2 CONDITION: COMMENCE WITHIN 2 YEARS OF ORIGINAL PERMISSION

The development hereby permitted shall be begun before the expiration of two years beginning from the date of the original permission (15th September 2017).

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004 and in accordance with Core Strategy Objective I0(8) (Delivering Adequate Housing Supply) and Policy SPT3 of the Plymouth and South West Devon Joint Local Plan.

3 CONDITION: DELIVERY MANAGEMENT PLAN

PRE-COMMENCEMENT

No development shall take place until a Delivery Management Plan (DMP) for the hotel has been submitted to and approved in writing by the Local Planning Authority.

The approved plan shall set out the measures to mitigate noise disturbance from hotel deliveries and must include details of the number of deliveries that will be required on a Sunday or a Bank Holiday, the nature of the deliveries, the size / type of delivery vans to be used, and how noise will be minimised, for example by restricting the use of vehicle reversing alarms and measures to prevent noise from delivery cages.

The agreed DMP shall be implemented in full during the operation of the development, unless a variation is agreed in writing by the Local Planning Authority, in advance.

Reason: To safeguard the amenity of neighbouring occupiers against noise impacts and to avoid conflict with Policies CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and DEVI of the Plymouth and South West Devon Joint Local Plan.

Justification: To ensure that measures can and will be put in place to ensure no adverse noise impact on neighbouring occupiers.

4 CONDITION: CONTAMINATED LAND

PRE-COMMENCEMENT

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:
 - o human health
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
 - o adjoining land
 - o groundwaters and surface waters
 - o ecological systems
 - o 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 policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 - 123 of the National Planning Policy Framework 2012.

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

5 CONDITION: TREE PROTECTION MEASURES

PRE-COMMENCEMENT

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

A: No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with BS 3998: 2010 Tree Work Recommendations.

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

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

Reason:

To ensure that trees or hedgerows retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, paragraphs 61,109 and 118 of the National Planning Policy Framework 2012 and Joint Local Plan Policy DEV30.

Justification: To ensure the trees are protected throughout the scheme.

6 CONDITION: ARBORICULTURAL METHOD STATEMENT

PRE-COMMENCEMENT

No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority in relation to the 6 existing trees to be retained on the northern boundary. The statement shall detail how the trees are to be protected during construction and in particular the installation of the footpath and resin bound surfacing. 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 on site are protected during construction work in accordance with Policy CS18 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61,109 and 118 of the National Planning Policy Framework 2012 and Joint Local Plan Policy DEV30.

Justification: To ensure the trees are protected throughout the scheme.

7 CONDITION: SURFACE WATER DRAINAGE

PRE-COMMENCEMENT

Further details of the following aspects of the surface water drainage system for the development hereby approved shall be submitted to and approved in writing prior to the commencement of development unless otherwise agreed in writing by the Local Planning Authority:

- a/ A surface water exceedance flow plan, clearly identifying exceedance routes which take account of the requirements of any relevant landowners.
- b/ Confirmation of the drainage infrastructure adoption and maintenance proposals.

c/ Relevant extracts of a detailed Construction Environment Management plan setting out how the surface water drainage system and wider water environment will be constructed during the construction (and any demolition) phase.

Construction stage details required by part c/ of this condition shall be implemented in accordance with that approval prior to the commencement of development. The surface water drainage strategy for the completed development shall be implemented in accordance with details set out in submitted drainage strategy (Curtins, ref B064404 dated 28/04/17, supplemented by Flood Exceedence Sketch dated 03/07/17) and in accordance with alternative or additional details agreed as a requirement of this condition prior to the first occupation of the development hereby approved (and thereafter maintained as such) unless an alternative timetable is first submitted to and agreed in writing by the Local Planning Authority.

Justification: To ensure the drainage provisions within the development are adequately provided for (including construction stage provisions) before development commences and does not cause undue problems to the wider drainage infrastructure.

8 CONDITION: EMPLOYMENT AND SKILLS PLAN

PRE-COMMENCEMENT

No part of the development hereby approved shall be commenced until an Employment and Skills Plan has been submitted to and approved in writing by the Local Planning Authority. The Employment and Skills Plan should demonstrate how local people and local businesses will benefit from the development in terms of job opportunities, apprenticeship placements, work experience opportunities, business supply chain opportunities and other employment and skills priorities. The Employment and Skills Plan should cover the groundworks phases as well as the construction phase of the development.

The development shall thereafter be carried out in accordance with the approved Employment and Skills Plan unless a variation to the strategy is agreed in writing in advance by the Local Planning Authority.

Reason:

To ensure employment and skills development in accordance with policy CS04 of the Plymouth Local Development Framework Core-Strategy (2006-2021) 2007.

Justification: To ensure that opportunities for employment are incorporated into the development, including the construction/conversion period.

9 CONDITION: DETAILED CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN (CEMP)

PRE-COMMENCEMENT

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. Unless otherwise agreed in writing by the Local Planning Authority, the management plan shall be in accordance with the submitted "Environmental and Site Waste Management Plan (Rev2)" (dated 05/03/2017), and shall also comply with the requirements of the Council's Code of Practice for Construction and Demolition Sites (which can be viewed on the Council's webpages), including its guidance on hours of working. Any variance from these documents should be highlighted and justified in writing in the submitted management plan.

All construction works associated with the development shall be undertaken in accordance with the approved management plan or in accordance with any variation to it approved in writing by the Local Planning Authority.

Reason:

In the interests of the retention and protection of the marine environment, including the European Marine Site features, and to protect the residential and general amenity of the area from any harmfully polluting effects in accordance with policies CS19, CS34 and CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

Justification: To ensure that measures can and will be put in place to ensure no adverse effects from the construction phase of the development.

10 CONDITION: FURTHER DETAILS

PRIOR TO RELEVANT PART OF THE WORKS

The relevant part of the works hereby approved shall not take place until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority:

Apartments:

- a) typical sections through apts balconies and facade to show balustrade details (06), soffit, and window/door/curtain walling frames (13)
- b) dividers between balconies (12)
- c) sections to demonstrate roof edge (14) and louvres

- d) horizontal sections through rear elevation to demonstrate relationship between cladding (02), curtain wall glazing (13), windows (09) and spandrel panels
- e) vertical sections through rear elevation to demonstrate relationship between limestone plinth (04), projecting featuring cladding (01) and glazed top floor (13), including any spandrel panels
- f) entrances including doorsets glazed canopy (10), Leigham St entrance canopy, and other doorsets

Hotel:

- g) curtain walling/glazing to hotel ground and first floor (south elevation),
- h) curtain walling to main hotel south façade, including spandrel panels (13), and relationship to framing (01), ground and first floor curtain walling, recessed balconies and top floor glazing
- i) sections through pool/leisure suite south elevation to show relationship between glazing, limestone walling (04) and terrace balustrade (05)
- j) section through roofline
- k) horizontal sections through rear elevation to demonstrate relationship between cladding (02), curtain wall glazing (13), and windows (09)
- l) vertical sections through rear elevation to demonstrate relationship between limestone plinth (04), projecting featuring cladding (01) and glazed top floor (13), including any spandrel panels
- m) glazing overlooking Prospect Place footpath at basement & ground floor (including any windows which are to feature obscure glazing)
- n) entrances including doorsets and glass canopy (10) and other doorsets including servicing access
- o) Any plant or equipment which exceeds the height of the flat roof to the northern or eastern parts of the building

The works shall be completed in accordance with the approved details prior to occupation of the relevant buildings unless an alternative timetable is submitted to and agreed in writing in advance by the Local Planning Authority.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policies CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, PLY20-21 & DEV20-22 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 63-64 of the National Planning Policy Framework 2012.

II CONDITION: MATERIALS SAMPLES

PRIOR TO RELEVANT PART OF THE WORKS

The relevant part of the works hereby approved shall not take place until samples of the following materials have been approved in writing by the Local Planning Authority. Sample panel(s) demonstrating proposed materials together shall be erected on site for inspection by the Local

Planning Authority, with an associated specification of materials submitted to the Local Planning Authority for approval.

All external building materials, including:

- a) Plymouth limestone (04), to include details of stone finish, jointing and mortar details)
- b) Plymouth limestone random rubble (16) to include details of stone finish, jointing and mortar details)
- c) Steel Cladding
- d) Curtain wall frames (13)
- e) Curtain wall glass
- f) Curtain wall opaque/spandrel panels (03)
- g) Balustrade glass to form waveform balconies (05)
- h) Apartment Balcony dividers (12)

All hard Landscaping materials, including:

- i) Block paving
- j) Granite paving
- k) Granite setts
- l) Tactile paving
- m) Kerb edgings between granite and macadam
- n) Grasscrete
- o) Resin bound gravel
- p) Natural stone for retaining and boundary walls in the frontage area (notwithstanding the details shown on submitted drawings)

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policies CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, PLY20-21 & DEV20-22 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 63-64 of the National Planning Policy Framework 2012.

12 **CONDITION: LANDSCAPE DESIGN PROPOSALS**

APPROVAL PRIOR TO RELEVANT WORKS; IMPLEMENTATION PRIOR TO OCCUPATION

The relevant part of the works hereby approved shall not be commenced until full details of the relevant hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried

out in accordance with that approval prior to the first occupation of the buildings, or in accordance with any alternative timetable agreed in writing in advance by the Local Planning Authority.

Further hard landscaping details, which shall be in accordance with the approved 'Proposed Site Landscape Plan' shall include:

- a) finished levels or contours;
- b) all means of enclosure, including railings to northern and western edges of car park
- c) any changes needed to existing boundary structures
- d) Retaining wall structures along new East-West pedestrian/cycle route car parking areas;
- e) all retaining walls and banks
- f) minor artefacts and structures
- g) Scheme signage
- h) Surfacing to new East-West pedestrian/cycle route, including junctions with existing footways and treatment in vicinity of retained trees
- i) Pedestrian and vehicular gates, including gates to servicing access

Details of soft landscaping works shall include:

- j) 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),
- k) 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].
- l) Tree pits (each tree will require no less than 15cu m of root zone)
- m) Sedum blanket roofs as set out in submitted Ecological Mitigation and Enhancement Strategy
- n) Biodiverse roofs as set out in submitted Ecological Mitigation and Enhancement Strategy
- o) any planting (or structures) to be provided to the western end of function suite terrace at hotel level 01, including an assessment of how these will prevent any unacceptable overlooking of adjacent residential properties

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.

13 CONDITION: ACOUSTIC STANDARDS FOR SUBSTATION

PRIOR TO INSTALLATION

New electricity substations at the site shall not be installed until full details of the acoustic properties of their enclosures, including confirmation of the expected noise levels at the nearest noise sensitive properties have been submitted to and approved in writing by the Local Planning Authority. The substations shall be installed in accordance with approved details and be maintained as such thereafter.

Reason:

To protect existing adjacent and proposed future residents from unwanted noise, after occupation of the building to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

14 CONDITION: EXTRACT DESIGN FOR KITCHENS

PRIOR TO INSTALLATION

Prior to installation, the following additional information shall be submitted to and approved in writing by the Local Planning Authority to enable review of the design of the ventilation systems for the commercial kitchens:

- i) Schematic plans of the ventilation and ducting systems from point of extract through to dispersion point, including the proposed siting of mechanical plant within the systems
- ii) Technical information on the exhaust fans proposed
- iii) Technical information of the odour filtration and other odour abatement measures proposed for the kitchen extraction systems

The systems shall be installed in accordance with that approval and maintained as such thereafter.

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 (2006-2021) 2007.

15 CONDITION: EXTERNAL PLANT DETAILS

PRIOR TO INSTALLATION

Prior to installation, the following additional information shall be submitted to and approved in writing by the Local Planning Authority to enable review of the design and siting of external plant (including refrigeration and pool filtration plant):

- i) Details and siting of any and all external plant
- ii) Any noise abatement measures proposed for externally sited plant
- iii) Details of any vibration reduction measures proposed for both internally and externally sited plant

The plant shall be installed in accordance with that approval and maintained as such thereafter.

Reason:

To protect the residential and general amenity of the area from noise emanating from plant and to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

16 CONDITION: DETAILS OF NEW JUNCTIONS

PRE-OCCUPATION

Details of the alterations to form the two junctions located in Leigham Street & Walker Terrace/Prospect Place between the proposed service road and the highway (including the footpath along the northern boundary) shall be submitted to and approved in writing by the Local Planning Authority; the buildings hereby shall not be occupied unless an alternative timetable is agreed in writing by the Local Planning Authority until those junctions have been constructed in accordance with the approved details.

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.

17 CONDITION: CAR PARKING PROVISION

PRE-OCCUPATION

The buildings shall not be occupied or brought into beneficial use until the car parking area shown on the approved plans has been drained, surfaced, and laid out in accordance with the approved details, and that area shall not thereafter be used for any purpose other than the parking of vehicles (except in the event that planning permission for its use for alternative purposes is granted).

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.

18 CONDITION: TRAVEL PLAN

PRE-OCCUPATION

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 first occupation the occupier shall operate the approved Travel Plan.

Reason:

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

19 CONDITION: CLOSURE OF EXISTING ACCESS

PRE-OCCUPATION

The buildings shall not be occupied or brought into beneficial use until the existing access to the site in Leigham Street has been permanently closed in accordance with details previously agreed in writing with the Local Planning Authority.

Reason:

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.

20 CONDITION: TRAFFIC REGULATION ORDER

PRE-OCCUPATION

Prior to any occupation of the development hereby permitted the developer shall fund and begin the process to amend the Traffic Regulation Order (TRO) to take account of the proposed new vehicle entrance/exit in Leigham Street and the associated relocation within the street of the car parking bays and restrictions. The details of which shall be prior agreed between the developer and the Council Highway Authority. The actual associated costs of which shall be borne by the applicant.

Reason:

To preserve the function and safety of the Local highway Network and convenience to the public in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

21 CONDITION: CYCLE PARKING PROVISION

PRE-OCCUPATION

The relevant dwelling or building shall not be occupied unless otherwise agreed in writing by the Local Planning Authority until space has been laid out within the site in accordance with further details to be submitted to and approved in writing by the Local Planning Authority for bicycles to be securely parked. The details shall include:

- * no less than 44 secure and undercover cycle parking spaces for the apartments
- * no less than 7 secure and undercover for hotel staff
- * visitor provision as shown on the approved proposed site landscaping plan

The details once approved shall remain available for their intended purpose in accordance with that approval and shall not be used for any other purpose without the prior written 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.

22 CONDITION: LOADING AND UNLOADING PROVISION

PRE-OCCUPATION

The relevant dwelling or building shall not be occupied unless otherwise agreed in writing by the Local Planning Authority until adequate provision is 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.

23 CONDITION: REFUSE STORAGE

PRE-OCCUPATION

The bins stores shown on approved ground floor apartment, ground floor site layout, and hotel basement plans shall be provided prior to the beneficial occupation of the relevant building unless otherwise agreed in writing by the Local Planning Authority. The stores shall thereafter remain available for the storage of refuse and recycling only, and waste associated with the relevant use shall thereafter be stored only in the stores except on the day of collection.

Reason:

To ensure that adequate space is provided for the storage of waste associated with the development as required by policy CS26 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

24 CONDITION: EXTERNAL ARTIFICIAL LIGHTING

PRE-OCCUPATION

The buildings hereby approved shall not be occupied until a scheme of external artificial lighting has been provided at the site in accordance with details which are to be submitted to and approved in writing in advance by the Local Planning Authority. The details shall accord with the submitted external lighting design and scoping statement unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure an acceptable lighting design for the scheme which is sympathetic in design terms given the site's prominence and which also safeguards the amenity of adjacent occupier and the safety of users of the site and its immediate surroundings in accordance policies CS02, CS03, CS32 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, PLY20, 21 and 28, & DEV20-22 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 63-64 and 69 of the National Planning Policy Framework 2012.

25 CONDITION: LANDSCAPE MANAGEMENT PLAN

PRIOR TO OCCUPATION

A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all areas of the site, shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development for its permitted use or in accordance with any alternative timetable agreed in writing in advance by the Local Planning Authority. The landscape management plan shall thereafter be carried out as approved.

Reason:

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

26 CONDITION: APARTMENT SOLAR ARRAY

PRE-OCCUPATION

Unless an alternative strategy to reduce Carbon Dioxide emissions from the proposed apartments to the satisfaction of the Local Planning Authority has first been submitted to and approved in writing by the Local Planning Authority, the apartments hereby approved shall not be occupied until a solar PV array of no less than 220 sq m has been installed and made fully operational in accordance with

details to be submitted to and approved in writing in advance by the Local Planning Authority. The submitted details shall be sufficient to enable a visual assessment of the proposed installation so shall include details of array layout and size, panel appearance (including colour, reflectivity, frames and surface conductors), and supporting frames/structures.

Reason:

To reduce Carbon Dioxide emissions from the development in a manner which is sympathetic to this prominent site as required by policies CS20, CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (adopted 2007), policies DEV20-22, and 34 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 63-64 and 94-96 of the National Planning Policy Framework 2012.

27 CONDITION: APARTMENTS FUTURE DISTRICT HEAT CONNECTIVITY

PRE-OCCUPATION

Measures set out in the submitted document titled 'Apartment block strategy to facilitate future connection to District Heating Network' (Couchperrywilkes dates 02 June) to facilitate connection of the apartment block to future District Heat networks shall be provided prior to the occupation of the apartments hereby approved unless an alternative strategy to enable connectivity to future District Heat networks to the satisfaction of the Local Planning Authority has first been submitted to and approved in writing by the Local Planning Authority.

Reason:

To reduce Carbon Dioxide emissions from the development as required by policy CS20 of the Plymouth Local Development Framework Core Strategy (adopted 2007), policy DEV34 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 94-96 of the National Planning Policy Framework 2012.

28 CONDITION: HOTEL COMBINED HEAT AND POWER UNIT

PRE-OCCUPATION

The hotel hereby approved shall not be occupied until a Combined Heat and Power Unit has been commissioned at the site (including measures to enable future connection to district heat network) in accordance with details set out within the following documents submitted in support of the application:

* Submitted Energy Statement (Couchperrywilkes, ref 17150)

* Email from Couchperrywilkes to Jonathan Selman dated 02 June 2017 confirming that the central gas fired boiler / CHP plant will serve the Hotel domestic hot water demand (including gym,

restaurants, bars, bedrooms and function suites), heating demand of ventilation plant (serving all elements of the building), and heating demand associated with swimming pool plant

Reason:

To reduce Carbon Dioxide emissions from the development as required by policy CS20 of the Plymouth Local Development Framework Core Strategy (adopted 2007), policy DEV34 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 94-96 of the National Planning Policy Framework 2012.

29 CONDITION: PUBLICLY ACCESSIBLE AREAS

PRE-OCCUPATION DETAILS; ONGOING COMPLIANCE

The owner of the site shall permit public access to the following areas of the site following first beneficial occupation in accordance with a management and maintenance plan to be submitted to and approved in writing by the Local Planning Authority prior to the first beneficial occupation of the site:

- a) East-West street to be formed along the northern boundary providing access from Prospect Place to Leigham St
- b) Garden Terrace and surrounding footpath in the frontage area to the south of the proposed building, which is accessed from Cliff Rd/Leigham St to the east, and the car park (between the two buildings) from the north
- c) North-South route through the car park providing a link between a) and b)

The 'Night Gates' shown on approved plan that provide access from a) to c) can be closed and secured to restrict public access between the following hours: 22:00 through to 08:00 between March 28th and October 28th, and 20:00 through to 08:00 for the remainder of the year. The East-West street a) shall remain open 24 hours a day.

