



#plymplanning

Oversight and Governance

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PLANNING COMMITTEE

Thursday 13 December 2018
4.00 pm
Council House, Plymouth

Members:

Councillor Stevens, Chair
Councillor Tuohy, Vice Chair
Councillors Corvid, Derrick, Mrs Johnson, Kelly, Loveridge, Morris, Nicholson, Mrs Pengelly,
R Smith, Tuffin and Winter.

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

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

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Tracey Lee
Chief Executive

Planning Committee

AGENDA

PART I – PUBLIC MEETING

1. Apologies

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

2. Declarations of Interest

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

3. Minutes

(Pages 1 - 6)

The Committee will be asked to confirm the minutes of the meeting held on 8 November 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.

1.1. 1 Ronsdale Close, Plymouth, PL9 7QZ

(Pages 7 - 12)

Applicant:	Mrs Sharron Reeves
Ward:	Plymstock Radford
Recommendation:	Grant Conditionally
Case Officer:	Mr Macauley Potter

6.2 53 Valley Road, Plymouth, PL7 1RF (Pages 13 - 22)

Applicant: Conrad Energy (Developments) Limited
Ward: Plympton Erle
Recommendation: Grant Conditionally
Case Officer: Mr Chris Cummings

7. Planning Enforcement: (Pages 23 - 56)

8. Planning Application Decisions Issued (Pages 57 - 80)

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 meeting, 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>

9. Appeal Decisions (Pages 81 - 82)

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>

10. Exempt Business

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

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Planning Committee**Thursday 8 November 2018****PRESENT:**

Councillor Stevens, in the Chair.

Councillor Morris, Vice Chair.

Councillors Corvid, Derrick, Mrs Johnson, Loveridge, Nicholson, Mrs Pengelly, R Smith, Tuffin, Winter, Lowry (Substituting for Councillor Tuohy) and Mrs Bridgeman (Substituting for Councillor Kelly).

Apologies for absence: Councillors Tuohy (Councillor Lowry Substituting) and Kelly (Councillor Mrs Bridgeman substituting).

Also in attendance: Katie Saunders (Major Developments Team Leader), Mark Lawrence (Lawyer), Jamie Sheldon (Democratic Advisor) and Helen Rickman (Democratic Advisor).

The meeting started at 16:00 and finished at 19:45.

*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.*46. **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 Derrick	Minute number 51 and Item 6.1	Berth holder at Sutton Harbour owned by the applicant.	Personal interest.

47. **Minutes**Agreed the minutes of the meeting held on 13 September 2018.48. **Chair's Urgent Business**

Under this item the Chair raised the following items of urgent business:

- the committee wished Cllr Tuohy a speedy recovery following her traffic accident; the chair advised members that Cllr Morris would be Vice Chair for this meeting;

- the Chair welcomed civic visitors Councillor David Sheppard and Councillor John Williams from Rotherham Metropolitan Borough Council.

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

There were no questions from members of the public.

50. **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.

51. **Land At Sugar Quay East Quay Sutton Harbour Plymouth - 18/01245/FUL**

Sutton Harbour Holdings PLC

Decision:

Granted conditionally subject to S106 –added informative for Residents Liaison Group, Conditions 9 & 10 to be amended to be agreed in consultation with Ward Councillors and Condition 22 amended to allow for additional infrastructure for further electric vehicle charging points.

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

(The Committee heard from Councillor Mary Aspinall, Sutton and Mount Gould Ward Councillor).

(The Committee heard a representation against this application).

(The Committee heard from the applicant's agent).

52. **Harbour Car Park Lockyers Quay Plymouth PL4 0RA - 18/01246/FUL**

Sutton Harbour Holdings PLC

Decision:

Grant conditionally –with added informative for Residents Liaison Group, added Condition for External Maintenance Management Plan to be agreed in consultation with Chair, Vice and Shadow and Condition 17 amended to investigate additional infrastructure for further electric vehicle charging points.