The management plan shall set out details for future maintenance and management of these publicly accessible parts of the site, which shall thereafter be managed in accordance with the approved management plan unless a variation is agreed in writing by the Local Planning Authority.

Reason:

To secure the community benefits of the scheme brought by providing public access as set out in policy PLY28 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and to allow the arrangements for management and maintenance of these public routes and publicly accessible parts of the site to be agreed to ensure that the safety, security and well being of users, as well as satisfactory environmental standards will be maintained in accordance with policies CS02, CS32 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, PLY20, 21 and 28, & DEV20-22 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 63-64 and 69 of the National Planning Policy Framework 2012.

30 CONDITION: BIODIVERSITY (EMES) MEASURES

PRE-OCCUPATION

Measures set out in the submitted Ecological Mitigation and Enhancement Strategy shall be implemented in accordance with that document - except where set out below - prior to first beneficial occupation of the buildings hereby permitted or in accordance with any alternative timetable agreed in writing in advance by the Local Planning Authority.

- a) Soft landscaping measures agreed through other conditions attached to this consent, which shall be delivered in accordance with that approval even if in conflict with the submitted EMES
- b) Revised proposals for bird nesting boxes (including swifts), which shall be provided in accordance with details which shall be submitted to and approved in writing in advance by the Local Planning Authority.

Reason:

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

31 CONDITION: ACOUSTIC STANDARDS FOR APARTMENTS DESIGN

PRE-OCCUPATION

The development should be built in such a way that it meets BS8233:2014 Good Room criteria, meaning there must be no more than 35 dB LAeq for living rooms and bedrooms (0700 to 2300 daytime) and 30 dB LAeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided. Levels of 45 dB LAf.max shall not be exceeded in bedrooms (2300 to 0700 night-time).

Reason:

To protect the residents from unwanted noise, after occupation of the building avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

32 CONDITION: ACOUSTIC STANDARDS FOR APARTMENTS - VERIFICATION

PRE-OCCUPATION

Prior to occupation of the apartment building hereby approved the applicant shall submit in writing for approval a noise verification report demonstrating compliance with the levels required in the 'ACOUSTIC STANDARDS FOR APARTMENTS - DESIGN' condition attached to this consent).

Reason:

To protect the residents from unwanted noise, after occupation of the building to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

33 CONDITION: ROOF PLANT AND EQUIPMENT

Notwithstanding 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 plant or equipment shall be added to the roof of any of the buildings hereby permitted without the prior written consent of the Local Planning Authority (any application for which will be expected to demonstrate the visual impact of such equipment), except in the following circumstances:

- a) Solar PV array to the apartment block in accordance with details approved under the relevant condition attached to this consent
- b) Equipment sited within the plant well of the hotel roof which does not protrude above the height of the adjacent flat roofs to the north and east

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policies CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, PLY20-21 & DEV20-22 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 63-64 of the National Planning Policy Framework 2012.

34 CONDITION: NOISE FROM PLANT

The noise emanating from all plant associated with the Hotel (LAeqT) shall not exceed the background noise level (LA90) by more than 5dB, including the character/tonalities of the noise, at any time as measured at the facade of the nearest residential property. All plant 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 noise emanating from the operation of any Plant and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

35 CONDITION: DELIVERIES AND REFUSE COLLECTION

Goods deliveries to the hotel hereby approved, shall be carried out only between the hours of 0700AM and 2200PM Monday to Saturday, and 1000AM and 1600PM Sundays or Bank Holidays.

Refuse collections (as well as any outdoor handling of glass waste) to the hotel hereby approved, shall be carried out only between the hours of 0700AM and 2200PM Monday to Saturday.

Reason:

To protect the residential and general amenity of the area from noise emanating from delivery and waste collection activities and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

36 CONDITION: USE OF LOADING AREAS

The land indicated on the approved plans for the loading and unloading of vehicles and staff car parking 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.

37 CONDITION: PHASING OF DELIVERY

GRAMPIAN CONDITION

No development of the residential part of the scheme (including groundworks) shall commence until the hotel part of the scheme has commenced (including groundworks). No more than 70, or an

alternative number submitted (with written justification) to and approved in writing by the Local Planning Authority, of the apartments shall be occupied until the hotel hereby approved is open and ready for occupancy.

Reason:

In order to ensure the delivery of the hotel in line with relevant policy aspirations set out in policies PLY20, 21 and 28 of the Approved Plymouth and South West Devon Joint Local Plan (and the evidence that underpins it), in order to realise the economic and wider public benefits of the scheme in accordance with the planning balance with particular reference to paragraph 134 of the National Planning Policy Framework 2012.

38 CONDITION: CLADDING MAINTENANCE

The proposed Europanel steel cladding, specified with a HPS200 Ultra coating in the Signature colour range with a 30 year guarantee, shall be maintained in a good, clean condition and appearance as long as the proposed buildings remain on the site and any problems with corrosion, discolouration, weathering or other defects will be rectified promptly.

Reason: To ensure that the appearance of the buildings remains satisfactory throughout their lifetime and that the buildings are in keeping with the standards of the vicinity in accordance with Policies CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, PLY20-21 & DEV20-22 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 63-64 of the National Planning Policy Framework 2012.

Informatives

1 INFORMATIVE: (£0 CIL LIABILITY) DEVELOPMENT DOES NOT ATTRACT A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

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 (if applicable) see www.plymouth.gov.uk/cil for guidance.

2 INFORMATIVE: CODE OF PRACTICE

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.

3 INFORMATIVE: BASEMENT KITCHEN EXTRACT SYSTEM

The current plans advise that the extraction system for the basement kitchen will terminate at roof height as part of the pollution dilution and dispersal model. This will require a long run of ducting and increased energy to vent the air to this height: this may have an adverse impact on noise and effectiveness of extract cleaning. Cleaning of the ducting should be undertaken in line with the HVCA guidance document TR/19. A scheme to vent kitchen air at or near ground level could be considered where an enhanced system of odour abatement is to be installed and maintained.

4 INFORMATIVE: PUBLIC HIGHWAY APPROVAL

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

5 INFORMATIVE: RESIDENT PARKING PERMIT SCHEME

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

6 INFORMATIVE: COMMERCIAL VEHICLE CROSSING

The applicant should contact the Highway Authority to facilitate the works in the highway by way of a licence and fees in accordance with this authority's procedure for the construction of a Commercial Vehicle Crossing.

7 INFORMATIVE: EXTERNAL LIGHTING SCHEME

You are advised when designing a scheme for the above to discharge the relevant condition attached to this consent of the desirability of an innovative lighting scheme for the development as suggested by emerging Joint Local Plan Policy PLY28.

8 INFORMATIVE: MARINE GRADE MATERIALS

You are advised when specifying materials for the development prior to submitting these for approval to discharge the relevant condition attached to this consent to specify materials of an appropriate specification to withstand this exposed marine environment.

9 INFORMATIVE: CONDITIONAL APPROVAL NEGOTIATED

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 APPLICATION OFFICERS REPORT



Application Number	17/02444/FUL	Item	03
Date Valid	15.12.2017	Ward	ST PETER AND THE WATERFRONT
Site Address	95 Durnford Street Plymouth PL1 3QW		
Proposal	Change of use from no.3 flats (Class C3) to 10-bed HMO with office for visiting support worker (Sui Generis) and single storey rear extension		
Applicant	Dominic Robinson		
Application Type	Full Application		
Target Date	09.02.2018	Committee Date	05.04.2018
Extended Target Date	N/A		
Decision Category	Member referral		
Case Officer	Mr Chris Cummings		
Recommendation	Grant Conditionally		

This application has been referred to Planning Committee by Cllr McDonald

1. Description of Site

95 Durnford Street is an end terrace property situated on the corner of Durnford Street and Pound Street in the St Peter and the Waterfront ward of Plymouth. The attached terrace are Grade II Listed Buildings, however this site is not included within the listing. The site is also located within the Stonehouse Peninsula Conservation Area. The property is currently arranged as 3 flats, comprising of a 2-bedroom maisonette at lower ground and ground floor, and a 1-bedroom flat at each of the first and second floors. There is existing communal access at the rear.

2. Proposal Description

Change of use from no.3 flats (Use Class C3) to 10-bed HMO (Sui Generis) with office for visiting support worker and single storey rear extension.

3. Pre-application Enquiry

None

4. Relevant Planning History

79/03790/FUL - Alterations to provide three dwelling units - Granted conditionally

80/00668/OUT - Outline application to erect a private motor garage - Granted conditionally

17/01078/MIN - Convert to a 10-bed HMO for use of men in abstinence based recovery - Supported in principal

5. Consultation Responses

Local Highway Authority - No objection as the site is situated within a Controlled Parking Zone that operates 24 hours a day, 7 days a week. The development can therefore be considered car free and off-street parking is not required. The property is already excluded from parking permits and would continue to be so. A condition is recommended for provision of secure and covered storage for 5 bicycles.

Public Protection Service - No comments, but advice offered on management plan requirements

Historic Environment Officer - Property is not listed, but is in Conservation Area and should be considered non-designated heritage asset. They recommended that doors and windows should match wooden windows on existing dwelling and that details of the roof and rainwater goods should be supplied to the Council for approval.

Community Connections Service - No objection, and advised on Council HMO Licensing Guidelines regarding room sizes.

6. Representations

36 letters of representation have been received objecting to the proposal, raising concerns regarding the following matters:

- Increase in parking
- Lack of staffing overnight and weekends and concerns over type of supervision
- Impact due to misuse of alcohol or drugs on local community
- Levels of occupancy too high, could see 2 people in each room.
- Increase in noise and anti-social behavior
- Increase in crime
- Increase in refuse generated
- Loss of three family homes
- Location of abstinence based premises close to existing pubs.
- Use is out of character with surrounding area
- Loss of property values
- High levels of existing HMOs in the area

- Use of property if organisation running it ceases
- Lack of consultation with local residents
- Use of uPVC for windows and doors would be out of character with Conservation Area

The loss of property value is not a material planning consideration. All other matters raised will be discussed in the analysis section of this report.

No community engagement was undertaken prior to the application being submitted. Following the submission, the applicants and the Stonehouse Residents Association (SRA) have been in contact, with one meeting between the applicants and the SRA and another public meeting with the residents.

A further meeting between the applicant and the Planning Officer is also scheduled prior to the Planning Committee meeting.

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 Plymouth and South West Devon Joint 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 I 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 SPD
- Stonehouse Peninsula Conservation Area Appraisal and Management Plan

The site is within the Stonehouse Peninsula Conservation Area and would fall under the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 where 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

The position of the site adjacent to a listed building falls under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires any development that may affect the setting of a listed building to 'have special regard to the desirability of preserving the building or its setting or any features of special or architectural or historic interest which it possesses'.

8. Analysis

1. This application has been considered in the context of the legislative tests, development plan, the submitted Joint Local Plan, the Framework and other material policy documents as set out in Section 7.

2. The Policies of most relevance to the consideration of this application from the Core Strategy are CS01 (Development of Sustainable Linked Communities), CS02 (Design), CS03 (Historic Environment), CS15 (Housing Provision), CS22 (Pollution), CS26 (Sustainable Waste Management), CS28 (Local Transport Considerations).

3. The policies of most relevance to the consideration of this application from the Plymouth and South West Devon Joint Local Plan are DEV1 (Protecting Health and Amenity), DEV2 (Air water, noise, soil and land), DEV10 (Delivering high quality housing), DEV11 (Houses in Multiple Occupation in the Plymouth Article 4 Direction Area) DEV20 (Place shaping and the quality of the built environment), DEV21 (Conserving the historic environment), DEV22 (Development affecting the historic environment), DEV31 (Specific provisions relating to transport) and DEV33 (Waste Management).

4. The main planning considerations in this case are considered to be the impact on the character and appearance of the conservation area, design the effect on residential amenity, parking and highway safety.

Principle of Development

5. The proposed change of use is to create a 10-bedroom House in Multiple Occupation with office for a visiting support worker (Use Class Sui Generis) and a rear single storey extension.

6. The change of use would not be considered to fall under Use Class C2 as there is not 24 hour care being provided within the site, with the visiting support worker being present Monday to Friday 9.00 to 16.00 and an on-call service being provided at all other times.

7. The use of the property is as for adult males in abstinence based recovery from alcohol or drug abuse. The project operates a zero tolerance to drugs or alcohol on or off the property, with individual plans in place for the immediate removal of any resident who lapses.

HMO Levels

8. Policy CS15 of the Core Strategy requires that any new HMO does not harm the character of the area with regard to the existing number of converted and non-family dwellings in an area. This is supported by Paragraph 2.5.14 of the Development Guidelines SPD sets a threshold of 25% for HMOs within 100 metres of the application site. The emerging Joint Local Plan has a specific policy, Policy DEVI 1, relating to HMO levels in an area, setting a threshold of 10% HMOs.

9. The Council's records show that the existing level of HMO's within 100 metres of the application property is 1.59%. If this property was approved the level would become 2.13%.

10. The HMO levels therefore fall below the thresholds set out in the Development Guidelines SPD and the emerging Joint Local Plan meeting the requirements of Policy CS15 of the Core Strategy and Policy DEVI 1 of the Joint Local Plan.

Design

11. The proposed single storey extension will create a utility room positioned below the level of the main existing lower ground floor, at the level of the store within the rear tenement. It is proposed to extend approximately 2.5 metres from the rear elevation, with a width of 3.2 metres and a flat roof with a height of 2.55 metres.

12. Adjacent to it is a 2 storey tenement block, and the proposed extension will be set back by 3.15 metres from the rear tenement elevation, creating a subordinate extension.

13. The extension will protrude 0.15 metres above the existing boundary wall, which acts as screening from neighbouring properties. The extension is not considered to adversely impact on the amenity or privacy of neighbouring properties in line with Policy CS34 of the Core Strategy. Similarly, the inobtrusive nature of the extension is such that it would not have any harmful impact on the setting of the adjacent listed building.

14. The site is situated within the Stonehouse Peninsula Conservation Area and is adjacent to a Grade II Listed Building. The Council's Historic Environment Officer was consulted on the proposal and advised that the submitted plans showed upvc windows and doors, whilst the existing dwelling has timber windows and doors. These proposed materials would not match the existing timber materials of the existing dwelling. It was agreed with the applicant to amend the proposal so that timber would be used for the rear extension windows and doors. The Historic Environment Officer advised that slate would be preferred for the roof of the extension, however this is not possible on a flat roof and the proposed material is a fiberglass roof. Altering the roof height to allow slate would

create a more visible extension, protruding higher above the boundary wall, affecting the setting of the adjacent listed building. The flat roof is therefore considered more suitable and fiberglass is an acceptable material providing the colour matches the roof colour of the existing house. It is therefore recommended that a condition is added to any approval to ensure the final materials are approved by the Council to ensure that they are suitable and match the materials of the existing dwelling.

15. No other external alterations are proposed to the building and the alterations are considered to respect the appearance of the property as a non-designated heritage asset and preserves the appearance in its setting of the Stonehouse Peninsula Conservation Area. The extension is considered acceptable and complies with Policies CS02 and CS03 of the Core Strategy and Policies DEV20, DEV21 and DEV22 of the emerging Joint Local Plan.

Layout

16. Policy CS15 of the Core Strategy states that a conversion of properties into an HMO is only acceptable where the gross floor area is more than 115sqm. The floor space measured does not include the proposed extension in accordance with Paragraph 2.5.24 of the Development Guidelines SPD. The gross floor space of the existing dwelling is approximately 227 square metres, exceeding the requirements of Policy CS15.

17. There is some ambiguity as to whether the National Space Standards apply to changes of use to HMO's. On examination of the plans it was found that one of the second floor bedrooms did not meet National Space Standards. An amended floor plan was submitted and all bedrooms now exceed 7.5sqm in size, meeting National Space Standard requirements for bedroom sizes.

18. The Community Connections Service were consulted on the proposal and raised no objections, providing details of room sizes to meet the Council's HMO Licensing standards. Due to the size of the property an HMO License would be required and these HMO License standards are suitable for use as a guide to size requirements.

19. All of the bedrooms meet the minimum room size of 6.5sqm for a single occupant in a bedroom, with 9 of the 10 bedrooms meeting Community Connection guidelines for 2 occupants. However, due to the intensification of occupant numbers and use of the property for abstinence based recovery it is recommended to add a condition restriction occupancy of the property to a single occupant in each of the bedrooms shown on the proposed floor plans.

20. One of the rooms is to be used as an office for a visiting support worker. It is recommended to add a condition ensuring that this office is retained as an office at all times.

21. The Development Guidelines SPD recommends 50sqm of outdoor amenity space to be provided for a terraced dwelling. The outdoor amenity space provided at the property is approximately 50sqm, meeting this requirements.

22. The proposal is considered to provide adequate internal and external amenity space, meeting the requirements of Policies CS15, CS22 and CS34 of the Core Strategy and Policy DEVI, DEV2 and DEV10 of the emerging Joint Local Plan.

Parking

23. The site does not have any off-street parking provision and the change of use could lead to an intensification of use of the property. The Local Highway Authority was consulted on the proposal and raised no objections, advising that the site is within a Controlled Parking Zone that operates 24 hours a day, 7 days a week. In accordance with Paragraph 8.5.2 the proposal can therefore be considered to be a car-free development. The property is currently excluded from obtaining parking permits, and this would remain should any approval be given.

24. It was raised with the Local Highway Authority that there would be a visiting support worker to the property and they confirmed that the proposal could still be considered car free development as the Controlled Parking Zone is in operation 24/7.

25. To promote sustainable transport in line with Policy CS28 of the Core Strategy and Policy DEV31 of the emerging Joint Local Plan it is recommended to add a condition requiring secure cycle storage for a minimum of 5 bicycles at the property.

Bin Storage

26. Paragraph 6.2.1 of the Development Guideline SPD states that each occupant of a property would require space for 70 litres of space for refuse and 40 litres for recycling per week, creating a total requirement of 700 litres refuse space and 400 litres recycling space required for the 10 occupants.

27. Each of the existing three flats would have two 240 litre wheeled bins for refuse and recycling, providing a total of 1,440 litres (3 x 480 litres) of refuse and recycling space for the whole site.

28. This is in excess of the total 1100 litre level required for a 10-bed HMO and is therefore considered to meet the SPD recommended levels and Policy CS26 of the Core Strategy and Policy DEV33 of the emerging Joint Local Plan.

29. It is recommended to add a condition requiring that bins containing a minimum size of 700 litres of refuse space and 400 litres of recycling are provided and that they are stored in a bin storage area on-site and only placed outside this area on refuse collection days.

Neighbour Amenity

30. Policy DEVI1 of the emerging Joint Local Plan states that the application site should not sandwich a C3 dwelling unit between two HMO properties. The Council's records show that the change of use to an HMO would not result in the sandwiching of any C3 dwellings by HMOs.

31. The use of the property is as an HMO for adults engaging with an abstinence based drug/alcohol recovery model, operating with no tolerance for any drug or alcohol use by any resident on or off the property. Should any resident be found to have consumed alcohol or drugs on or off the property then they will leave the property immediately.
32. The property will have a staff member at the property Monday to Friday 09.00 to 16.00 and an on-call service in operation all other times.
33. Neighbour engagement is considered important due to the proposed use of the dwelling, potential impacts on the surrounding community and concerns raised by neighbours. No community consultation was undertaken by the applicant prior to submission, but two meetings have been held during the application process. One meeting was with Stonehouse Residents Association and the other a public meeting.
34. It has been raised with the applicant that a community forum would be an appropriate method of meeting regularly to address any issues with the local community, councillors and involved stakeholders. A condition is therefore recommended requiring the creation of a community forum prior to occupation of the property with regularly scheduled meetings to resolve any issues that arise.
35. A full management plan will be submitted to the Council prior to the Planning Committee meeting, containing detailed information on site management when the support worker is present, site management when the support worker is absent, identification of relapsed residents, details of the exit strategy for any occupiers that relapse, as well as emergency contact details for local residents. If the management plan is found to be acceptable then a condition is recommended to ensure that any approved management plan is adhered to at all times to protect the amenity of the surrounding community.
36. A detailed management plan, combined with a community forum is considered to limit amenity impacts on the surrounding community in line with Policies CS01, CS15 and CS22 of the Core Strategy and Policies DEV2 and DEV10 of the emerging Joint Local 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

None

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 not required due to the nature and size of proposal.

12. Equalities and Diversities

None

13. Conclusions and reasons for recommendation

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004, S66(1) and S72(1) of the Planning (Listed Building And Conservation Area Act) 1990 and concluded that the proposal accords with policy and national guidance and is therefore recommended for conditional approval.

In conclusion officers therefore consider the development will preserve the character and appearance of the Stonehouse Peninsula Conservation Area and the setting of the adjacent Listed Building. Officers consider the proposal provides suitable accommodation levels and will not have a significant detrimental impact on neighbouring amenity provided that all conditions are strictly adhered to, with particular attention drawn to the management plan and inclusion of local residents in a community forum. The application is therefore recommended for approval.

14. Recommendation

In respect of the application dated **15.12.2017** it is recommended to **Grant Conditionally**

15. Conditions / Reasons

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

I CONDITION: APPROVED PLANS

Site Location Plan 15122017 - received 15/12/17

Block Plan 15122017 - received 15/12/17

Existing Floor Plans and Elevations DWG IOF2 - received 15/12/17

DWG 2OF2 2 received 31/01/18

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.

2 CONDITION: COMMENCE WITHIN 3 YEARS

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.

3 CONDITION: WINDOWS, DOOR AND ROOF DETAILS

PRE-DAMP PROOF COURSE

No works shall commence on the installation of the new windows until details of the proposed new windows and any secondary glazing have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, policies DEV21 and DEV22 of the Plymouth and South West Devon Joint Local Plan and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

4 CONDITION: ACCOMMODATION MANAGEMENT

PRE-OCCUPATION

None of the rooms hereby permitted shall be occupied until details of the arrangements by which the accommodation is to be managed, including emergency contact details, support worker management, out-of-hours management, identification and handling of relapses, and exit strategies for occupants, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the property shall continue to be managed permanently in accordance with the approved management arrangements, unless the Local Planning Authority gives written approval to any variation of the arrangements.

Reason:

To assist in protecting the residential amenities of the area, in accordance with policies Policy CS22 of the adopted City of Plymouth Core Strategy Development Plan Document 2007, Paragraph 17 of the National Planning Policy Framework 2012 and Policy DEV2 of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034).

5 **CONDITION: COMMUNITY FORUM**

PRE-OCCUPATION

Details of the arrangement of the community forum meetings with the neighbours and other stakeholders shall be approved in writing by the Local Planning Authority in consultation with the chair, vice chair and opposition member prior to the occupation of the property.

The details shall include: The frequency, timing, and venue, of forum meetings, and ensuring neighbours and other stakeholders are informed of their occurrence. The forum shall continue to be operated in the agreed format at all times while the site continues to be used for the approved use unless there are subsequently any variations to the agreed forum details agreed in writing by the Local Planning Authority.

Reason:

To ensure that the facility is managed in an appropriate manner to avoid harm to the living conditions of nearby properties to comply with Policy CS22 of the adopted City of Plymouth Core Strategy Development Plan Document 2007, Paragraph 17 of the National Planning Policy Framework 2012 and Policy DEV2 of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034).

6 **CONDITION: CYCLE PROVISION**

PRE-OCCUPATION

The building shall not be occupied until space has been laid out within the site for a minimum of 5 bicycles to be securely parked in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The secure area for storing bicycles shall be provided in accordance with that approval prior to the occupation of the building for the purposes hereby approved, and 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 policy DEV31 of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034).

7 CONDITION: REFUSE STORAGE

PRE-OCCUPATION

Prior to occupation details of bin storage showing the design and location and external appearance shall be submitted to and approved by the Local Planning Authority. The total bin storage should provide space to store refuse bins with a minimum level of 700 litres for refuse and a minimum of 400 litres for recycling. The approved enclosures shall be provided before the commencement of the use and thereafter permanently retained. The refuse bins shall be kept in the refuse storage area at all times, with the exception of the allocated refuse collection day.

Reason:

To provide satisfactory refuse storage provision in the interests of the appearance of the site and locality in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Policies DEV1, DEV2 and DEV20 of the Plymouth and South West Devon Joint Local Plan

8 CONDITION: VISITING SUPPORT WORKER OFFICE

PRE-OCCUPATION

The visiting support worker office shall be provided prior to the occupation of any bedroom in the property and the office shown on the approved plan shall remain as a support workers office at all times unless the Local Planning Authority gives written approval to any variation of this requirement.

Reason:

To ensure the facility is managed in an appropriate way and protect residential amenities of the area in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Paragraphs 17 and 123 of the National Planning Policy Framework 2012 and Policies DEV1 and DEV2 of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034)

9 CONDITION: NUMBER OF BEDROOMS AND OCCUPANTS

No more than 10 rooms at the property shall be used as bedrooms, with only the rooms labelled "bedroom" on the approved plans to be used as bedrooms with a single occupant in each room unless the Local Planning Authority gives written approval to any variation of this requirement.

Reason:

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

Informatives

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 INFORMATIVE: CONDITIONAL APPROVAL 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 pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

3 INFORMATIVE: RESIDENT PARKING PERMIT SCHEME

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

4 INFORMATIVE: NON-DESIGNATED HERITAGE ASSET

The site is not a listed building, however it is considered by the Council to be a non-designated heritage asset. If any historic details are present or uncovered during the works then it is preferred for them to be retained. If there are any doubts over the significance of any features then please contact the Council's Historic Environment Team.

5 INFORMATIVE: HMO LICENSE

This property is likely to fall within the HMO licensing scheme and a licence must be obtained from the Council's Community Connections Department. Contact details and further information about licensing and the specific HMO standards that relate to licensable properties can be found at <https://www.plymouth.gov.uk/housing/privaterentedaccommodation/housesmultipleoccupationhmo/pplyhousemultipleoccupationlicence> .

PLANNING APPLICATION OFFICERS REPORT



Application Number	17/02379/FUL	Item	04
Date Valid	15.12.2017	Ward	ST PETER AND THE WATERFRONT
Site Address	22 Grand Parade Plymouth PL1 3DF		
Proposal	Demolition of existing tenement and garage and erection of new dwelling and associated works		
Applicant	Mr Andrew Welch		
Application Type	Full Application		
Target Date	09.02.2018	Committee Date	05.04.2018
Extended Target Date	06.04.2018		
Decision Category	Member referral		
Case Officer	Mrs Katie Saunders		
Recommendation	Grant Conditionally		

This application has been referred to Planning Committee by Cllr McDonald and Cllr Tuffin.

1. Description of Site

The application site is currently the garden of 22 Grand Parade. The site occupies a prominent position on Plymouth's Waterfront and is just within the Hoe Conservation Area. The plot is an irregular corner shape with a wide south east facing frontage but is narrow towards the northern, rear facing aspect.

The site is bounded to the east by the donor property, No.22 Grand Parade, which is a substantial Edwardian property and to the west by No.26 Grand Parade. This property forms the first property of a terrace of Victorian properties which are less grand than the donor dwelling. To the rear is a service lane with further residential properties located within Eddystone Terrace situated to the north.

2. Proposal Description

Demolition of existing tenement and garage and erection of new dwelling and associated works

3. Pre-application Enquiry

17/00774/MIN – Single dwelling – Principle of developing a new house in this locality is acceptable. Officers noted the need to carefully consider the form and design of the building alongside the impact on neighbouring properties and the donor dwelling.

4. Relevant Planning History

95/00355/FUL - Change of use of hotel to a self-contained flat and dwellinghouse – Granted conditionally

90/00396/FUL – Change of use, conversion and extension of hotel to form nine self-contained flats – Withdrawn

89/03748/FUL - Change of use, conversion and extension of hotel to form nine self-contained flats – Withdrawn

86/01855/FUL – Change of use of hotel to five flats and erection of three new flats on land adjacent – Granted conditionally

5. Consultation Responses

Defence Infrastructure Organisation

Highways Authority – No objections subject to conditions

Historic Environment Officer – No objections subject to conditions regarding the materials/detailing

Hoe Neighbourhood Forum – Have provided a neutral response. The comments note that there are many positives to the development including the consultation and engagement process, it will be a high quality statement building and is in accordance with the emerging neighbourhood plan. In terms of the negative comments they consider there is likely to be some loss of light to neighbouring properties and note the objectors concerns regarding the height and massing.

Lead Local Flood Authority – No objections subject to conditions

Plymouth Waterfront Partnership – Some positive comments were initially received however the partnership then suggested they wanted to review these comments and withdrew their response. No updated comments have been received.

Urban Design – No objections subject to conditions regarding the materials/detailing

6. Representations

59 letters of representation have been received. Multiple letters received from the same person have been counted as one. 32 letters are objecting to the development and raise the following issues:

Design/Historic Environment

- Disappointed with nature of application
- Insensitive design
- Detrimental to Conservation Area/Historic Assets
- Design is practical, modern and interesting but not right for the site
- Ugly and too modern
- Will spoil views of Plymouth from the Sound and surrounding areas
- Building too high
- Out of character
- Eyesore
- Will destroy and overshadow features on 22 Grand Parade
- Doesn't match or complement either the Victorian or Edwardian terrace
- Massing is not justified
- Overdevelopment of site
- Will not preserve or enhance Conservation Area
- The development will not complete the terrace it has been complete for 100 years
- Will diminish the City's Waterfront
- Buildings can't be demolished in Conservation Areas
- Balconies are not in line
- Owner is opposed to uPVC windows in rest of the street
- There is no "missing" house
- The turret does not blend in with those existing
- Too much glass
- Heritage statement fails to fully consider impact of 22 Grand Parade on Conservation Area.
- Detrimentally affect features of 26 Grand Parade
- Development will conceal views that contribute to the area
- Proposal doesn't respect appearance, form, proportions or materials of existing dwellings
- Development contrary to Hoe Conservation Area Appraisal (HCAA)
- Will be a poor quality building
- Artists impression is inadequate and a visual impact assessment should be provided
- Will result in loss of protected views identified in HCAA
- Development will lead to terracing
- Existing boundary wall feature of Conservation Area

- Building will sit forward of established building line
- Out of scale when compared to existing house
- Carbuncle on the landscape
- Flat roof and modular build not in keeping
- Development of open corner plot in conflict with SPD

Amenity

- Right to Light survey should have been carried out
- Overshadow neighbouring properties and cause loss of light
- How will neighbouring properties be maintained
- Loss of privacy
- Development could cause subsidence
- Most important consideration should be the impact on immediate neighbours
- Proposal is inappropriate, unremarkable and unneighbourly
- Property is too deep and will result in unreasonable overlooking
- Proposed roof terrace will compound overlooking and similar proposals have been refused
- Light to bedroom/study and stairwell at 26 will be reduced
- Loss of light to rear rooms/courtyard of 7 Eddystone Terrace
- Development breaks 25 degree light test
- Rear terrace will be overlooked
- 13m distance between opposing windows considered unacceptable
- 45 degree line broken by development
- Development will prejudice living conditions of donor dwelling
- Will be disruptive for neighbours
- Previous concerns still stand amendments have not addressed concerns a greater loss of privacy may occur

Other Issues

- Will have negative economic impact
- Previous planning history should not set a precedent
- Rivage does not set a precedent for development on this site
- Plans should be presented using more modern techniques
- A visual impact assessment should be provided
- Garden is valuable habitat and greenspace
- The name of the house should not be moved
- No means of emergency escape has been provided
- The ownership of the rear wall is disputed

- Exacerbate parking difficulties in the area
- No social/community benefit from the development
- Full archaeological, geotechnical, contamination survey should be undertaken
- Area has been subject to storms/flooding
- Sewerage system is at capacity
- Not an eco-house due to the amount of concrete

27 letters of support have been received which raise the following issues:

- Linking buildings between terraces will be an improvement
- Design has reference to context of neighbouring houses
- Building sits comfortably in the streetscape
- Would create an attractive view from the ocean and other areas
- Improvement on existing boundary wall
- Precedent been set by development approved on the site in the 1980s
- Development will make a positive contribution to conservation area
- Will mask views of unattractive rear of properties
- Modern design is the right approach rather than pastiche
- Scale and massing is appropriate
- New tower will provide a focal point rounding the corner
- Eco-friendly development
- Will count towards self build target
- Wheelchair accessible
- Uses quality materials
- Promote Plymouth as a progressive City
- Parking has been provided.

The matters raised will be addressed in the full analysis of the development below. It should be noted that issues such as loss of views, land ownership, house names and structural matters are not material planning considerations and cannot be considered as part of this application.

7. Relevant Policy Framework

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

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

The Plymouth and South West Devon Joint 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 I 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 First Review 2013 and The Hoe Conservation Area Appraisal and Management Plan 2008.

Housing Provision

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, when measured against the housing requirement in the adopted development plan (the Core Strategy), Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2017-22.

It should be noted, however, that the Local Planning Authority is at a relatively advanced stage in the preparation of the Plymouth and South West Devon Joint Local Plan. The pre-submission version of the JLP has been formally approved by Plymouth City Council, West Devon Borough Council and South Hams District Council for a six-week period for representations, pursuant to Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations. The pre submission draft JLP sets out that a five year supply of deliverable housing sites can be demonstrated for the whole plan area, for the Plymouth Policy Area and for the Thriving Towns and Villages Policy Area, when measured against the new housing requirements set out in the JLP. Guidance on the amount of weight to be applied to the JLP is contained elsewhere in this report. It should, however, be considered that since the five year land supply elements of the JLP are likely to attract significant representations which will be considered at the Examination into the JLP, only limited weight should be given to the emerging five year land supply position.

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 set out in the adopted Core Strategy, 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.

Due to the need to accelerate housing delivery a 2 year consent for the submission of reserved matters rather than a 3 year consent has been secured by condition. This is in accordance with Strategic Objective 10(8)(Delivering Adequate Housing Supply) and paragraphs 10.34, 17.1 and 7.13 of the Core Strategy and Policy SPT3 of the JLP.

8. Analysis

1. This application has been considered in the context of the development plan, the submitted Joint Local Plan, the Framework and other material policy documents as set out in Section 7.
2. The Policies of most relevance to the consideration of this application from the Core Strategy are CS02 (Design), CS03 (Historic Environment), CS15 (Housing Provision), CS21 (Flood Risk), CS22 (Pollution) and CS34 (Planning Application Considerations).
3. The policies of most relevance to the consideration of this application from the JLP are SPT1 (Delivering Sustainable Development), SPT2 (Sustainable Linked Neighbourhoods), SPT3 (Provision for New Homes), DEV1 (Protecting Health and Amenity), DEV2 (Air water, noise, soil and land), DEV7 (Meeting local housing need), DEV9 (Meeting local housing need in the plan area), DEV10 (Delivering high quality housing), DEV20 (Place shaping and the quality of the built environment), DEV21 (Conserving the historic environment), DEV22 (Development affecting the historic environment), DEV31 (Specific provisions relating to transport) DEV34 (Delivering low carbon development) and DEV37 (Managing Flood Risk).
4. The main planning considerations in this case are considered to be the impact on the character and appearance of the conservation area, design the effect on residential amenity, parking and highway safety.

Principle of Development

5. The application site is currently the side garden of 22 Grand Parade. Officers note that the donor dwelling also has the benefit of a rear yard and tenement roof terrace alongside large balconies at the front which benefit from waterfront views.
6. Paragraph 53 of the National Planning Policy Framework states “Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.”
7. Policy DEV10 of the emerging JLP advises that “To protect the quality of the urban environment and prevent town cramming development of garden space within Plymouth will only be permitted where it does not adversely affect the character and amenities of the area, and where the proposal can demonstrate that it contributes to the creation of sustainable linked communities.”
8. It should be noted that at during the consultation process for the Joint Local Plan Policy DEV10 received 6 letters of support and 12 raising partial objections, 3 which relate to Nationally Described Space Standards. Officers therefore consider that moderate weight can be attached to the policy.

9. The pattern of development in the area is dominated by larger terraced properties which have small courtyards to the rear. Officers consider the property is currently slightly unusual in that it benefits from a larger amount of outdoor amenity space than surrounding dwellings.

10. Reference should also be made to the Waterfront Strategic Masterplan February 2017 which forms part of the evidence base for the emerging JLP. This report highlights the relatively low population density of Plymouth's waterfront areas and supports that opportunities are taken to increase this where possible, to support the City Vision to become "one of Europe's most vibrant waterfront cities".

11. The supporting documents and planning history note that planning permission was approved in the 1980s for construction of a substantial extension to No.22 Grand Parade. Taking in to account the length of time that has passed since this application, officers consider this should be attributed very limited weight in the consideration of this application.

12. Officers therefore consider that the principle of developing the side garden does not conflict with Policy CS15 of the Core Strategy or Policy DEV10 of the emerging JLP.

Impact on the Character and Appearance of Conservation Area/Design

13. Conservation Areas were introduced in 1967. They are 'areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance' (Planning (Listed Buildings and Conservation Areas) Act 1990).

14. The application site is located at the western edge of The Hoe Conservation Area and therefore it is important to consider whether the proposals will preserve and enhance this designated heritage asset.

15. The Hoe Conservation Area does benefit from a Conservation Area Appraisal which notes that the donor dwelling, No. 22 Grand Parade, alongside the terrace in which it sits, makes a positive contribution to the Conservation Area. The site is identified as forming part of the "residential streets" character area which is defined by two to three storey terraces set behind shallow gardens, fronting streets. It is considered a classic urban townscape.

16. It is noted within the document that many buildings have been adversely affected by common modern changes such as plastic doors and windows, pebbledash and other modern finishes, and general loss of historic detail. Furthermore, in some cases this is exacerbated by poor maintenance. No. 22 Grand Parade is currently in a good state of repair, retains its attractive railings and wooden windows and is well maintained by the applicants.

17. The principles within the Hoe Conservation Area Appraisal Management Plan build on the standards and guidance within both local and national planning policy noting that new development should preserve and enhance the character of the area, be of an appropriate scale and massing and utilise the highest quality design and materials.

18. Notwithstanding the position in the Conservation Area, the site is also a prominent waterfront site highly visible from Plymouth Sound and the strategic leisure routes of the South West Coast

Path and National Cycle Network. For these reasons also it is therefore critically important that the architecture makes a positive contribution to the image of the City.

19. The application has been subject to extensive pre-application discussions and the external appearance of the proposal has been altered to respond to the comments of officers. Furthermore, following the initial consultation periods additional information including a daylight/sunlight study has been supplied and additional alterations have also been made principally to the rear of the building which have been subject to re-consultation.

20. The proposed new dwelling will have level access from street level and extend across four floors. Principle rooms will be focussed in the front of the building with secondary rooms situated at the rear. Balconies will be provided on to the front elevation on the second and third floors with terraces at to the rear at first and second floor level.