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

(The Committee heard from Councillor Sue Dann, Sutton and Mount Gould Ward Councillor).

(The Committee heard a representation against this application).

(The Committee heard from the applicant's agent).

53. **Planning Enforcement**

Members noted the report.

54. **Planning Application Decisions Issued**

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

55. **Appeal Decisions**

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

56. **Exempt Business**

There were no items of exempt business.

Voting Schedule (Pages 5 - 6)

*** Please note ***

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

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PLANNING COMMITTEE – 13 September 2018

SCHEDULE OF VOTING

Minute number and Application		Voting for	Voting against	Abstained	Absent due to interest declared
6.1	I Fortescue Place, Plymouth, PL3 5HT - 18/01054/FUL	Unanimous (Councillors Stevens, Tuohy, Churchill, Corvid, Derrick, Mrs Johnson, Michael Leaves, Loveridge, Dr Mahony, Morris, R. Smith, Tuffin and Winter).			
6.2	22 Langhill Road, Plymouth, PL3 4JH - 18/01226/FUL	Councillors Stevens, Tuohy, Churchill, Corvid, Derrick, Mrs Johnson, Michael Leaves, Loveridge, Morris, R. Smith, Tuffin and Winter.		Councillor Dr Mahony	
6.3	Land Adjacent 3A St. Anne's Road, Plymouth, PL6 7LW - 18/01149/FUL Motion to defer application (lost): Decision: to Grant Conditionally	Councillors Churchill, Dr Mahony, Michael Leaves, Mrs Johnson, Loveridge and R. Smith. Councillor Churchill	Councillors Corvid, Derrick, Morris, Stevens, Tuohy, Tuffin and Winter. Councillors Corvid, Derrick, Morris, Michael Leaves, Tuohy, Stevens, Tuffin and Winter.		Councillors Dr Mahony, Loveridge, Mrs Johnson and R Smith.

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PLANNING APPLICATION OFFICERS REPORT



Application Number	18/01737/FUL	Item	01
Date Valid	11.10.2018	Ward	PLYMSTOCK RADFORD
Site Address	1 Ronsdale Close Plymouth PL9 7QZ		
Proposal	Relocation of front entrance door and roof alterations to existing single storey front extension		
Applicant	Mrs Sharron Reeves		
Application Type	Full Application		
Target Date	06.12.2018	Committee Date	13.12.2018
Extended Target Date	N/A		
Decision Category	Member/PCC Employee		
Case Officer	Mr Macauley Potter		
Recommendation	Grant Conditionally		



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

1. Site Description

1 Ronsdale Close is a two storey end terrace property located in the Plymstock area. The property follows a building line of similarly designed terrace properties along Ronsdale Close. The property is finished in grey spa dashed render.

2. Proposal Description

The proposal seeks permission for the relocation of the entrance door on the porch from the side elevation to the front elevation. The roof alterations consist of a pitched door canopy measuring approximately 2.3 metres from the ground to the underside of the canopy eaves. The total canopy height terminates approximately 0.3 metres from the total height of the existing front extension.

3. Pre-application enquiry

No pre application enquiry associated with this application.

4. Relevant planning history

11/00914/FUL – Two storey rear extension and single storey front extension/porch – grant conditionally

16/00673/FUL – Front extension – grant conditionally

18/01698/GPI - A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 3.94m, has a maximum height of 4.0m to ridge, and has an eaves height of 2.85m – prior approval required and given

5. Consultation responses

None required.

6. Representations

None received.

7. Relevant Policy Framework

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

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

The 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 (2018) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- o 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).
- o 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:

- o Development Guidelines Supplementary Planning Document.
- o The Town and Country Planning (General Permitted Development) (England) Order 2015.

8. Analysis

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

2 The application is relevant to policies CS02 (Design) and CS34 (Planning Application Considerations) of the Local Development Framework Core Strategy and DEVI(1) (Protecting Health and Amenity) and DEV20 (Place shaping and the quality of the built environment) of the emerging Joint Local Plan, as well as and the aims of the Council's Development Guidelines Supplementary Planning Document 1st review (2013), and the National Planning Policy Framework (2018). The primary planning considerations in this case are its impact on neighbouring amenity and the impact on the character and appearance of the area.

Design and Impacts on Amenity

3 Case Officers have assessed the impacts of the proposed door relocation and canopy and consider them acceptable in terms of impact on the street scene. The proposed alterations are also considered to be in-keeping with the original dwelling and the front extension approved in 2016.

4 In terms of scale case officers consider the proposal to be subservient to the main dwelling. The proposed door canopy terminates approximately 0.3 metres below the total height of the front porch.

5 In terms of materials used wall render and roof tiles are proposed to match existing as per the plans.

6 Case Officers consider there to be no significant overlooking issues resulting from the proposed alterations. The alterations include the removal of a slot window on the front elevation and there are no proposed side windows on the porch. Case Officers also consider there to be no significant loss of light resulting from the proposed alterations.

7 The proposal is considered to comply with policies CS02 (Design) and CS34 (Planning Application Considerations) of the Local Development Framework Core Strategy as well as DEVI (Protecting Health and Amenity) and DEV20 (Place shaping and the quality of the built environment) 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 required

11. Planning Obligations

None required

12. Equalities and Diversities

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

13. Conclusions and reasons for decision

As per the reasons outlined above the relocation of the front door and the installation of a door canopy is not considered to be harmful to the street scene and neighbouring amenity.

In arriving to the above recommendation Case Officers have taken account of the NPPF (2018) and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with the Council's adopted planning policy, supplementary planning documents and national guidance, and the alterations are therefore recommended for conditional approval.

14. Recommendation

In respect of the application dated 11.10.2018 it is recommended to Grant Conditionally.

15. Conditions / Reasons

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

1 **CONDITION: APPROVED PLANS**

Site location and block plan 180924-02 Rev A received 05/10/18
Existing Plans and Elevations 180924/03 received 05/10/18
Proposed plans and elevations 180924/04 received 05/10/18

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 124, 127, 130 and 131 of the National Planning Policy Framework 2018.

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.

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).