21. The construction of the new dwelling will involve some enabling works, involving the demolition of the existing original side tenement, garage and boundary walls. It is understood that some concern has been raised regarding the ownership of the rear wall which forms the boundary with No.26 Grand Parade. The applicants have stated this is a party wall and any issues relating to this matter would be addressed through the appropriate party wall legislation rather than through the planning consents process. This will be highlighted to the applicant by means of an informative.

22. No.22 Grand Parade is not a listed building and a recent listing application has been rejected by Historic England. The demolition of parts of the existing building cannot therefore be considered unlawful as suggested in one of the letters of representation received. Officers consider the enabling works form part of the overall development as they would be unlikely to occur independently.

23. Although No.22 Grand Parade has been rejected for national listing the decision of Historic England noted the local importance of the terrace. At present the Local Planning Authority do not have a local list although this is something that will be prepared in due course following the examination of the Joint Local Plan.

24. At present officers consider that No. 22 Grand Parade could be defined as a non-designated heritage asset. Paragraph 135 of the NPPF states that "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset". Whilst the enabling works will result in the loss of original timber windows from the side elevation of the building officers consider this will result in less than substantial harm. The applicant has taken on board the advice of officers and has agreed to install fanlights above existing internal doors to provide borrowed light to the modified hall. Furthermore, the original window reveals in the hallway of Number 22 will also be retained so that the historic layout of the building can still be read once the windows have been blocked up. The majority of the existing building will be retained as it currently stands and therefore officers consider that it will continue to positively contribute to the character and appearance of the area.

25. The proposal adopts a modern design approach which seeks to reflect some of the traditional features of the neighbouring terraces. Officers note that the application site sits between two terraces of varying ages.

26. In terms of building history surrounding the site, the Grade II listed 23-39 Grand Parade, located to the south west, was built prior to 1856, as was the boundary wall running on the opposite side of the road to the terrace in question; to the north, Numbers 26-52 (originally known as Smeaton Terrace) were built between 1856 and 1892; Grand Parade House and Nos. 10-14 Grand Parade were built prior to 1906 followed by Numbers 18-22, which were built between 1906 and 1914. The rest of the Grand Parade was made up of tennis courts, with 8 Grand Parade replacing two of them in the 1980s and Rivage, 4-6 Hoe Road, which is now largely completed replacing the final tennis court on this road. Officers therefore acknowledge that this is an area of the city that has become redeveloped over a period of around 100 years.

27. The different styles of the neighbouring properties, No. 22 and 26 Grand Parade, does make development of this site more challenging. Significant discussions took place at pre-application stage regarding the floor to ceiling heights and need to reflect the proportions and features of No.22 over those of No.26 Grand Parade given the clearer and more direct relationship with No.22.

28. Officers consider the site layout and building footprint is supported. The main façade is set back in alignment with 22 Grand Parade, creating a small defensible threshold space which is a feature of these streets. The corner turret directly fronts the back edge of the pavement which is uncharacteristic but can be supported on the basis that this is a corner feature where such a contrasting “book end” can be justified. Some concern was raised about the use of render down to ground floor level on the turret and this has now been amended with limestone now proposed at the lower level, to fit in with the boundary wall. Further detailing will be requested by condition.

29. The Historic Environment Officer, whilst noting the positive improvements to the scheme, still has some reservations regarding the way in which the new building will relate to its surroundings, particularly in terms of its mass and height and concluded that it will cause a degree of harm to the Conservation Area.

30. However urban design officers are satisfied with the overall height and massing of the scheme. The accented height, in particular of the turret feature can be justified on the basis that this is a corner site and the townscape corner feature created by the turret parapet will assist with wayfinding.

31. Furthermore the proposed floor-to-ceiling heights which have been significantly adjusted through the pre-application stage are also now considered more appropriate. In earlier designs the ground floor appeared rather squat, including in relation to the taller upper floors. However, the revised floor-to-ceiling heights now proposed have created more balanced proportions for the building and a more harmonious relationship with its neighbours, most importantly No.22.

32. Adjustments have also been made to the rear of the building and whilst these changes will be covered in more detail below as they relate to the impact on neighbouring properties it does result in a reduced massing which officers consider is positive. Further details of boundary treatment will

also be requested by condition in order to ensure the proposed wall railings to the front alongside alterations to existing boundary walls at the rear are appropriate.

33. The contemporary architectural language is largely supported and is in accordance with Principle 4 of the Conservation Area Appraisal. It is positive that, whilst some of the rhythms and patterns of adjacent historic buildings have been referenced, pastiche has been avoided. There are some unusual features, but this is obviously also the case with historic Grand Parade buildings, particularly 22 Grand Parade adjacent. The copper turret pediment is a reflection of the corner copper domes on Grand Parade.

34. A minor adjustment has also been made the bay window entrance feature at first floor level. Glass has now been provided in the side panels to reflect the more classic bay windows on adjacent buildings. However the applicant very much wants this feature to remain and it is not considered to have such a significant impact that its retention cannot be supported. Further details will be requested by condition.

35. In this exposed and prominent location it will be important for the materials to be high quality and marine grade to ensure their robustness and the longevity of the building. Officers consider the current materials selection is appropriate with good quality silicone render, copper, zinc, Plymouth Limestone and aluminium windows. Appropriate conditions are recommended in order to ensure full details are agreed and the quality is maintained.

36. It is noted that some of the letters of representation received have raised the “terracing” effect as a negative impact of the proposal. The diagrams within the Development Guidelines SPD try and demonstrate the situations where terracing is applicable. Taking in to account the circumstances of the site and that the development will adopt a modern design it is not considered that “terracing” is applicable to this case. In addition the guidance on corner plot extensions is also not considered relevant to this application.

37. Officers consider that while there will be some harm to the Conservation Area positive changes have been secured which limit the impact. Officers therefore consider the development is in accordance with Policies CS02 and CS03 of the Core Strategy and Policies DEV20, DEV21 and DEV22 of the emerging JLP.

Residential amenity

38. The development will be accommodated on a triangular shaped parcel of land within the densely developed West Hoe area, which is largely characterised by period, terraced properties with rear service lanes and limited amenity space. It is noted that some infill development has occurred and newer development is located nearby, for example, the Rivage development located further east on Hoe Road.

39. The main properties that will be affected by the development are the neighbouring property, No. 26 Grand Parade, the donor dwelling and 7 Eddystone Terrace located to the rear. Concerns have been raised by these neighbouring properties, alongside a further property to the rear, The Nook, regarding the impact on light, outlook and privacy. These matters will be discussed in detail below.

40. The application includes details of the works that will be required to the donor dwelling in order to accommodate the development. It should be noted that No.22 Grand Parade has been subdivided with a self-contained flat located within the basement.

41. The erection of the new dwelling will necessitate internal alterations to the lower ground floor flat as the existing access in to the property is from the side. A new access will be formed from the rear with a small hall created. This will help protect the privacy of the kitchen area. The living space and bedroom will be located to the front served by suitable windows. Officers are satisfied that a good standard of accommodation will still be provided for occupiers of the lower ground floor flat.

42. The alterations to the main house at 22 Grand Parade will involve the demolition of the existing tenement, which is a two storey structure with a roof terrace. The tenement currently contains a utility room and bathroom. The loss of the tenement will not prejudice the facilities available at the property.

43. The side elevation of the property currently incorporates a number of windows that serve the hallway or are secondary windows serving a bathroom and study. The loss of these windows has been noted and considered above in terms of the impact on the conservation area but the impact on the standard of accommodation needs to be considered.

44. The loss of the secondary windows is not considered problematic as principle windows are provided on the front elevation. The existing hallway does enjoy good levels of natural light as a result of the side windows however the hall is not habitable accommodation. In order to compensate for the loss of the windows new conservation roof lights are proposed alongside fan light windows above existing hallway doors in order to provide further borrowed light to the hallway. Officers are satisfied with this proposal and consider that No.22 Grand Parade will still provide a high standard of accommodation to future occupiers.

45. The adjacent dwelling, No.26 Grand Parade has a blank gable end facing the application site. It is noted that the occupier has raised concerns regarding the structural integrity of the wall and party wall issues. These are matters outside of the planning process and would be highlighted to the applicant by means of an informative.

46. The main areas at the neighbouring property that will be affected by the development are the first floor rear bay window that serves a bedroom/study and the second floor terrace.

47. The application has been supported by daylight/sunlight studies and these indicate that the small portion of the bay window immediately adjacent to the application site will suffer a loss of light and not meet the BRE guidelines. However the principle part of the bay window will still receive adequate levels of light.

48. The new dwelling will be relatively deep and extend beyond the rear elevation of 26 Grand Parade. The proposals have however taken this in to account and the rear wall of the new building has been angled to take in to account the 45 degree line.

49. Officers note that the initial 45 degree line had been drawn from the mid-point of the bay window when this should have been taken from the quarter point given the scale of the development. Relevant adjustments have now been made to the plans to take this in to account and ensure adequate outlook is retained from this room.

50. A rear terrace is proposed at first floor level of the new dwelling adjacent to the boundary with No.26. In order to maintain suitable privacy levels in the adjacent bedroom/study an obscure glazed screen is proposed and further details of this would be secured by condition.

51. The second floor terrace at No.26 Grand Parade is already a relatively enclosed space and is accessed off the existing staircase rather than a bedroom or living space. The principle aspect of this terrace is north facing however officers appreciate that currently people using the terrace would be able gain views of the sea. However a loss of a view is not a material planning consideration. In order to reduce the impact on the neighbouring property adjustments have been made to the rear of the proposal. The section of rear wall adjacent to No.26 Grand Parade has been set back from second floor level in order to reduce the impact on the neighbouring terrace. The rear section of the building will now be set approximately 1.3 metres away off the boundary which will reduce the sense of enclosure that would have been created for the neighbouring terrace. Furthermore, on the third floor the staircase has been pushed back in to the building to reduce the overall massing, this will again reduce the impact on neighbouring properties. It is noted that the relocation of the staircase will create a larger balcony at this level however this will have a similar impact on neighbouring properties as the existing second floor terrace.

52. Some concern has been raised regarding potential overlooking from a number of windows located in the rear section of the building. A number of windows proposed in the rear will include decorative glass which would be obscure and the applicant has also agreed to obscure glaze other windows up to a height of 1.8 metres from floor level to prevent any other overlooking.

53. The other key property that will be affected by the development is No.7 Eddystone Terrace. This property has been extended, through the construction of a rear box dormer in order to maximise space and views of the sea. Whilst officers have every sympathy with the occupier regarding the loss of their view unfortunately this is not a material planning consideration.

54. Concern has been raised by the occupiers of No.7 Eddystone Terrace regarding a loss of privacy primarily from the rear balconies/terraces proposed. Officers note that there is an existing 2nd floor terrace at No.22 Grand Parade and it is not considered that the new balconies will lead to a greater level of overlooking. The first floor terrace has been pulled back from the rear service lane in order to reduce the potential perceived overlooking from this area. As stated above rear windows within the development will be obscure glazed and this will be addressed by condition. Officers accept that the development will not meet the recommended 28 metre privacy separation distance for properties of over two stories however this is a densely developed urban area with existing properties already located in close proximity to one another. Officers do not therefore consider that there will be an unreasonable loss of privacy.

55. The other concern is around a loss of light to the amenity space and rear rooms of 7 Eddystone Terrace. The supporting daylight/sunlight reports indicate that BRE guidelines will continue to be met once the new house is constructed. The changes to the third floor have decreased the impact

of the development. However the occupiers of 7 Eddystone Terrace still consider that an unreasonable loss of light/level of overshadowing will occur during a 3 month winter period (Jan-Mar). Officers accept that greater overshadowing will occur during this period however for the majority of the year overshadowing will not be increased as a result of the development. Furthermore taking in to account the urban setting of the development officers consider the impact on No.7 Eddystone Terrace is acceptable.

56. It is noted that comments have been received from the owners of the Nook, again located to the rear of the development. This property has a less direct relationship with the proposal although officers would note that the sunlight/daylight report does not indicate an unreasonable impact on this property either.

57. Officers accept that the proposal will have some impact on those properties located closest to the application site however the impact is considered within acceptable limits and has been reduced by amendments to the application and through the use of conditions. The proposal is therefore considered to comply with Policy CS34 of the Core Strategy and Policy DEV1 of the emerging JLP.

Standard of Accommodation

58. The applicants, who currently own and occupy No.22 Grand Parade, plan to construct and occupy the new dwelling. The building has therefore been designed to meet the needs of older people and includes a lift; with the ground floor able to accommodate a carer if the need arose.

59. The proposed new dwelling will provide a high standard of accommodation with principle rooms located at the front of the building benefiting from high levels of glazing and views of the Sound. The rear of the building will accommodate secondary rooms and the staircase. The use of obscure glazing in these areas is therefore considered acceptable.

60. Whilst the current floor plan indicates the ground floor incorporates a small self-contained flat it is intended that this will be utilised as part of the main house by relatives and friends who might come to stay. In time it could be utilised by a carer if needed. An ancillary use condition will be required in order to ensure this does not become a separate unit of accommodation.

61. In the Development Guidelines SPD paragraph 2.8.27 it is recommended that a terraced property should benefit from 50m² of external amenity space. It is noted by officers that the combined area of the roof terraces and balconies may fall slightly below this level however the pattern of development in the area is for small courtyards with balconies to the front. The balconies will still provide a desirable amenity space to future occupiers and items such as bins and cycle storage can be accommodated within the garage. Officers consider the amenity space proposed is acceptable.

62. The development will be constructed to a high standard and incorporate features such as photovoltaic panels and rainwater harvesting. The applicants are keen to create a house which is more sustainable and benefits from reduced running costs. The use of more sustainable methods of construction is welcomed and supported by Policy CS20 of the Core Strategy and Policy DEV34 of the emerging JLP.

63. Officers consider the development will provide a high standard of accommodation for future occupiers and will comply with Policy CS15 of the Core Strategy and Policy DEV10 of the emerging JLP.

Highways

64. The Highways Authority has no objections to the principle of the development and note that off street parking will be provided for both the donor dwelling and the new build.

65. Modifications to the existing rear yard of No.22 Grand Parade will ensure this space could be used as a parking space if desired. It is noted that other properties in the area do utilise the rear yards for parking as the balconies to the front of the property are used for socialising and amenity purposes.

66. The site is located within a residents parking zone which is in operation for more than 6 hours a day, 6 days a week therefore the development would be acceptable without any off street parking. However officers welcome the provision of the garage which will help to meet the parking demand of the property in accordance with Policy CS34 of the Core Strategy and DEV31 of the emerging JLP.

67. It is separate Council policy that the development will be excluded from obtaining residents or visitors permits for use within the permit scheme and this will be highlighted to the applicant through an informative.

68. The development is considered to comply with Policies CS28 and CS34 of the Core Strategy and Policy DEV31 of the emerging JLP.

Drainage

69. The site is situated within a critical drainage area and has therefore been supported by a Flood Risk Assessment and Drainage Strategy. The report details that surface water will be discharged to the combined sewer at an attenuated rate using a separate surface water system.

70. The attenuation storage will be provided in a tank beneath the garage. A rainwater harvesting tank is also proposed. Officers are satisfied with this drainage solution given the constraints of the site although some further details will be required by condition prior to work starting on site.

71. The development is considered to comply with Policy CS21 of the Core Strategy and Policy DEV37 of the emerging JLP.

Public Protection Issues

72. The application has been supported by a preliminary investigation report which has considered the issue of land contamination. Officers are happy with the recommendations of the report therefore an unexpected contamination condition is recommended.

73. The site is located within a densely developed residential area therefore appropriate working hours will be highlighted to the applicant through an informative.

MOD Safeguarding

74. Comments are yet to be received but an update will be provided by means of an addendum.

Other Issues

75. Officers do not consider that this application will have a negative impact on the economy. The development is likely to employ local people in its construction and officers consider the special character of Plymouth's Waterfront will not be prejudiced by the proposal and visitors will continue to be attracted to the City. Taking in to account the small scale of the development officers do not consider there would be significant social and community benefit however the supporting of local jobs does deliver some limited benefit.

76. The existing side garden contains large amounts of hard surfacing alongside shrubs and plants. Officers do not consider that development of this area will impact on protected species and some new landscaping will be incorporated in to the proposal.

77. The level of information provided to support this application is considered appropriate. More modern plans and a visual impact assessment were not considered necessary. An archaeological report has also not been deemed necessary.

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 considered to be CIL liable development. The applicant has indicated they intend to claim self-build exemption prior to commencing development.

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 are not required due to the nature and size of proposal.

12. Equalities and Diversities

The application is for a four-storey building that has the potential to meet the needs of people with disabilities or older people. The building will accommodate a lift and the applicant's hope is to live in the building for the remainder of their lives.

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 is therefore recommended for conditional approval.

The development has been the subject of pre-application discussions and the applicant has taken on board the advice of officers. Furthermore the applicant has also tried to address some of the issues raised during the consultation period and made further amendments to the scheme. Officers consider the scale, massing and modern design approach is appropriate and takes in to account the context and features of surrounding building. In addition the impacts on the amenity of surrounding properties has been controlled.

In conclusion officers therefore consider the development will provide a unique, high quality building that meets the standards required for this prominent waterfront setting. Officers consider the proposal will not have a significant detrimental impact on neighbouring amenity and that any outstanding matters can be addressed by condition. The application is therefore recommended for approval.

14. Recommendation

In respect of the application dated **15.12.2017** it is recommended to **Grant Conditionally**

15. Conditions / Reasons

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

I CONDITION: APPROVED PLANS

Enabling/Demolition Garage/Garden Plan 17.40 E_02 - received 08/12/17

Enabling/Demolition Ground Floor Plan 17.40 E_03 - received 08/12/17

Enabling/Demolition First Floor Plan 17.40 E_04 - received 08/12/17

Enabling/Demolition Second Floor Plan 17.40 E_05 - received 08/12/17

Enabling/Demolition Third Floor Plan 17.40 E_06 - received 08/12/17

Enabling/Demolition Roof Plan 17.40 E_07 - received 08/12/17

Enabling/Demolition Elevations 17.40 E_08 - received 08/12/17

Enabling/Demolition Elevations 17.40 E_09 - received 08/12/17

Site Location Plan 17.12 S_01 - received 08/12/17

Enabling/Demolition Lower Ground Floor Plan 17.40 E_01 - received 08/12/17

Site Plan 17.40 S_02 - received 08/12/17

Proposed Ground Floor Plan 17.40 P_00 Rev A received 28/02/18

Proposed First Floor Plan 17.40 P_01 Rev B received 28/02/18

Proposed Second Floor Plan 17.40 P_02 Rev B received 28/02/18

Proposed Third Floor Plan 17.40 P_03 Rev B received 28/02/18

Proposed Roof Plan 17.40 P_04 Rev B received 28/02/18

Proposed South East Elevation 17.40 P_05 - received 28/02/18

Proposed Section A-A / West Elevation 17.40 P_06 Rev B received 28/02/18

Proposed North Elevation 17.40 P_07 Rev B received 28/02/18

Proposed Section B-B 17.40 P_08 Rev B received 28/02/18

Proposed Section C-C 17.40 P_09 Rev A received 28/02/18

Proposed Section D-D 17.40 P_10 Rev A received 28/02/18

Proposed Section E-E 17.40 P_11 Rev B received 28/02/18

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.