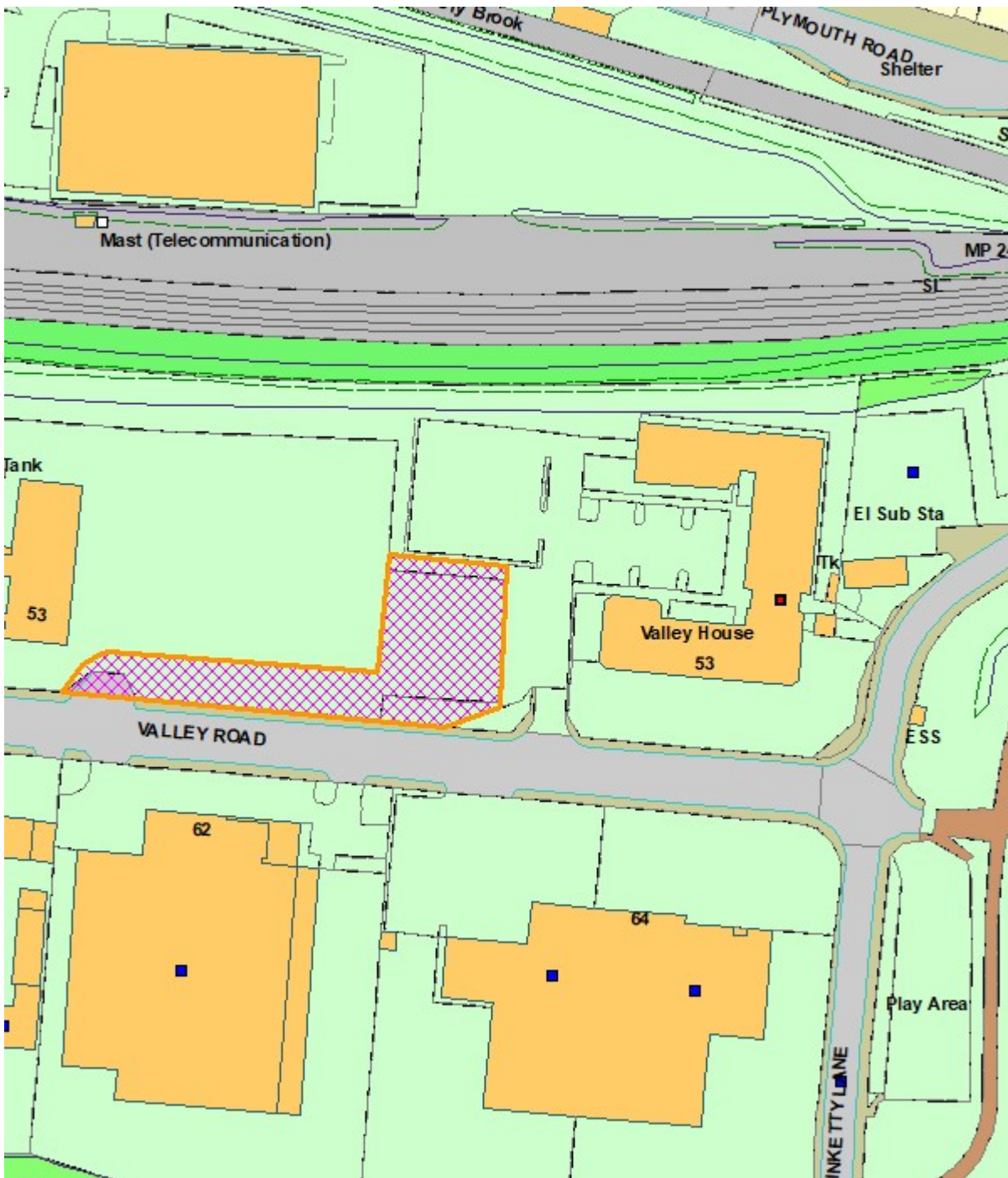
2 INFORMATIVE: UNCONDITIONAL APPROVAL (APART FROM TIME LIMIT AND APPROVED PLANS)

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraph 38 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	18/01820/FUL	Item	02
Date Valid	26.10.2018	Ward	PLYMPTON ERLE
Site Address	53 Valley Road Plymouth PL7 IRF		
Proposal	Installation of gas-engine powered electrical generation plant		
Applicant	Conrad Energy (Developments) Limited		
Application Type	Full Application		
Target Date	21.12.2018	Committee Date	13.12.2018
Extended Target Date	N/A		
Decision Category	Member referral		
Case Officer	Mr Chris Cummings		
Recommendation	Grant Conditionally		



This application was referred to Planning Committee by Councillor Beer.

1. Description of Site

The application site is an L-shaped parcel of land located at 53 Valley Road. Valley Road is an existing industrial estate with a wide range of uses in operation. The site is positioned on the eastern part of Valley Road and is located between the public highway and a car park serving Valley House (directly to the east). Valley Road is towards the bottom of a valley.

2. Proposal Description

Installation of gas-engine powered electrical generation plant

3. Pre-application Enquiry

None

4. Relevant Planning History

No relevant history for this site. The following applications from other areas of the city are considered relevant:

Ernesettle STOR, Ernesettle Lane, PL5 2ST

13/00900/FUL - Change of use including installation of up to 52 diesel generators and 13 transformers for generation of Short Term Operating Reserve (STOR) electricity of up to 20mw to the local distribution network and associated works - Permitted.