2 CONDITION: COMMENCE WITHIN 2 YEARS

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004 and in accordance with Core Strategy Objective 10(8) (Delivering Adequate Housing Supply) and Policy SPT3 of the Plymouth and South West Devon Joint Local Plan

3 CONDITION: SURFACE WATER

Pre-commencement

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. The details shall include:

- a) Written confirmation from SWW approving the discharge of surface water to the combined sewer should be submitted, including agreed surface water discharge rates before the drainage proposals are accepted.
- b) Calculations and or modelling data should be produced in support of any drainage design showing that the drainage system, including any attenuation, are designed to provide a 1% AEP standard of protection plus a 40% allowance for climate change.
- c) Confirmation of ownership and responsibility of the proposed drainage system should be submitted.
- d) A CEMP should be submitted that include methods that describe how surface water run off is to be managed during construction to reduce the risk of pollution and to the water environment.

Prior to occupation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. 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 reduce the risk of flooding to and from the development, and minimise the risk of pollution of surface water by ensuring the provision of satisfactory surface water management and disposal during and after development in accordance with policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, policy DEV37 of the Plymouth and South West Devon Joint Local Plan and paragraphs 94 and 100-103 of the National Planning Policy Framework 2012.

Pre-commencement Justification:

Necessary because of the essential need 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 and water environment.

4 CONDITION: EXTERNAL MATERIALS

PRE-DAMP PROOF COURSE (DPC) LEVEL

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

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy

DEV20 of the emerging Joint Local Plan and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

5 **CONDITION: FURTHER DETAILS**

PRE-DPC LEVEL

No development shall take place above DPC-level until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz:

Soffit materials and detailing

Turret detailing

Rainwater goods

Boundary Treatment (walls and railings)

Rooflights

Balconies

Entrance columns

Flagpole

The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV20 of the emerging JLP and paragraphs 61-66, 109, 110 and 123 of the National Planning Policy Framework 2012 .

6 **CONDITION: DETAILS OF ENCLOSURE AND SCREENING**

PRE-DPC LEVEL

No development shall take place above dpc-level until there has been submitted to and approved in writing by the Local Planning Authority details of the proposed privacy screen to the first floor terrace. The works shall conform to the approved details and shall be completed before the development is first occupied and thereafter retained.

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, Policy DEVI of the emerging JLP and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

7 CONDITION: MAINTENANCE SCHEDULE

PRE-OCCUPATION

Prior to occupation of the development hereby approved a maintenance schedule for the building shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include full details for regular maintenance and cleaning of the elevations. The schedule shall be operated for the lifetime of the development unless a variation to the schedule is agreed.

Reason:

In order to ensure the building is maintained to a high quality and continues to positively contribute to the townscape in accordance with Policy CS02, CS03 and CS34 of the Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV20 and DEV22 of the emerging Plymouth and South West Devon Joint Local Plan and guidance in the NPPF.

8 CONDITION: GARAGE DOOR TYPE (ADJACENT TO HIGHWAY)

The door to the garage hereby permitted shall be of a type that does not project beyond the face of the garage when open or being opened.

Reason:

To ensure that the door does not project over the adjacent highway at any time in the interest of public safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

9 CONDITION: OBSCURE GLAZING

Notwithstanding the provisions of Article 3 and Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the windows at first floor level and above in the north and north west elevation of the proposed dwelling, shall at all times be obscure glazed up to a height of 1.7 metres from internal floor level.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 of the National Planning Policy Framework 2012.

10 **CONDITION: UNEXPECTED CONTAMINATION**

In the event that contamination of ground conditions is found when carrying out the approved development that was not previously identified, expected or anticipated, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken. The report of the findings must include:

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

(ii) an assessment of the potential risks to:

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

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

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

Where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

Reason:

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

Informatives

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

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.

2 INFORMATIVE: CONDITIONAL APPROVAL 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 pro-active way with the Applicant including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.

3 INFORMATIVE: RESIDENT PARKING PERMIT SCHEME

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

4 INFORMATIVE: PROPERTY RIGHTS

Applicants are advised that this grant of planning permission does not over-ride private property rights or their obligations under the Party Wall etc. Act 1996.

5 INFORMATIVE:HOURS OF CONSTRUCTION/DEMOLITION

The applicant is advised that demolition or construction works should not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

6 INFORMATIVE: SUPPORTING DOCUMENTS

The following supporting documents have been considered in relation to this application:

Design Report received 8th December 2017

Heritage Report received 8th December 2017

Flood Risk Assessment and Drainage Strategy Project Reference: I0968 Rev P1

Preliminary Investigation Report reference C61395 dated December 2017

Daylight Analysis received 5th February 2018 and 5th March 2018

Sunlight Analysis received 5th February 2018 and 5th March 2018

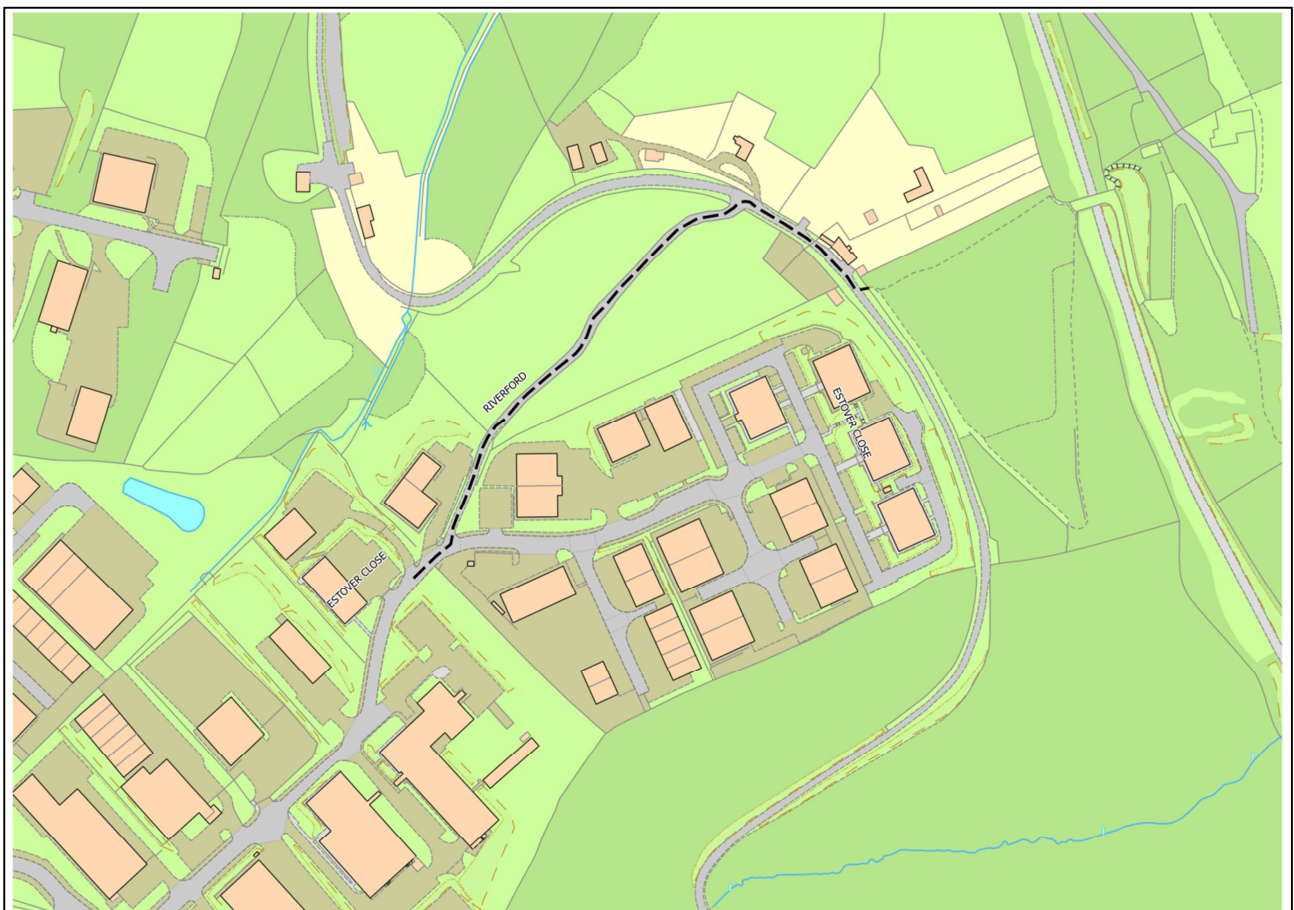
MOD details received 12th March 2018

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PLANNING COMMITTEE REPORT



Application Ref	WCA.008	Ward	Moorview
Site Location	From Estover Close to National Trust Land Adjacent to Elizabeth Cottage		
Proposal	Addition of a Public footpath		
Applicant	Mrs Carol Launder		
Committee Date	05 April 2018		
Case Officer	Robin Pearce		
Recommendation	Approval		
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1. Description of site

- 1.1 The route being claimed runs north-east from Estover Close along a tarmac road down a hillside until it meets the line of a former tramway. This former tramway now serves as an access to a number of properties. The claimed route runs south-east past Elizabeth Cottage, where it is blocked by gates, to a former stile at the north-west corner of an area of land owned by the National Trust.

2. Proposal description

- 2.1 Mrs Carol Launder (the Applicant) has applied to have the Definitive Map and Statement modified on the basis she believes it to be currently incorrect. Her case is that the public record can be corrected by the addition of a footpath linking the public highway network with a stile adjacent to Elizabeth Cottage which allows access to National Trust land.

3. Background papers

- 3.1 Attention is drawn to the accompanying background papers which should be read in conjunction with, and are deemed to form part of, this report. Due to the size of those papers they are available online at <http://www.plymouth.gov.uk/parkingandtravel/walkingandrightsway/publicrightsway/changesrightsway>

4. Legislative Framework

- 4.1 This is a report of an application for an Order to be made under section 53 of the Wildlife and Countryside Act 1981 to modify the definitive map and statement of public rights of way by the addition of a public footpath. The definitive map and statement is a legal record held and maintained by the City Council in its capacity as surveying authority under the 1981 Act.
- 4.2 The test that applies to such an application is whether or not the evidence shows that a public right of way exists, or is reasonably alleged to exist: the Committee's role is therefore a quasi-judicial one. Factors such as the desirability of the route being a public footpath or the impact on landowners and occupiers are not relevant to the decision on the application.
- 4.3 If the Committee decides to make an order, it has to be publicised: if any objections are received, the order and objections have to be referred to the Secretary of State for Environment, Food and Rural Affairs on whose behalf the Planning Inspectorate makes the final decision on the order.
- 4.4 If the Committee decides not to make an order, the applicant has a right of appeal to the Secretary of State for Environment, Food and Rural Affairs on whose behalf the Planning Inspectorate decides whether or not to allow the appeal. If the appeal is allowed the City

Council will be directed to make an order, although it is not then obliged to support such an order if there are objections.

5. The Application

- 5.1 An application was received on 17 December 2009 from a Mrs Carol Launder for the making of a Modification Order under section 53 of the Wildlife and Countryside Act 1981. The application sought to record a footpath between Estover Close and National Trust land adjacent to Elizabeth Cottages in the Moorview Ward.
- 5.2 At the time the application was made Mrs Launder certified that the requirements of paragraph 2 of Schedule 14 of the Wildlife and Countryside Act 1981 had been complied with in that a copy of the statutory notice had been served on each and every owner and occupier of land over which the route being claimed subsists, those being: -
- Mr I Harrison
 - Mr J Eccles
 - Mr D Daley
 - Winmill Developments Ltd
- 5.3 The route being claimed runs north-east from Estover Close along a tarmac road down a hillside until it meets the line of a former tramway, and then south-east along this former tramway route past Elizabeth Cottage to a stile at the north-west corner of an area of land owned by the National Trust.
- 5.4 Mrs Launder relies upon the evidence of 36 users of part or all of the application route whose evidence is set out in the appendices to this report. The application has been opposed by solicitors acting on behalf of Mr Harrison, owner of Elizabeth Cottage, and by Forrester's Management Co Ltd, the owners of the western part of the tarmac road.
- 5.5 The south-western end of the application route does not join with the publicly-adopted road known as Estover Close. For the purposes of dealing with the application the City Council has therefore extended the route under consideration to meet the public highway.

6. Summary of the evidence relied upon by the applicant

- 6.1 The user evidence relied upon by Mrs Launder shows use to a varying extent by 36 users over a period starting in the 1930s. Some of the users claim only to have used part of the route all their life.
- 6.2 Many evidence forms refer to the erection of gates by Mr Harrison in 2009.

7. Summary of the landowners' views and any evidence they provided

- 7.1 Forrester Management Co Ltd, which has owned the land crossed by the western part of the tarmac road route since 2006, completed a landowner evidence form. The company argues that the road is subject to private rights of way for the properties to which it provides access, and that those rights were defined when it purchased the land from the City Council.
- 7.2 Mr Gareth Pinwell of Ashfords, acting for Mr Harrison, wrote to object to the application. Mr Pinwell considered that if the application were to be approved it would amount to a breach of his clients' human rights, in that they would be unable to use and enjoy their property, as with a public right of way through the lane adjacent to the property this would seriously compromise its use and possibly lead to an unsafe situation for occupiers of the property.
- 7.3 He claimed that his clients had, since they moved into the property in 2007, continually challenged anyone entering onto their property and erected signs on the gates.
- 7.4 He also enclosed correspondence from a previous owner relating to correspondence with Devon County Council (at the time the surveying authority) in the early 1980s, and argued that this provided evidence that a claim that a route called "Stoggy Lane" was not considered at the time to have been a public right of way.
- 7.5 He also claimed that successors in title prior to Mr Harrison had also taken action to prevent dedication, but provided no evidence in support.

8. Summary and outline of any documentary evidence discovered not submitted by interested parties

- 8.1 Research was undertaken in the Plymouth and West Devon Record Office, the National Archives and the Parliamentary Archives. The only evidence possibly relevant to the application was a deduction claimed by the owner of the fields crossed by the road for a "right of way cart track" under the Finance Act 1910. This does not provide any evidence of the believed status of the route, other than such deductions are normally made for public rights of way, and it does not cover the whole of the route applied for.

9. Summary of the views of those consulted as part of informal consultations

- 9.1 Consultations have been undertaken with interested parties, such as the emergency services and user groups.
- 9.2 Councillor Bridgeman commented that she felt the application was detrimental to the current owner's home life, private land, and an invasion of their privacy and she felt that given there is a perfectly acceptable access available just a few hundred meters away without crossing privately owned and maintained land she could not understand why anyone would feel the need to walk through an Industrial Estate in order to access Plym

Bridge Woods. She personally felt the residents of Elizabeth Cottage were being victimised for no apparent reason and she felt this was unjust. There was no public parking available in the area whereas there was ample free parking in Plymbridge Lane and alongside Plym Bridge.

10. The date that public rights were brought into question

- 10.1 If section 31 of the Highways Act 1980 is to be used for the grounds of the application it is necessary to establish a date that public rights were first challenged so that retrospective evidence of 20 or more years use, as of right and without interruption, may be considered to determine whether or not public rights have accrued and become established by presumed dedication.
- 10.2 The evidence of the applicant and many of those who completed user evidence forms is that public use was prevented in 2009. This appears to have prompted the submission of the application. Although Mr Harrison's solicitor claims that his client took action after moving into his property in 2007, this is not substantiated by the evidence of users and was not sufficient to bring the challenge to the attention of users sufficient to allow them to rise to meet that challenge.
- 10.3 It is considered, therefore, that the date on which the right of the public to use the way was brought into question was 2009, and the relevant period, which, under section 31 of the Highways Act 1980, has to be counted back from the date of challenge, is 1989 - 2009. Evidence of use prior to the earlier date, although not directly relevant for the purposes of section 31, is relevant to the extent that it provides evidence of the reputation of a way used over a long period of time, with the use during the relevant period being seen as a continuation of that use.
- 10.4 The evidence from the previous owner, supplied by Mr Harrison's solicitor, but also supplied in part by the applicant, does suggest that the right to use the way was also brought into question in the 1980s, but prior to 1989, and thus not interrupting the 20-year period.

11. Analysis of the evidence in support of the application

- 11.1 The applicant relies on the evidence of users of the claimed route to support their case. Therefore the relevant tests for consideration by Members are set out under section 31(1) Highways Act 1980. If an Order were to be made it would be made under section 53(3)(b) Wildlife and Countryside Act 1981.
- 11.2 The test under section 31(1) Highways Act 1980 is a two part test. Firstly it is necessary for the applicant to provide evidence that the claimed route, which must be a way of such a character that use of it by the public could not give rise at common law to any presumption of dedication, has been actually enjoyed by the public as of right and without interruption for a full period of 20 years. If the applicant can meet that test the rebuttal applies which is a matter for the owners and occupiers of the land over which the alleged route subsists to engage. This is a section of the Highways Act which has helpfully been tested by the courts and so we can offer the committee clear guidance on how they should interpret the evidence before them.

- 11.3 Firstly the applicant must satisfy the committee that the claimed route has been actually *enjoyed*. This simply means that there must have been sufficient use of the claimed route and will vary depending on the circumstances of each case. What might constitute sufficient use in remote Dartmoor might not be considered sufficient use in urban Plymouth.
- 11.4 Secondly use must have been 'by the public' which is to say the public at large rather than a particular class of the public such as employees of a particular company or customers of a particular shop.
- 11.5 Thirdly use must have been 'as of right' the meaning of which was helpfully clarified by the House of Lords in *R v Oxfordshire County Council ex parte Sunningwell Parish Council*¹ (Sunningwell). Before Sunningwell it was held that use which was as of right was use which was open, not by force and without permission and in addition users were required to hold an honest belief that they had a right to use the way in question. It was therefore necessary to prove the state of mind of the user. Sunningwell confirmed that the state of mind of the user is an irrelevant consideration.
- 11.6 Finally it is necessary for the applicant to prove that use of the claimed route occurred over a full period of 20 years without any interruption in that use. An interruption can be nothing more than the closing of the claimed route for a single day but may also include isolated acts of turning users back etc.
- 11.7 Taking the above into account we aid committee by offering our assessment of each of the users evidence in turn (users walked the whole route, except in those cases marked 'tramway route only' where the user walked only the easternmost part of the route): -
- Mrs C A Launder (applicant), 1945-2009, 12 times a year
 - Mr C M Launder, 1964-2009, 15 times a year
 - Mr D G Tyler, 1936-2009, 3-4 times a year
 - Ms S Tyler, 1970-2009, 3-4 times a year
 - Mr J Tucker, 1986/7-2009, 8-10 times a year
 - Mr D A Launder, 1966-2009, at least 20 times a year
 - Ms A H Shepherd, 1977-2009, 10 times a year
 - Mrs N Bishop, 1960-2009, 6 times a year
 - Mr A G Rumsby, 1980-2009, 6 times a year
 - Mrs P Rumsby, 1980-2009, 6 times a year
 - Mr W Launder, 1967-2009, 20 times a year
 - Ms J D Beaver, 1959-2009, 3-4 times a year
 - Mr N R Beaver, 1934-2009, 3-4 times a year
 - Ms C Vernon, 1977-2009, 6 times a year
 - Mr E C Beaver, 1950-2009, 6 times a year

¹ [1999] UKHL 28; [2000] 1 AC 335

Ms A J Launder, 1989-2009, 20+ times a year

Mr S Heath, 1989-2009, 30-40 times a year

Ms P Winchester, 1975-2009, 10 times a year

Ms R Launder 1989-2009, 12 times a year

Mr L D Launder 1969-2009, 12 times a year

Ms S Britton, 1990-2009, 20 times a year

Mr J Skinner 1975-1983 once or twice a year

Mr M Northey 1986-2009, 1-2 times a week, tramway route only

Ms L Donovan, 2006-2009, 20 times a year, tramway route only

Mr S Hill 2005-2009, 20 times a year

Ms C Hart, 2003-2009, 20 times a year

Mr R Kitteridge, 2005-2009, 50 times a year

Ms S R Lord 1996-2008, 10 times a year, tramway route only

Mr A T Lord, 1996-2008, 10 times a year, tramway route only

Ms J K Wotton, 1999-2008, 8 times a year, tramway route only

Mr P Wotton,, 1999-2008, 8 times a year, tramway route only

Mr H T Turner, 1975-2010, several times a year

Ms J Hocking, on foot 1978-2010, cycle 1984-2010, 10 times a year (method not specified)

Mr C Hocking, 1978-2009 on foot, 1982-2007 cycle, 4 times a year (method not specified)

Dr P Robbins, 2008-2012, cycling 20-30 times a year, tramway route only

Dr S Dudnikov, 2001-2009, walking and cycling, 50 times a year

11.8 This is considered to be sufficient evidence to give rise to a presumption of dedication.

12. Analysis of the evidence against the application

12.1 Each owner of land over which the claimed route subsists was invited to submit evidence to support their view. In this case responses were received from two owners. Their evidence is set out in section 7 above. It seems apparent that Mr Harrison's actions either were insufficient to make clear his intentions to the public or occurred after the relevant date – his actions which did bring the matter to the attention of the public being the catalyst for the making of the application and the use by the public occurring before his ownership.

- 12.2 Although the landowner claims to have provided evidence of an intention not to dedicate, officers do not consider that this is sufficient evidence of action on the part of landowners to demonstrate an intention not to dedicate.

13. Officer Recommendation

- 13.1 Members must be satisfied that two tests have been met. The first relates to the case made out by the applicant in establishing use, by the public, as of right and without interruption for a full period of 20 years. I conclude that this part of the test has been met in respect of the route and that on this basis the application succeeds and an Order should be made.
- 13.2 I further conclude that the landowners at the relevant time have taken insufficient steps to prevent a public right of way accruing and that the application also succeeds in respect of this test.
- 13.3 The officer recommendation to Committee is that an Order be made to add to the definitive map a public footpath along the route applied for.

Planning Applications Determined Since Last Committee

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
29/01/2018	Agreed Condition	17/01626/CDM	Mr Jonney Steven	Condition Discharge: Condition 9 of application 17/00818/ADV	Various Roundabout/Reservation/Garden Sites Plymouth	Miss Amy Thompson
29/01/2018	Agreed Condition	17/01671/CDM	D.U.K.E Properties (Marsh Mills) Limited & Next Plc	Condition Discharge: Conditions 8 & 13 of application 15/01831/FUL	Site At Former Unit J St Modwen Road Marsh Mills Plymouth PL6 8LJ	Mr Alistair Wagstaff
29/01/2018	Agreed Condition	17/02283/CDM	The Abbeyfield Society	Condition Discharge: Conditions 31 & 32 of application 14/01448/OUT	Plot C2, Millbay Plymouth	Miss Katherine Graham
29/01/2018	Agreed Condition	17/02424/CDM	Hedley	Condition Discharge: Condition 3 of application 17/01608/FUL	Premier Inn Lockyers Quay Plymouth PL4 ODX	Mrs Janine Warne
29/01/2018	Agreed Condition	17/02463/CDM	Hedley	Condition Discharge: Condition 4 of application 17/01608/FUL	Premier Inn 28 Lockyers Quay Plymouth PL4 ODX	Mrs Janine Warne
29/01/2018	Agreed Condition	17/02498/CDM	Sainsbury's Supermarket Ltd	Condition Discharge: Condition 3 of application 17/01767/FUL	Sainsburys Supermarket Plymouth Road Plymouth PL3 6RL	Mr Chris Cummings
29/01/2018	Grant Conditionally	17/02146/FUL	Mr Demetrakis Shemetras	Second floor extension on existing roof terrace	80 North Road East Plymouth PL4 6AN	Mr Chris Cummings
29/01/2018	Grant Conditionally	17/02165/FUL	Mr & Mrs Lee Causer	Two storey side extension, hardstanding and excavated rear garden patio	47 Merafield Drive Plymouth PL7 1TP	Mrs Alumeci Tuima

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
29/01/2018	Grant Conditionally	17/02253/FUL	Mr Parkin	Rear extension on existing tenement	60 Cattedown Road Plymouth PL4 OPH	Mr Mike Stone
29/01/2018	Grant Conditionally	17/02268/S73	Plymouth City Council	Variation of Condition 1 (Approved Plans) of application 17/00587/FUL to add new welfare facilities	Weston Mill Cemetery Lodge Ferndale Road Plymouth PL2 2EP	Mr Mike Stone
29/01/2018	Grant Conditionally	17/02300/FUL	Mike Short	Rear extension to replace existing including rear raised patio	47 Stone Barton Road Plymouth PL7 4LR	Mrs Alumeci Tuima
29/01/2018	Grant Conditionally	17/02321/FUL	Mr Terry Kerswell	Two storey rear extension including part side extension (resubmission of 17/01381/FUL)	11 Trewithy Drive Plymouth PL6 5TY	Mrs Alumeci Tuima
29/01/2018	Grant Conditionally	17/02336/FUL	Pearn	Rear garden landscaping	43 Longwood Close Plymouth PL7 2HD	Mr Macauley Potter
29/01/2018	Grant Conditionally	17/02358/FUL	Mr R Latham	Rear conservatory	51 Fletcher Crescent Plymouth PL9 8LH	Mrs Alumeci Tuima
29/01/2018	Refused	17/02275/FUL	Mrs Neely McBride	Erection of 4 flats	48 Southside Street Plymouth PL1 2LD	Mr Oliver Gibbins
30/01/2018	Grant Conditionally	17/02126/FUL	Mr Peter Bleeker	The construction and operation of a storage and processing facility for Incinerator Bottom Ash and associated infrastructure and landscaping including the formation of a landscaped embankment	Chelson Meadow Recycling Centre The Ride Plymouth PL9 7JT	Mr Alan Hartridge

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
30/01/2018	Grant Conditionally	17/02319/FUL	Mr & Mrs A Coulson	Part single and part two storey rear extension	8 Portway Close Plymouth PL9 8BA	Mr Mike Stone
30/01/2018	Grant Conditionally	17/02338/ADV	Mr Haige	Signage rebranding	Union Rooms 19 Union Street Plymouth PL1 2SU	Mr Macauley Potter
31/01/2018	Grant Conditionally	17/02329/FUL	Mr & Mrs Kevin May	Front porch, rear extension, roof alteration including rear dormer and raised decking	42 North Down Road Plymouth PL2 3HJ	Miss Amy Thompson
31/01/2018	Grant Conditionally	17/02357/TPO	Mr Stephen Brown	3x Poplar - fell.2x Firs -remove deadwood and hanging branches only (amendment agreed on phone). 3x Beech - reduce height by a maximum of 3m and lateral growth by 1.5m to natural growth points.1x unknown tree - reduce by 1.5m.	74 Lynwood Avenue Plymouth PL7 4SG	Mrs Jane Turner
31/01/2018	Grant Conditionally	17/02372/TPO	Mr Lee Durand	14x Lime - Repollard to previous cut points 5-7m.3x Lime - Repollard to previous cut points 1-2m.	Plymouth Garden Centre Fort Austin Avenue Plymouth PL6 5NU	Mrs Jane Turner
31/01/2018	Grant Conditionally	17/02384/TCO	Mrs Clare Preece	Fell 2 X group of sycamores due to damage to wall (adjacent to 44 Molesworth Road).	54 Molesworth Road Stoke Plymouth PL1 5PD	Mrs Jane Turner
31/01/2018	Grant Conditionally	17/02482/TCO	Mr Richard Carver	T1 Hornbeam - reduce crown by 2m above previous reduction points.3x Ilex Oak (T2, T3 and T4) - reduce crowns by 3m above previous reduction points.T5 - Ash - fell and replace.	Rockville Seymour Road Mannamead Plymouth PL3 5AR	Mrs Jane Turner

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
31/01/2018	Grant Conditionally	17/02483/TCO	Mr Andy Drake	T1 Horse Chestnut - reduce crown by 2m above previous reduction points.T2 Ilex Oak - reduce crown by 3m above previous reduction points.	Chieveley Seymour Road Mannamead Plymouth PL3 5AR	Mrs Jane Turner
31/01/2018	Refused	17/02256/TPO	Mrs L Doidge	1 Cupressus fir tree - fell to ground level	Hellensleigh Cobb Lane Plymouth PL9 9BQ	Mrs Jane Turner
01/02/2018	Agreed Condition	17/02190/CDM	D.U.K.E Properties (Marsh Mills) Limited And Next Plc	Condition Discharge: Conditions 10 & 11 of application 15/01831/FUL	Land At Former Unit J, St Modwen Road Marsh Mills Plymouth PL6 8LJ	Mr Alistair Wagstaff
01/02/2018	Agreed Condition	17/02377/CDMLB	Mr Ivo Hesmondhalgh	Condition Discharge: Condition 4 of application 17/01124/LBC	9 Parade Plymouth PL1 2JL	Miss Amy Thompson
01/02/2018	Agreed Condition	18/00017/CDM	Mr Brian Parkin	Condition Discharge: Condition 4 of application 16/01142/FUL Condition Number(s): 4 - Contaminated Land Conditions(s) Removal:Phase 1 desk study and Phase 2 Geo-Environmental investigation carried out and report produced dealing with sections 1 to 3 of the condition Condition 4 Pre-commencement: Contaminated Land Sections 1; 2 and 3 to be discharged	Sports Development Centre Plymouth PL5 3JG	Mrs Katie Saunders
01/02/2018	Agreed Minor Amendment	18/00067/AMD	Mr C Robinson	Non-material Minor Amendment: Add approved plan 'As Proposed Overall Site Plan' to condition 14 for application 17/00505/FUL	119 Mayflower Street Plymouth PL1 1SD	Mrs Janine Warne
01/02/2018	Grant Conditionally	17/02263/S73	Mssrs Clark LeGrice and Short	Variation of conditions 1, 3 & 4 (relating to the drainage of surface water, access details and contaminated land) for application 17/00506/FUL	7 Widey Lane Plymouth PL6 5JR	Mr Jon Fox

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
02/02/2018	Grant Conditionally	17/02349/FUL	Mr M Friend & Mrs E Spear	Demolition of existing bungalow and replacement with new dwelling	16 Randwick Park Road Plymouth PL9 7QL	Mr Chris Cummings
02/02/2018	Grant Conditionally	17/02374/ADV	Mr Robert Beacham	Entrance lettering sign, signage to low plinth wall and wall mounted plaque sign.	Residence No. 1 Royal William Yard Plymouth PL1 3RP	Mr Macauley Potter
05/02/2018	Agreed Condition	17/02337/CDM	Mr Frankie Montgomery	Condition Discharge: Condition 3 of application 17/00303/FUL	61 George Street Plymouth PL1 4HS	Mrs Jess Maslen
05/02/2018	Grant Conditionally	17/01579/FUL	Mr & Mrs J Barwell	Part demolition and extension/rebuild to existing dwelling	26 Penlee Road Plymouth PL3 4AR	Mr Mike Stone
05/02/2018	Grant Conditionally	17/02139/FUL	Mr Richard Allen	Lower ground floor side extension and balcony over	7 Woodlands Lane Plymouth PL6 8AS	Mrs Alumecci Tuimala
05/02/2018	Grant Conditionally	17/02310/S73	Mr & Mrs Jeffery	Variation of conditions 3,4, 5 & 8 and variation of condition 2 (plans) from application 16/01440/FUL	Mount Stone Cremyll Street Plymouth PL1 3RW	Miss Amy Thompson
05/02/2018	Grant Conditionally	17/02381/FUL	Mr & Mrs Maffey	Single storey rear extension	197 Elburton Road Plymouth PL9 8HX	Mr Macauley Potter
05/02/2018	Grant Conditionally	17/02405/FUL	Mr & Mrs Dorrall	Single storey side and rear extension (resubmission of 17/01545/FUL)	82 Furzehatt Road Plymouth PL9 8QT	Mr Chris Cummings
06/02/2018	Grant Conditionally	17/02219/LBC	Mr Ian Bolster	Installation of external signage & lighting	The China House Marrowbone Slip Plymouth PL4 OHX	Mrs Jess Maslen

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
06/02/2018	Grant Conditionally	17/02221/FUL	Mrs Sarah Hyatt	Change of use from warehouse and offices to storage, offices and educational use (Class B1, B8 and D1)	45 Regent Street Plymouth PL4 8BB	Mr Mike Stone
06/02/2018	Grant Conditionally	17/02318/LBC	Mr Alan Finlayson	Replace existing signage	Natwest, 6 St Andrews Cross Plymouth PL4 OAE	Mr Macauley Potter
06/02/2018	Grant Conditionally	17/02346/FUL	Mr Nigel Tooze	Two storey side extension	41 Kings Road St Budeaux Plymouth PL5 2PF	Mr Mike Stone
06/02/2018	Grant Conditionally	17/02347/FUL	Mr Gerard Reilly	Extension to existing side balcony to the rear and minor alterations	34 Pomphlett Road Plymouth PL9 7BN	Miss Amy Thompson
06/02/2018	Grant Conditionally	17/02378/FUL	Mr N Barnes	Front hardstanding	122 Vicarage Gardens Plymouth PL5 1LJ	Mr Mike Stone
06/02/2018	Grant Conditionally	17/02385/FUL	Mr & Mrs Johns	First floor rear extension	2 Woodland Drive Plymouth PL7 1SN	Mr Macauley Potter
06/02/2018	Grant Conditionally	17/02392/TPO	Sarah Watson	1x Sycamore (T30) - fell	Wantage Gardens Plymouth PL1 5DN	Mrs Jane Turner
06/02/2018	Grant Conditionally	17/02395/FUL	Mr & Mrs P Butler	New dwelling with integral garage, raised deck and widening of driveway junction with Milford Land (resubmission of 17/00849/FUL)	Land At Milford Lane Tamerton Foliot Plymouth PL5 4LU	Miss Amy Thompson
06/02/2018	Grant Conditionally	17/02410/ADV	McDonald's Restaurants Ltd	Freestanding welcome sign	195 Tavistock Road Plymouth PL6 5DA	Mr Macauley Potter

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
06/02/2018	Grant Conditionally	17/02427/FUL	Mr Singh Singh	Subdivision of existing retail unit (Class A1) into two retail units (Class A1) and alterations to shop front	124 Armada Way Plymouth PL1 1LA	Mrs Alumeci Tuima
06/02/2018	Grant Conditionally	17/02435/FUL	Mr Benico Soloman	Two storey rear extension with side balcony	15 Bainbridge Avenue Plymouth PL3 5QZ	Mr Mike Stone
07/02/2018	Grant Conditionally	17/02496/FUL	Mr And Mrs C Rogers	Rear extension, side garage with first floor storage and conversion of existing garage into a games room	32 Church Road Plymstock Plymouth PL9 9BA	Mrs Alumeci Tuima
07/02/2018	Refused	17/01727/FUL	Mr James Wilson	Erection of 6 dwellings, provision of community parkland & associated works	Land Bounded By George Lane And Ridgeway Plympton Plymouth	Mr Oliver Gibbins
07/02/2018	Refused	17/02484/FUL	Mr K Sefdeen	Change of use from dwelling (Class C3) to 6-bed HMO (Class C4) (Retrospective)	1 Caprera Place St Michaels Terrace Lane Plymouth PL4 6AG	Mr Chris Cummings
08/02/2018	Agreed Condition	18/00180/CDC	Curtis Whiteford Crocker	Confirmation that conditions from 11/00238/FUL have been satisfied	3 - 5 Market Road Plymouth PL7 1QW	Mr Chris King
08/02/2018	Agreed Minor Amendment	17/02399/AMD	Mr Jim Woodley	Non-material Minor Amendment: Amendments to approved plans to meet Building Regulations for application 15/01699/FUL. Amendments include reposition of dwellings, new walkway, increase size of level 1, additional windows, amend rear windows and doors, external materials, replace balconies with Juliet balconies	Fitzroy Road Plymouth PL1 5PY	Miss Amy Thompson

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
08/02/2018	Grant Conditionally	17/02169/LBC	Mr Geoffrey Holmes	Remove rear exterior stairway and associated structures	8 Clarence Place Stonehouse Plymouth PL1 3JN	Mrs Jess Maslen
08/02/2018	Grant Conditionally	17/02231/FUL	Mr And Mrs J Dixon	Two storey rear and side extension and lower ground floor extension form 'granny annexe'	79 Underlane Plymstock Plymouth PL9 9LA	Miss Amy Thompson
08/02/2018	Grant Conditionally	17/02304/FUL	Mr Peter Glanville	Single storey side extension	28 Goodwin Avenue Plymouth PL6 6RL	Mr Macauley Potter
08/02/2018	Grant Conditionally	17/02398/FUL	Mr Steven Wood	Rear extension	67 Little Dock Lane Plymouth PL5 2LW	Mr Macauley Potter
08/02/2018	Grant Conditionally	17/02413/FUL	Mr Ajay Sharma	Hip-to-gable roof extension and extension of rear dormer	224 Old Laira Road Plymouth PL3 6AF	Mr Macauley Potter
08/02/2018	Split Decision	17/01723/CDM	Mr Mark Edworthy	Condition Discharge: Conditions 3 & 5 of application 16/00554/FUL	17 Mayflower Street Plymouth PL1 1QJ	Mr John Douglass
09/02/2018	Grant Conditionally	17/01827/FUL	Mr Bill Rabbetts	New dwelling	Highland Cottage New Street Plymouth PL1 2ND	Mr Jon Fox
09/02/2018	Grant Conditionally	17/01949/FUL	Mr Vince Burke	Change of use of former sports centre to storage and distribution (Class B8)	Ernesettle Sports Centre Ernesettle Lane Plymouth PL5 2EY	Miss Amy Thompson
09/02/2018	Grant Conditionally	17/02287/FUL	Mr Kevin Briscoe	Erection of a triple garage, revised cycle store location and design and alterations to parking and access areas	New Apartments Adjacent To Kings School Hartley Road Plymouth	Mr Jon Fox

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
09/02/2018	Grant Conditionally	17/02344/FUL	Mr Jon Furnues	Replacement/upgrade to public telephone and ATM Kiosk	O/S Athenaeum Building Derrys Cross Plymouth PL1 2SW	Mr Macauley Potter
09/02/2018	Grant Conditionally	17/02397/FUL	Mr & Mrs Downing	Rear and side extension and alterations	96 Old Woodlands Road Plymouth PL5 3SX	Miss Amy Thompson
09/02/2018	Grant Conditionally	17/02416/FUL	Mr Dean Westcott	Single storey rear extension	127 Pomphlett Road Plymouth PL9 7BU	Mr Macauley Potter
09/02/2018	Grant Conditionally	18/00130/ADV	Mr Charles Barton	Wall-mounted sign	Glenholt Park Glenfield Road Plymouth	Mr Chris Cummings
12/02/2018	Agreed Condition	17/02182/CDM	Mr N Angle	Condition Discharge: Conditions 9 & 11 of application 16/02344/OUT	3 Hollow Hayes Goosewell Hill Plymouth PL6 5RP	Miss Amy Thompson
12/02/2018	Grant Conditionally	17/02257/FUL		Fire water tank and pump house building	Fire Water Tank And Pump House Junction Of Oakfield Terrace Road And Macadam Road Plymouth PL4 0PX	Mr Mike Stone
12/02/2018	Grant Conditionally	17/02360/LBC	Mitchells And Butlers Retail Ltd	Internal and external alterations	The China House Marrowbone Slip Plymouth PL4 0HX	Mrs Jess Maslen
12/02/2018	Grant Conditionally	17/02465/FUL	Mr White	Front porch	9 Ashcombe Close Plymouth PL7 4LY	Mrs Alumeci Tuima
12/02/2018	Grant Conditionally	17/02493/FUL	Mr Davey	First floor rear extension	34 Bayswater Road Plymouth PL1 5BX	Mr Mike Stone