13/02406/FUL - Change of use including installation of up to 52 diesel generators and 13 transformers for generation of Short Term Operating Reserve (STOR) electricity of up to 20mw to the local distribution network and associated works - Variation of condition 2 of planning consent 13/00900/FUL to allow substitution of drawing - minor material amendment to alter layout and infrastructure - Permitted.

14/02387/FUL - Change of use including installation of diesel powered generators and associated infrastructure for the provision of a Flexible Generation Facility to provide energy balancing via the national grid - Granted conditionally

17/00603/FUL - Installation of noise mitigation measures including metal framed barriers with acoustic lining and acoustic lining applied to wall - Granted Conditionally

18/00765/S73 - Variation of condition 5 (hours of operation) of application 13/02406/FUL to allow operation any time outside of permitted hours on a maximum of 5 occasions per year (maximum duration of 30 minutes per occasion) - Granted conditionally

Faraday Road, PL4 OST

12/00084/FUL Construction of Standby Small Scale Embedded STOR Power Plant including generators and associated tanks and buildings and connection to national grid and erection of 4.5m acoustic wall and security fencing - Granted conditionally

12/00608/FUL - Construction of standby small scale embedded STOR power plant including generators, associated tanks and buildings and connection to National Grid and erection of acoustic wall and security fencing - Granted conditionally

17/01009/FUL - Replace 52 diesel generators for 15 gas generators or battery technology - Granted conditionally

5. Consultation Responses

Local Highway Authority - No objection to proposal, advised that standing advice should be used in creating the access to Valley Road.

Wales and West Utilities - Advised that they have pipes in the area and should be contacted by the applicant direct to discuss

South West Water - No objection as proposal shows surface water will be dealt with through infiltration method.

Natural Infrastructure Team - No objection, however condition requested for retention of hedges on site.

Public Protection Service - Object to proposal due to noise impacts of late night operation of the site.

6. Representations

38 letters of representation have been received regarding this application.

- Impact on dwellings on Dudley Road
- Impact of late night and weekend operation noise
- Impact of noise on properties higher up the valley
- Concern over gas supplies to dwellings nearby due to plant using it
- Additional pollution from the use
- Noise disturbances during construction
- Location near to play park and residential properties
- Additional traffic
- Safety of a gas operated plant
- Loss of trees
- Encroachment into park/playing fields.
- Lack of employment benefits to the local community

The reliability of the existing gas supply to nearby dwellings is not a material planning consideration and would be the responsibility of the relevant gas suppliers.

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 been submitted to the Planning Inspectorate for Examination, pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations. On 15 August 2018 the JLP Councils received a Post Hearing Advice Note from the Planning Inspectors. The inspectors state that "at this stage we consider that the JLP is a plan which could be found sound subject to main modifications" and, provided their views on further work and potential main modifications needed. The Council have prepared a schedule setting out the proposed Main Modifications and these are available for consultation until 3rd December 2018.

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.

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

- Development Guidelines Supplementary Planning Document

8. Analysis

1. This application has been considered in the context of the development plan, the submitted Joint Local Plan, the Framework and other material policy documents as set out in Section 7.
2. The proposal seeks the installation of two gas powered electrical generation plants to supply emergency and peak time support to the National Grid on an 'as-required' basis.
3. The proposal does not directly meet the requirements of Policy CS20 of the Core Strategy and Policy DEV35 of the emerging Joint Local Plan as it is gas operated rather than utilising a sustainable resource. However, as set out in the submitted Planning Statement, renewable energy sources can see uncontrolled increases and decreased in output and are unable to respond instantly to peak power variations. The proposed site is designed to support renewable energy sources by providing the additional support required at these peak times. As the use is designed only to be as a supportive measure to other energy sources the proposal is considered acceptable in terms of Policy CS20 of the Core Strategy and Policy DEV35 of the emerging Joint Local Plan as it is assisting the shift to more renewable energy producing technology.