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12/02/2018	Grant Conditionally	18/00039/FUL	Mr & Mrs Denner	Two-storey front extension and hardstanding (demolition of existing porch)	77 Green Park Road Plymouth PL9 9JA	Mr Chris Cummings
12/02/2018	Refused	17/02278/FUL	Mr Nathan Miles	Change of use from dwelling (Class C3) to 6-bed HMO (Class C4)	20 Wolsdon Street Plymouth PL1 5EH	Mr Chris Cummings
13/02/2018	Grant Conditionally	17/02218/ADV	Mr Ian Bolster	Replacement and new external illuminated signage	The China House Marrowbone Slip Plymouth PL4 0HX	Mrs Jess Maslen
13/02/2018	Grant Conditionally	17/02290/FUL	Plymouth Community Homes	Flexible Use of Part of the First Floor East Wing of Plumer House for office (Class B1a) (as existing) or specialist education/training centre for adults (Class D1) (as proposed).	Plumer House Tailyour Road Plymouth PL6 5HY	Mr Mike Stone
13/02/2018	Grant Conditionally	17/02353/ADV	McDonald's Restaurant Ltd	Replacement internally illuminated pole sign	McDonald's Restaurant Tavistock Road Plymouth PL6 5DA	Mr Macauley Potter
13/02/2018	Grant Conditionally	17/02359/FUL	Mitchells And Butlers Retail Ltd	Internal and external alterations	The China House Marrowbone Slip Plymouth PL4 0HX	Mrs Jess Maslen
13/02/2018	Grant Conditionally	17/02396/FUL	Mr Nigel Reburn	Two-storey side extensions on east and west elevations including creation of granny annex	20 Earls Wood Drive Plymouth PL6 8SF	Miss Amy Thompson
13/02/2018	Grant Conditionally	17/02412/FUL	Mr & Mrs Evans	Single storey side extension	123 Compton Avenue Plymouth PL3 5DE	Mrs Alumeci Tuima

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13/02/2018	Grant Conditionally	17/02464/FUL	Mr Hughes	Single storey side extension	1 Lynwood Avenue Plymouth PL7 4SE	Mrs Alumeci Tuima
13/02/2018	Split Decision	18/00088/AMD	Ms Katie Slack	Non-material Minor Amendment: Revise the approved Site Section drawing to reflect the proposed levels which will result from using gabion baskets to form usable gardens for plots 8 to 10. 2. Update the approved Landscape Planting Plan to reflect the approved highway and drainage design, and the introduction of a hedge between plots 8 and 9. 3. Revise the approved Landscape Planting Plan to show planting of new semi-mature laurel specimens along the northern boundary for application 14/01815/FUL	Fort House Fort Terrace Plymouth PL6 5BU	Mr Jon Fox
14/02/2018	Agreed Condition	17/02409/CDM	Plymouth City Council	Condition Discharge: Condition 7, 19 & 24 of application 14/02269/OUT	Devonport Dockyard, South Yards (Areas 1 And 5) Devonport	Mr Oliver Gibbins
14/02/2018	Agreed Condition	18/00013/CDM	Mr Richard Spence	Condition Discharge: Condition 11 of application 16/01561/S73	Derrys Department Store 88 Royal Parade Plymouth PL1 1HA	Mr Simon Osborne
14/02/2018	Grant Conditionally	17/02294/FUL	Mr David Blackhurst	Extend road access width and dropped kerb.	53 Stanborough Road Plymouth PL9 8SU	Mr Macauley Potter
14/02/2018	Grant Conditionally	17/02476/REM	Mr Paul Aitken	Application for reserved matters with details of access, appearance, layout, landscaping, and scale following grant of application 17/00738/OUT for a bungalow	5 Tretower Close Plymouth PL6 6BH	Mrs Katie Saunders
15/02/2018	Agreed Condition	18/00076/CDM	Mr Steven Michael Sears	Condition Discharge: Condition 3 of application 15/00150/FUL	79 Hotham Place Plymouth PL1 5NF	Mr Chris Cummings

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15/02/2018	Agreed Minor Amendment	18/00074/AMD	McDonald's Restaurants Ltd	Non-material Minor Amendment: Relocation of cycle racks and reconfiguration of patio furniture for application 17/02129/FUL	McDonald's Restaurant Coypool Road Plymouth PL7 4TB	Mr Macauley Potter
15/02/2018	Grant Conditionally	17/01966/FUL	Mr Peter Edwards	Change of use of existing residential garage to mixed use annex and psychotherapy room (class D1) and minor alterations and extension.	9 Dunstone View Plymouth PL9 8TW	Miss Amy Thompson
15/02/2018	Grant Conditionally	17/02001/FUL	Mr Bunt	Detached garage with loft area	861 Wolseley Road Plymouth PL5 1JX	Mr Mike Stone
15/02/2018	Grant Conditionally	17/02298/FUL	Mr K Mullier	New dwelling and formation of parking space in front of 1 Hawthorn Close and retrospective permission for a vehicle hardstanding	1 Hawthorn Close Plymouth PL9 9PY	Mr Mike Stone
15/02/2018	Grant Conditionally	17/02340/FUL	Mr & Mrs G Parker	Two-storey rear extension	61 Compton Avenue Plymouth PL3 5DB	Mr Mike Stone
15/02/2018	Grant Conditionally	17/02369/FUL	Mr & Mrs Hunter	Rear conservatory	9 Woodland Road Plymouth PL7 4LA	Mrs Alumeci Tuima
15/02/2018	Grant Conditionally	17/02400/FUL	Mr Colin Matthews	Sub-division of Use Class A1 building to provide 2No A1/A2 commercial units involving change of use, works to building; alterations to disabled parking bays; and alterations to carpark demarcation.	15 Frogmore Avenue Plymouth PL6 5XH	Miss Amy Thompson
15/02/2018	Grant Conditionally	17/02461/FUL	Mr & Mrs Cross	Two storey side extension and front porch	7 Burniston Close Plymouth PL7 1PQ	Mrs Alumeci Tuima

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16/02/2018	Grant Conditionally	17/02104/FUL	Mr Paul Body	Change of use from office (Class B1) to residential (Class C3) to create 7no apartments together with associated internal alterations & external works	1 The Crescent Plymouth PL1 3AB	Mr Jon Fox
16/02/2018	Grant Conditionally	17/02105/LBC	Mr Paul Body	Change of Use from office (Class B1) to residential (Class C3) to create 7no apartments together with associated internal alterations & external works	1 The Crescent Plymouth PL1 3AB	Mr Jon Fox
16/02/2018	Grant Conditionally	17/02238/FUL	Mrs Tamsyn Shute	Change of use from residential property (Class C3a) to day nursery (Class D1). Addition of raised deck to front of property and forming new associated access to decked area from baby room.	The Post Office 10 Church Hill Plymouth PL6 5RN	Miss Amy Thompson
16/02/2018	Grant Conditionally	17/02258/FUL	Mr Heppell	Loft conversion, rear dormer and garage conversion	4 Woodway Plymouth PL9 8TT	Mrs Alumecci Tuima
19/02/2018	Agreed Condition	18/00181/CDM	Mr Jones	Condition Discharge: Condition 3 of application 17/01169/FUL	Metropolis House 37 Craigie Drive Plymouth PL1 3JB	Mr Alan Hartridge
19/02/2018	Grant Conditionally	17/02458/TPO	Mr R Kavanagh	Oak (T1): remove the three lowest secondary branches over the garden. Holly (T3): coppice. Beech (T4): fell to bank height. Ash (T5): coppice to 0.25m above bank height and replant bank. Ash (T6): Partially windblown and leaning towards garden: coppice to 0.25m above bank height. Ash (T7): coppice to 0.25m. H1 & H1a (Holly Hedge): coppice material and replant with native whip mix.	Land Adjacent To 30 Tamerton Close Plymouth PL5 4JX	Ms Joanne Gilvear
19/02/2018	Grant Conditionally	17/02475/TPO	Mrs Griffiths	Oak (T1): Reduce crown on house side by 1m to natural growth points.	37 Holtwood Road Plymouth PL6 7HU	Ms Joanne Gilvear

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19/02/2018	Grant Conditionally	17/02479/TPO	Mr Nick Bishop	Lime T2 - Fell	21 Mutley Road Plymouth PL3 4SB	Mrs Jane Turner
19/02/2018	Grant Conditionally	18/00027/TCO	Mr D A Jones	Ornamental cherry - fell	5 Belmont Villas Plymouth PL3 4DP	Mrs Jane Turner
20/02/2018	Agreed Condition	16/01423/CDM	Mr Ben Smith	Condition Discharge: Conditions 6, 7, 14, 15, 19, 20, 23, 24 & 28 of applications 12/01304/FUL	Woodville Road Plymouth PL2 2LJ	Miss Carly Francis
20/02/2018	Agreed Condition	18/00163/CDM		Condition Discharge: Condition 17 of application 17/01684/OUT	Home Park Football Ground Outland Road Plymouth PL2 3DQ	Mr Chris King
21/02/2018	Agreed Condition	17/02259/CDM	Rivage Estates Ltd	Condition Discharge: Condition 20 of application 14/01449/FUL	Hoe Road / Pier Street Plymouth	Mrs Karen Gallache
21/02/2018	Agreed Condition	17/02453/CDM	Rivage Estates (Westward) Ltd	Condition Discharge: Conditions 20 & 22 of application 14/01449/FUL	Former Tennis Courts, Hoe Road- Pier Street Plymouth	Mrs Karen Gallache
21/02/2018	Agreed Condition	18/00073/CDM	Miss Kate Baker	Condition Discharge: Condition 17 of application 14/00135/FUL	Land Off Towerfield Drive Plymouth	Mr Robert McMillan
21/02/2018	Refused	17/01893/FUL	Mr Derek Anning	Erection of two-storey dwellinghouse with private motor garage fronting onto Blackberry Close	66 Billacombe Road Plymouth PL9 7EX	Mr Mike Stone
22/02/2018	Grant Conditionally	17/02240/FUL	Mr Heppell	Side and rear extension	22 Sherford Crescent Elburton Plymouth PL9 8DU	Mrs Alumeci Tuima

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22/02/2018	Grant Conditionally	17/02326/FUL	Wembury Investments Ltd	Change of use from office accommodation to personal training studio (Class D2)	68 Cattedown Road Plymouth PL4 0PH	Mr Mike Stone
22/02/2018	Grant Conditionally	18/00002/FUL	T & C Overton	External raised terrace and formation of summerhouse	134 Merafield Road Plymouth PL7 1SJ	Mrs Alumeci Tuima
23/02/2018	Agreed Minor Amendment	18/00296/AMD	D.U.K.E. Properties (Marsh Mills) Ltd And Next	Non material Minor Amendment: Elevation alterations are required following a further review of the external elevations by the tenant.Demolition of existing wall is due to the poor condition of the wall following a review by the contractor for application 15/01831/FUL	Site At Former Unit J St Modwen Road Plymouth PL6 8LH	Mr Alistair Wagstaff
23/02/2018	Grant Conditionally	18/00009/FUL	Mrs Claire Bond	Rear raised timber balcony with glass balustrade on timber posts	36 Hawthorn Way Plymouth PL3 6TP	Mrs Alumeci Tuima
23/02/2018	Grant Conditionally	18/00090/TCO	Mr Higgins	T1 - remove lowest 4 limbs of Sycamore over pavement and road T2 - remove x3 Sycamores due to damage to boundary wall.T3 - remove group of conifers.T4 - reduce Sycamore by half and remove the x2 limbs over hanging the neighbours roofT5 - remove old Sycamore that has been previously pollarded	136 Wingfield Road Plymouth PL3 4ER	Mrs Jane Turner
23/02/2018	Granted Conditionally subject to S106	17/01277/S73M	Ms Tina Olver	Variation of Condition 1 (Approved Plans) of application 16/01128/FUL to allow alterations to levels	Southway Primary School Bampfylde Way Plymouth PL6 6SR	Mrs Katie Saunders

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23/02/2018	Granted Conditionally subject to S106	17/01701/FUL	Plymouth Community Homes Ltd	Demolition of existing dwellings and construction of 143 residential dwellings on the site, consisting of 110 houses and 33 flats. Extinguishment of Woodville Road and creation of a new roadway and construction of supporting infrastructure	North Prospect Phase 5 Cookworthy Road, Foliot Road, Woodville Road And Briardale Road Plymouth Devon	Mr Robert McMillan
23/02/2018	Refused	17/02345/FUL	Mr & Mrs Barry Grigg	Part retrospective independent linked detached dwelling	36 Tor Road Plymouth PL3 5TF	Miss Amy Thompson
26/02/2018	Agreed Condition	17/02501/CDM	Provenn Ltd	Condition Discharge: Condition 16 of application 15/01940/OUT	Old Mays Nursery Vinery Lane Plymouth PL9 8DE	Mr Alan Hartridge
26/02/2018	Agreed Condition	18/00142/CDM	Mr Paul Wong	Condition Discharge: Conditions 5 & 6 of application 16/01142/FUL	Manadon Sports Development Centre, St Peters Road Plymouth PL5 3DU	Mrs Katie Saunders
26/02/2018	Grant Conditionally	17/02494/FUL	Mr & Mrs D Sutton	Single storey side extension.	6 Dengie Close Plymouth PL7 2UR	Mr Macauley Potter
26/02/2018	Grant Conditionally	18/00015/FUL	Mrs Victoria Lane	Change of use from dwelling (Class C3) to HMO (Class C4)	30 Tresillian Street Plymouth PL4 0QW	Mr Chris Cummings
27/02/2018	Grant Conditionally	17/02466/FUL	Mr Jeremy Evans	Extension and alterations to existing semi-detached house	16 Homer Rise Plymouth PL9 8NE	Mr Macauley Potter
27/02/2018	Grant Conditionally	18/00035/FUL	Mr And Mrs Gannon	First floor extension and side extension to existing detached garage to create annex	186 Beaumaris Road Plymouth PL3 5SE	Mr Chris Cummings

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28/02/2018	Agreed Condition	17/02462/CDM	Mr Lee Cawse	Condition Discharge: Condition 18(e) of application 15/00518/REM (Parcel K only)	"Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Haye Road Elburton Plymouth PL9 8DD	Mr Ian Sosnowski
28/02/2018	Grant Conditionally	18/00085/FUL	TTH Commercial	Change of use of part building to uses B1, B2 and B8 to allow for car garage and MOT test station	Unit 3 The Old Printworks 21 Burrington Way Plymouth PL5 3LR	Mr Oliver Gibbins
28/02/2018	Refused	17/02366/FUL	Mr Jonathan Sims	Detached dormer-style bungalow with off-road parking and garage (amendments to approved application 14/00660/FUL).	90 Meadow Way Plymouth PL7 4JB	Mr Mike Stone
01/03/2018	Agreed Condition	18/00197/CDM	Mr Geoff Forwood	Condition Discharge: Condition 4 of application 12/00735/FUL	61A Emma Place Plymouth PL1 3QX	Mrs Janine Warne
01/03/2018	Grant Conditionally	17/02394/FUL	Mr Tony Avades	First floor extension over garage	1 St Johns Close Plymouth PL6 8BR	Mr Mike Stone
02/03/2018	Grant Conditionally	17/02481/S73	Tesco Stores Limited	Variation of condition 1 (plans) of application 17/01086/FUL	2B Westfield Plymouth PL7 2DY	Mr Mike Stone
02/03/2018	Grant Conditionally	17/02503/FUL	Mr & Mrs Whitfeld	Side extension and replacement pitched roof over porch	1 Rhodes Close Plymouth PL7 4BS	Mrs Alumecci Tuima
05/03/2018	Grant Conditionally	17/02414/FUL	Mr & Mrs L McCarthy	Single storey rear extension, front roof dormer and extension to garage.	9 Poole Park Road Plymouth PL5 1JH	Mr Macauley Potter
05/03/2018	Refused	17/02068/S73	Rotolok (Holdings) Ltd	Removal of condition 8 from application 17/00336/FUL	Drakes Island Plymouth	Miss Katherine Graham

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06/03/2018	Agreed Condition	18/00094/CDM	Devcor (Plymouth) Ltd	Condition Discharge: Condition 6 of application 17/01826/S73	Peirson House Mulgrave Street Plymouth	Mr Simon Osborne
06/03/2018	Grant Conditionally	18/00030/FUL	Mr W Redding	Rear garage extension with pitched roof	33 Windermere Crescent Plymouth PL6 5HX	Mr Macauley Potter
06/03/2018	Grant Conditionally	18/00105/S73	Lawson-O'Neil	Removal of condition 3 of consent 83/00090/REM to allow for open Class B1 use	Alma Yard St Johns Bridge Road Plymouth PL4 0JJ	Mr Chris King
07/03/2018	Grant Conditionally	17/02241/LBC		Installation of kitchenette in Committee Room	Council House Armada Way Plymouth PL1 2AA	Mrs Jess Maslen
07/03/2018	Grant Conditionally	17/02248/FUL	Mr Neil Meagor	Rear extension	35 Vine Gardens Plymouth PL2 3HD	Mrs Alumecci Tuima
07/03/2018	Grant Conditionally	17/02438/FUL	Mrs Lisa Alden	Two storey side and single storey rear extension	94 Donnington Drive Plymouth PL3 6QT	Mr Mike Stone
07/03/2018	Grant Conditionally	18/00021/FUL	Mr & Mrs Todd	Demolition of garage and erection of two-storey side extension	21 Chilton Close Plymouth PL6 5SP	Mrs Alumecci Tuima
07/03/2018	Grant Conditionally	18/00051/ADV	Mr Kevin Davey	Installation of illuminated and non-illuminated signage	Vospers Longbridge Road Plymouth PL6 8AY	Mr Chris King
07/03/2018	Grant Conditionally	18/00124/FUL	Alexandra Residential Management Ltd	Minor additions including timber decking and sheds (retrospective)	1-18 The Old Laundry And 57-81 Craigie Drive Plymouth PL1 3NL	Mr Chris Cummings