Amenity Impacts

4. The site is positioned at the bottom of a valley and the southern side of the industrial estate backs onto dwelling houses. Although this site is on the northern side of Valley Road the closest residential dwellings are only 130 metres away to the south, creating the potential for amenity impact to them. In addition there are dwellings approximately 135 metres to the north, however they are separated by a railway line and the busy highway of Plymouth Road, limiting the impact on these dwellings.

Light

5. The site is positioned in an existing industrial estate and is set away from neighbouring buildings by approximately 21 metres. The maximum height of the generators is 7 metres, lower than that of the existing containers being stored on site and the proposal is not considered to create any significant loss of light.

Noise

6. The application was accompanied by a Noise Impact Assessment and the Council's Public Protection Service (PPS) were consulted on the proposal.
7. The submitted Noise Assessment states that 10 metres away from the site the noise levels generated by the generators would be 53db, with the background noise level of the surrounding area during daytime being 53.7db during the day and 38.5db at night.
8. The applicant submitted comparative examples of noise which is that 37db is the level of a quiet living room during the day with no television or radio on. A noise level in the region of 50db is similar to that of a moderately quiet office.
9. The Public Protection Service raised objections to the proposal as the location of the site and the natural dip in the topography of the area means that noise at night would be clearly audible in one of the receptor directions. As such, the proposal would not be supported due to the unacceptable levels of noise at night creating significant amenity impacts.

10. The applicant was advised of this and submitted a possible condition to limit the hours of operation to be 07.00 to 23.00 unless in emergency by Electricity Grid operators and this would not exceed 10 hours per year.
11. PPS were consulted on whether this would be a suitable condition and objected to it as the site itself is designed as a top-up service to the grid and any use would be as an 'emergency' additional source for the grid. In this instance such a condition would therefore not be suitable for use. The use for 10 hours per year is also considered not to be suitable for a condition as it would generate significant amenity impacts as, depending on the demand, it could run for up to 10 hours in one go, or see disturbances throughout a shorter period of use spread out over a number of days (for example 1 hour per night for 10 days in a row).
12. The condition restriction of 07.00 to 23.00 is due to the definition of daytime hours set out in British Standard 4142:2014, one of the most widely used for assessment of environmental noise. These hours are also set on the Government website as being defined day time and night time hours.
13. In assessing the proposal Officers investigated other applications for similar methods of electricity generating in the city, with the full list of recent relevant applications listed in Part 4 of this report. Two sites were found with history at Faraday Road and Ernesettle Lane.
14. The site at Faraday Road was originally approved for diesel generators, with an approval in 2017 to change to gas or battery generators. This site is approximately 137 metres from the nearest residential dwelling and is positioned adjacent to waste water treatment works.
15. This proposal saw a 4.5 metre high acoustic screening fence installed as part of the original approvals (12/00084/FUL and 12/00608/FUL) and then a condition restricting the noise levels to be no more than LA90 at any time when measured from nearby residential properties. It is considered that similar noise mitigation methods would not be appropriate at the application site, with PPS advising that the topography of the site means any additional acoustic measures would be difficult to implement, as well as the potential visual impacts of the necessary level of acoustic screening required.
16. The site at Ernesettle Lane was a former factory unit and is positioned 220 metres from the nearest dwellings. It saw the installation of acoustic barriers as well as restrictions on the hours of operation to operate 07.00 to 23.00 hours each day with a maximum of 200 hours per year and a maximum operation time of 2 hours at any use. The operating hours of 07.00 to 23.00 was further restricted with specified times for varying periods of the year.
17. The installation of acoustic barriers at the application is not considered appropriate for the reasons stated previously regarding the Faraday Road site, and the hours of operation were heavily restricted to create an acceptable proposal.
18. It is not considered that a precedent has been set in the city for sites to generate electricity without suitable control being in place to protect neighbour amenity. Due to the topography and positioning of the application site it is not possible to install acoustic barriers in a suitable manner, and the operating hours would need to be restricted to day time use only to meet PPS recommendations on noise level impacts.

19. The hours of operation stated in this application's submitted Air Quality Assessment were 'based on the assumption that the facility will operate up to a maximum of 2,500 hours per year at the maximum design capacity'. This level of use is considered to be inappropriate for night time usage at a site with residential properties in relatively close proximity and with night time impacts identified in the noise assessment report and by the Public Protection Service.

20. Following discussions with the applicant it was agreed that the plant would not operate outside of the hours of 07.00 to 23.00 hours each day and, in line with the Ernesettle Lane approval, it is also recommended to add a condition limiting the total use each year to a maximum of 2,500 hours (approximately 49% of the total available daytime hours).

21. This would assist with mitigating the Public Protection Service concerns regarding night time use of the site and ensure that it is used only as a top-up service, rather than in constant use.

22. With the use of these conditions to control the impact the proposal and the advice of the Public Protection Service the proposal is considered to comply with Policies CS22 and CS34 of the Core Strategy and Policies DEV1 and DEV2 of the emerging Joint Local Plan.

Air Quality

23. The applicant submitted an air quality assessment with the application advising that the proposal would have a 'not significant' effect on local air quality. The Public Protection Service was consulted on the proposal and raised no objections to this element of the submission.

24. Based on the submitted air quality assessment and the Public Protection Service response the proposal is not considered to create significant air quality impacts and accords with Policy CS22 and CS34 of the Core Strategy and Policies DEV1 and DEV2 of the emerging Joint Local Plan.

Visual Impacts

25. The site is located within the Valley Road industrial estate. The highest point of the generator is 7 metres high, with the majority being 6 metres or lower in height. In addition there is proposed to be a 2.5 metre high palisade fence surrounding the site.

26. The existing site has stacked shipping containers that are higher than the proposed generators, and the location within an active industrial estate with a wide range of uses means that the proposal is not considered to generate any significant visual impacts in accordance with Policies CS02 and CS34 of the Core Strategy and Policy DEV20 of the emerging Joint Local Plan.

Drainage

27. Having checked the Environment Agency online flood zone measurements the site was found not to be within a flood zone. The existing surface water drainage of the site will not be altered, with an existing site hard standing retained. South West Water submitted comments on the proposal and raised no objection. As the status quo is being retained and the proposal is on a previously developed site the application is considered to comply with Policy CS21 of the Core Strategy and Policy DEV37 of the emerging Joint Local Plan.

Transport Considerations

28. The site will be accessed from Valley Road and will see a new gated entrance constructed for maintenance vehicles to park within the site confines. Once the site is operational there will be little additional highway movements apart from maintenance.

29. The Local Highway Authority was consulted on the proposal and raised no objections, however advised that the access point should meet Local Highway Authority standing advice to ensure adequate visibility is provided to protect the safety of highway users. A condition is therefore recommended on any approval to ensure the access is installed in the correct manner. With the use of this condition the proposal is considered to comply with Policy CS28 of the Core Strategy and Policy DEV31 of the emerging Joint Local Plan.

Biodiversity

30. The site is located within an existing industrial estate on land currently being used for shipping container storage. The Council's Natural Infrastructure Team were consulted on the proposal and raised no objection, however they did request a condition that any existing hedgerow on site be retained.

31. The proposal does not require the removal of any existing hedgerow as is none on site. As such, the condition recommended by the Natural Infrastructure Team is not considered appropriate in its current form. However, the submitted Tree Survey Report advised that there is a poor quality hedge on the neighbouring site and it is considered appropriate to modify the condition on the approval to ensure that this hedge is protected during construction work. With the use of this condition the proposal would be found to comply with Policy CS18 of the Core Strategy and Policy DEV30 of the emerging Joint Local Plan.