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08/03/2018	Grant Conditionally	17/02448/FUL	Mr Nicolas Randall	New fire escape to rear elevation of the property from lower ground to ground floor level	32 Mutley Plain Plymouth PL4 6LD	Mr Mike Stone
08/03/2018	Grant Conditionally	18/00019/FUL	The Co-Operative Food	Replacement of existing rear plant equipment	54 - 56 Mutley Plain Plymouth PL4 6LF	Mrs Alumeci Tuima
08/03/2018	Grant Conditionally	18/00034/TPO	Mr Justin Bryce	1x Copper Beech -Reduce lateral branches over drive and extending towards house by 2-3 m to natural growth points.-Lowest limb over drive with bark wounds: reduce back to healthy growth point.-Removal of deadwood (exempt works)	21 Hartley Road Plymouth PL3 5LW	Ms Joanne Gilvear
08/03/2018	Grant Conditionally	18/00108/TPO	Mr Ian Parker	2x Oak - Lift and reduce canopy over garden as detailed in Annex 3 appended to the application.	36 Upland Drive Plymouth PL6 6BD	Mrs Jane Turner
09/03/2018	Agreed Condition	17/01968/CDM	D.U.K.E Properties (Marsh Mills) Limited And Next Plc	Condition Discharge: Conditions 3 & 5 of application 15/01831/FUL	Land At Former Unit J, St Modwen Road Marsh Mills Plymouth PL6 8LJ	Mr Alistair Wagstaff
09/03/2018	Grant Conditionally	17/01809/S73	Aldi Stores Limited	Removal of condition 22 from application 16/01044/FUL to allow for unrestricted deliveries	Aldi Store Land At Flamborough Road Southway Plymouth	Mr Alistair Wagstaff
09/03/2018	Grant Conditionally	17/02295/FUL	Mr Mark Rowe	Rear extension with balcony	79 Staddiscombe Road Plymouth PL9 9LU	Mr Mike Stone
09/03/2018	Grant Conditionally	18/00069/TPO	Miss Karen Willcocks	T2 Sycamore - reduce by 2mT3 Oak - remove dead wood and crown reduce to previous cuts to 1.5mT4 Hawthorn - has excessive lean, reduce by 3m and reshapeT5 Oak - reduce by 1m	35 Whiteleigh Villas Plymouth PL5 3BH	Ms Joanne Gilvear

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09/03/2018	Grant Conditionally	18/00135/TCO	Mr Darren Long	Sycamore (T1) - re-pollard. Sycamore (T2) - re-pollard.	21A Home Park Plymouth PL2 1BQ	Ms Joanne Gilvear
12/03/2018	Grant Conditionally	18/00056/FUL	Mr Matthew Bolt	Extension to 3 Badger View	3 Badger View Plymouth PL9 9GD	Mr Macauley Potter
13/03/2018	Agreed Minor Amendment	18/00224/AMD	Mr Mike Smith	Non-material Minor Amendment: To change the extension walls to a Parapet for application 17/02078/FUL	21 The Dell Plymouth PL7 4PS	Mr Macauley Potter
13/03/2018	Agreed Minor Amendment	18/00348/AMD	Mr Mark Akerman	Non-material Minor Amendment: To create a new secondary (disabled access) door to the annexe, infilling of the courtyard to bring it flush with the rear elevation and changes to the ground floor rear windows for application 17/02327/FUL	4 Leatfield Drive Plymouth PL6 5HP	Mr Mike Stone
13/03/2018	Grant Conditionally	18/00058/FUL	National Trust	6x Pay & Display machines and related signage	Saltram Merafield Road Plymouth PL7 1UH	Mrs Karen Gallache
13/03/2018	Grant Conditionally	18/00153/FUL	Ms/Mr Ruth/David Mitchell/Prescott (joint Owners)	Change of use from single dwelling to two dwellings (Class C3)	13 & 14 Jackson Place Plymouth PL2 1EH	Mr Chris Cummings
13/03/2018	Refused	18/00077/TPO	Mr Andy Barks	Pine (T1) - fell	26 St Boniface Drive Plymouth PL2 3QW	Mrs Jane Turner
14/03/2018	Agreed Condition	18/00277/CDM	Guildhouse Group Ltd	Condition Discharge: Condition 5 of application 15/01622/FUL	Mayflower House 178 - 184 Armada Way Plymouth PL1 1LD	Mrs Katie Saunders

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14/03/2018	Agreed Minor Amendment	17/01961/AMD	Mr A Kalam	Non-material Minor Amendment: To provide roof lights in dormer rooms for application 16/02266/FUL	5 Lockington Avenue Plymouth PL3 5QR	Mr Chris Cummings
14/03/2018	Grant Conditionally	17/01984/FUL	Mr Hamid Fawzi	Change of use from shop (Class A1) to hot food takeaway (Class A5)	79 Ridgeway Plymouth PL7 2AW	Mr Mike Stone
14/03/2018	Grant Conditionally	17/02423/FUL	Dr Sarah Barton	Proposed extension to existing garage	42 Durnford Street Plymouth PL1 3QN	Mr Macauley Potter
14/03/2018	Grant Conditionally	17/02504/S73	Plymouth Hospitals NHS Trust	Variation of Condition 1 of planning permission 12/02164/FUL to allow the temporary buildings to remain on site until 28th February 2023 (5 further years)	Derriford Hospital Derriford Road Plymouth PL6 8DH	Mr Chris King
14/03/2018	Grant Conditionally	18/00026/FUL	Mr & Mrs Hannis	Side extension, garage conversion and garage door replacement with bay window	12 Davenham Close Plymouth PL6 6BT	Mrs Alumeci Tuima
14/03/2018	Grant Conditionally	18/00059/ADV	National Trust	6x Pay & Display instruction signs	Saltram Merafield Road Plymouth PL7 1UH	Mrs Karen Gallacher
14/03/2018	Grant Conditionally	18/00162/FUL	Mrs Fiona Robertson	Temporary change of use of from flat (Class C3) to office (Class B1)	81D Higher Compton Road Plymouth PL3 5JD	Mr Mike Stone
14/03/2018	Split Decision	17/02335/CDM		Condition Discharge: Condition 3, 4, 5, 6 & 7 of application 17/01246/FUL	Land Off Barton Road Turnchapel Plymouth PL9 9RH	Mr Robert McMillan

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15/03/2018	Agreed Condition	17/02415/CDMLB	Mr Ivo Hesmondhalgh	Condition Discharge: Condition 3 for application 17/01124/LBC	9 Parade Plymouth PL1 2JL	Miss Amy Thompson
15/03/2018	Agreed Condition	18/00052/CDMLB	Mr Angus Fraser	Condition Discharge: Condition 3 of application 17/01739/LBC	86 Durnford Street Plymouth PL1 3QW	Mrs Jess Maslen
15/03/2018	Agreed Condition	18/00101/CDM		Condition Discharge: Conditions 6, 9, 10, 12 & 16 of application 16/01172/S73	119 Looseleigh Lane Plymouth PL6 5HH	Mr Robert McMillan
15/03/2018	Grant Conditionally	18/00028/TPO	Mrs Pamela Perry	Lime - Crown reduce by approximately 4m to previous pruning points.	103 Looseleigh Lane Plymouth PL6 5HH	Mrs Jane Turner
15/03/2018	Grant Conditionally	18/00063/TPO	Mr Rex Buscombe	Copper Beech - reduce branches overhanging rear of 4 St Lawrence Road by approximately 2m (ie. back to previous pruning points in 2010).	2 St Lawrence Road Plymouth PL4 6HN	Mrs Jane Turner
15/03/2018	Grant Conditionally	18/00072/LBC	Mr Adam Willets	Installation of new guardrails to staircase	Land North Of Nursery Carpark Royal William Yard Plymouth PL1 3RP	Mrs Jess Maslen
15/03/2018	Grant Conditionally	18/00092/TPO	Jocelyn Mensah	Cedar (T1) prune to natural growth points to establish a minimum of 2 m clearance from side of 30 Lyndhurst Road.	89 Outland Road Plymouth PL2 3DE	Mrs Jane Turner
15/03/2018	Grant Conditionally	18/00158/FUL	Mr John Stephens	Side extension, existing garage to be demolished.	1 Corfe Avenue Plymouth PL3 5SQ	Mr Mike Stone

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15/03/2018	Grant Conditionally	18/00187/S73	Ocean BMW	Removal of condition 8 of application 13/01015/FUL. Change of use and formation of vehicle car parking area for nearby commercial garage and formation of vehicle access onto Leigham Manor Drive.	Land Adjacent To 32 Longbridge Road Plymouth PL6 8LD	Mr Robert McMillan
15/03/2018	Refused	17/02490/FUL	ADPAD	Erection of 7 residential dwellings and associated works	Land At Colebrook Road Plympton Plymouth PL7 4AA	Mrs Katie Saunders
16/03/2018	Agreed Condition	17/02477/CDM	MRH Ltd	Condition Discharge: Conditions 6 & 8 of application 15/00164/FUL	Landmark Filling Station Forder Valley Road Plymouth PL6 8LE	Mr Macauley Potter
16/03/2018	Agreed Condition	18/00091/CDM	Mr Kallis	Condition Discharge: Condition 3 of application 17/01110/FUL	87 Mannamead Road Plymouth PL3 4SX	Miss Amy Thompson
16/03/2018	Agreed Minor Amendment	18/00241/AMD	EOP II PROP CO I S.A.R.L	Non-material Minor Amendment: Various minor changes to approved scheme 17/01439/S73M	Legacy Plymouth International Hotel 270 Plymouth Road Plymouth PL6 8NH	Mr Alistair Wagstaff
16/03/2018	Grant Conditionally	17/02445/FUL	Mr Michael Anderson	Single storey rear extension	259 Stuart Road Plymouth PL1 5LH	Mr Macauley Potter
19/03/2018	Agreed Condition	18/00188/CDM	Mr Ali	Condition Discharge: Conditions 3 & 4 of application 17/02246/FUL	17 Raleigh Street Plymouth PL1 1ET	Mr Mike Stone
19/03/2018	Split Decision	17/02429/CDM	Mr Adam Harrison	Condition Discharge: Conditions 5, 6, 8 & 11 of application 15/01251/FUL	47A North Road East Plymouth PL4 6AY	Mr Chris King

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21/03/2018	Agreed Condition	17/01310/CDM	Taylor Wimpey (South West)	Condition Discharge: Conditions 14, 15, 16 & 18 of application 15/01858/REM	"Sherford New Community" Land South/Southwest Of A38 Elburton Plymouth	Mr Ian Sosnowski
21/03/2018	Agreed Condition	17/01312/CDM	Taylor Wimpey (South West)	Condition Discharge: Conditions 21, 22, 23 & 27 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
21/03/2018	Agreed Condition	17/01322/CDM	Taylor Wimpey (South West)	Condition Discharge: Conditions 14, 15, 16 & 18 of 16/00287/REM	"Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Haye Road Elburton Plymouth	Mr Ian Sosnowski
21/03/2018	Refused	17/02390/S73	Rivage Estates (Westward) Limited	Variation of condition 1 (plans) of notice 15/01798/FUL to make retrospective elevational changes including changes to materials and to the colonnade	Former Tennis Courts, Hoe Road-Pier Street Plymouth	Mrs Karen Gallacher
21/03/2018	Refused	18/00024/FUL	Miss Jain Eastland	Change of use of dwelling house to self-contained maisonette and one self-contained flat	22 Cromwell Road Plymouth PL4 9QP	Mr Macauley Potter
22/03/2018	Agreed Condition	17/00741/CDM	Linden Sherford LLP	Condition Discharge: Conditions 8 (Parcels K and O), 9 (Parcels K and O), 10 (Parcels C, K and O), 19 (Parcel O), 20 (Parcel O), 22 (Parcels C, K and O), 23 (Parcels C, K, O, P and Q) & 27 (Parcels C, K, O, P and Q) of application 15/00518/REM	Parcels C, K, O, P And Q "Sherford New Community" Land South/southwest Of A38, Deep Lane And East Of Haye Road	Mr Ian Sosnowski
22/03/2018	Grant Conditionally	17/02206/FUL	Mr Nathan Carr	New gates and 2.4m high weld mesh fence around the site boundary and a 900mm high timber fence on the wall adjoining Ladywell House	Dental Access Centre 1A Baring Street Plymouth PL4 8NF	Mr Mike Stone
22/03/2018	Grant Conditionally	17/02269/ADV	Mr Jason Gregg	2x illuminated advertising signs	Southway Shopping Centre Southway Drive Plymouth PL6 6QR	Mr Macauley Potter

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
22/03/2018	Grant Conditionally	18/00038/TPO	Mr Michael Willacy	Various tree works as detailed in submitted work schedule dated 08/1/18 with the following partial amendments agreed 21/3/18 :-T2 Oak - no 3m reduction necessary; T6 - reduce to clear shed only; T15 Oak no 3m reduction necessary, sever ivy; T18 no reduction to give 1.5m clearance necessary; T27 Oak no works necessary.	Rear Of 11 - 29 Weir Road Plymouth PL6 8RR	Mrs Jane Turner
22/03/2018	Grant Conditionally	18/00080/FUL	Mrs Marjorie Adlington	Construction of new clubhouse and re-sitting of existing clubhouse for storage use	Stonehouse Lawn Tennis Club Durnford Street Plymouth PL1 3QR	Miss Amy Thompson
22/03/2018	Grant Conditionally	18/00098/TPO	Mr John Chatwin	2 mature Ash and one young Ash on eastern boundary - reduce lower branches by 4m to natural growth points. Sycamore - reduce lowest branches over garden by 4m to natural growth points. Horse Chestnut on southern boundary - reduce lowest branches over garden by up to 4m and monitor bleeding canker.	5 Hurrabrook Close Plymouth PL6 8SJ	Mrs Jane Turner
22/03/2018	Grant Conditionally	18/00099/TPO	Miss Sau Man But	3 Maple trees works agreed during site visit on 13/3/18: - Tree near No. 8 reduce crown towards house by 2-3 m and canopy over hedge and street light by 2-3m. Tree near Coach House - reduce crown on side of house by 2-3m no height reduction necessary. Tree over hedge and Vanguard Close - reduce side over hedge/road by 1-2m.	8 Vanguard Close Plymouth PL5 3JX	Mrs Jane Turner
22/03/2018	Grant Conditionally	18/00198/TCO	Mr John Cook	1x Sycamore: Reduce height by 1-2m and sides by 1m.1x Lime: Reduce height by 3m and sides by 2m.	2 Penlee Way Plymouth PL3 4AW	Ms Joanne Gilvear

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
22/03/2018	Grant Conditionally	18/00236/TCO	Mr John Dean	1x Holm Oak: Remove1x Holm Oak: Amendment agreed over phone 19/3/18 - reduce extendend limb over road by 3m and raise crown to 5.2m above road. Reduce growth towards 83 Molesworth Road by up to 3m.	85 Molesworth Road Stoke Plymouth PL3 4EL	Mrs Jane Turner
22/03/2018	Refused	18/00061/FUL	Mrs Tracey Hyder	Proposed loft conversion (Retrospective)	706 Budshead Road Plymouth PL6 5DY	Mrs Alumecci Tuima

Planning Applications Determined Since Last Committee, cont'd

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
29/01/2018	Lawful Certificate Issued	17/02478/EXUS	Mr Frankham	Confirm use as 6-bed HMO (Class C4)	10 Mount Street Greenbank Plymouth PL4 8NZ	Mr Chris Cummings
30/01/2018	Lawful Certificate Issued	17/02375/PRUS	Couch	Subdivision of existing B2 unit into no.2 B2 units	1 Lister Close Plymouth PL7 4BA	Mr Chris Cummings
02/02/2018	Prior Approval Not Required	18/00023/11	Mr David Adam Harrison	Demolition of existing building to facilitate implementation of approved planning permission (15/01251/FUL)	47A North Road East Plymouth PL4 6AY	Mr Chris King
05/02/2018	Refused	17/02439/GP2	MR Carleton Mayer	Prior approval notification for change of use from office(s) (Class B1(a)) to residential (Class C3)	53A Clarence Place Devonport Plymouth PL2 1SF	Mr Chris Cummings
09/02/2018	Lawful Certificate Issued	17/02495/EXUS	Mrs Anita Johnson	Confirm lawful use of flat in roof space	Third Floor Flat 19 Ford Park Road Plymouth PL4 6RB	Mr Chris Cummings
12/02/2018	Lawful Certificate Issued	17/02320/EXUS	Mr David Sykes	Confirm use as shop (Class A1)	Front Retail Showroom, Strode Business Centre Huxley Close Plymouth PL7 4AY	Mr Chris Cummings
12/02/2018	Prior Approval Refused	18/00003/GP1	Mrs Joanne Batchelor	A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4.0m, has a maximum height of 3.75m to ridge, and has an eaves height of 2.9m	34 Brancker Road Plymouth PL2 3DW	Mr Macauley Potter

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
16/02/2018	Lawful Certificate Issued	18/00012/EXUS	Mr Steven Towle	Confirm existing use as an office (Class B1(a))	Unit 3, 1 - 1A Lisson Grove Plymouth PL4 7DL	Mr Chris Cummings
26/02/2018	Lawful Certificate Issued	18/00246/PRUS	Ms Angela Glynn	Proposed use class C3(b)	135 Ker Street Plymouth PL1 4EJ	Mr Chris Cummings
26/02/2018	Prior Approval Not Required	18/00106/GP1	Mr Nick Brewer	A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4m, has a maximum height of 3.25m, and has an eaves height of 2.25m	45 School Close Plymouth PL7 4HP	Mrs Alumeci Tuima
02/03/2018	Lawful Certificate Issued	17/02373/EXUS	Mr Simon Sykes	Confirm existing use as 5-bed HMO (Use Class C4)	49 Furzehill Road Plymouth PL4 7LB	Mr Chris Cummings
12/03/2018	Lawful Certificate Issued	18/00044/EXUS	Mr Peter Bragg	Confirm use of property as dwelling (Class C3)	217 Stuart Road Plymouth PL1 5LQ	Mr Chris Cummings
12/03/2018	LDC Refused	18/00046/EXUS	Mr Kevin Richards	Confirm use as 7-bed HMO (Sui Generis)	6 Apsley Road Plymouth PL4 6PJ	Mr Chris Cummings
13/03/2018	Lawful Certificate Issued	18/00245/PRUS	Ms Angela Glynn	Proposed use class C3(b)	8 Limerick Place Plymouth PL4 9QJ	Mr Chris Cummings
13/03/2018	Lawful Certificate Issued	18/00328/PRDE	Mr & Mrs J Weeks	Proposed rear dormer	67 Merafield Road Plymouth PL7 1SH	Mr Mike Stone

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
21/03/2018	Prior Approval Grant	18/00123/GP2	Mr Carleton Mayer	Change of use from office(s) (Class B1) to residential (Class C3)	16A Manor Street Plymouth Plymouth PL1 1TL	Mr Chris Cummings

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Appeal Decisions between 29/01/2018 and 22/03/2018

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
01/02/2018	17/01512/FUL	2017/0033	Appeal Dismissed	APP/N1160/W/17/3186578
Ward				
Plympton Erle				
Address				
Hardwick Nurseries Ridge Road Plymouth PL7 1UF				
Application Description				
Erection of four detached dwellings				
Appeal Process		Officers Name		
Written Representations		Mr Jon Fox		
Synopsis				
<p>The Inspector agreed that the development would be overtly urban in appearance; more appropriate to a built-up area than the existing loose pattern of development in the vicinity of the site, contrary to policies CS01, CS16 and CS18 of the Core Strategy. In terms of sustainability the Inspector found that the scheme is not significantly different to the allowed scheme for two houses on the site, i.e. there are good facilities in the nearby built-up area and the lack of pedestrian and bus facilities near the site would not be a significant impediment. No overall conflict with policies CS01 and CS28. The 4 dwellings provide housing in the face of a lack of supply in the city but the harm to the character of the area and the carbon emissions from car use would outweigh those benefits. The Joint Local Plan was given little weight owing to the absence of any information regarding the extent to which there are unresolved objections to relevant policies.</p>				

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