32. Other Considerations

33. Letters of representation raised concern regarding noise during construction. Any works would be expected to follow the Council's code of conduct for construction and an informative would be placed on any approval to advise the applicant of this requirement.

34. Comments were also received on the lack of employment benefits to the site. There would be employment in some form in maintenance of the site and the remainder of the existing storage site is not included within this application, limiting the impact to an acceptable level.

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

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

13. Conclusions and Reasons for Decision

The proposal does not provide renewable energy, but is designed to be a supporting element in the shift to sustainable resource use. It was considered by Officer's that night time use would generate significant amenity impacts and, in line with Public Protection Service recommendations, the hours of operation will be restricted by condition to prevent significant amenity impacts being generated by the proposal.

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.

14. Recommendation

In respect of the application dated 26.10.2018 it is recommended to Grant Conditionally.

15. Conditions / Reasons

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

1 **CONDITION: APPROVED PLANS**

Site Location Plan PLY-LP-01 Rev A received 19/10/18
Existing Site PLY-ES-01 Rev A received 19/10/18
Proposed Site PLY-PS-01 Rev A received 19/10/18
Proposed Elevations PLY-PE-01 Rev A received 19/10/18

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 124, 127, 130 and 131 of the National Planning Policy Framework 2018.

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: HOURS OF OPERATION

The approved generators shall not be in operation at any time outside the following hours: 07.00 to 23.00 hours Monday to Sunday inclusive. The approved generators shall operate for a maximum of 2500 hours per calendar year in line with the submitted noise assessment dated 5th October 2018.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 170, 180-183 of the National Planning Policy Framework 2018.

4 CONDITION: ACCESS/HIGHWAY IMPROVEMENTS (GRAMPIAN)

PRE-FIRST USE

The access into the site shall be installed prior to first use of the generators hereby approved. The access shall ensure adequate visibility splays are provided as set out in Paragraphs 7.7.1 to 7.7.10 of the Manual for Streets 2007.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 102, 108, 110 and 111 of the National Planning Policy Framework 2018.

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: COMMERCIAL VEHICLE CROSSING

A dropped kerb may be required to allow access to the site. The applicant is advised to contact the Local 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.

4 INFORMATIVE: CODE OF PRACTICE

The development hereby approved shall be undertaken in accordance with the Council's Code of Practice for Construction and Demolition Sites which is available at <https://www.plymouth.gov.uk/sites/default/files/ConstructionCodeOfPractice.pdf>.

PLYMOUTH CITY COUNCIL

Subject: Planning Compliance
Committee: Planning Committee
Date: 13 December 2018
Cabinet Member: Councillor Mark Coker
CMT Member: Anthony Payne (Director for Place)
Author: Paul Barnard - Service Director for Strategic Planning and Infrastructure
Contact details Tel: 01752 304077
email: paul.barnard@plymouth.gov.uk
Ref: SPI/DM/CR/CWI
Key Decision: No
Part: I

Purpose of the report:

The purpose of this report is update Plymouth City Council's Planning Committee Members on the statutory background to the Council's planning enforcement activities, and to summarise the extent and type of planning compliance activities currently being carried out by the Council. The report has also been prepared to assist Members in their understanding of the planning compliance process, and how this vital activity is being carried out in Plymouth. The report also updates Members of the Committee on the key planning compliance statistics as at November 2018, and contains a specific case study outlining how planning compliance action can assist in maintaining an acceptable level of residential amenity while development takes place near their homes. The prompt and effective enforcement of planning rules is essential to protect the quality of the City's environment, and ensure public confidence is maintained in the planning system.

Corporate Plan

The prompt and effective enforcement of planning rules is essential to protect the quality of the City's environment, and ensure public confidence is maintained in the planning system, and this supports the objectives of the Council's Corporate Plan and the South West Devon & Plymouth Joint Local Plan. Effective planning enforcement helps to achieve the City Vision, values, Objectives and outcomes contained within the plan, for, Pioneering Plymouth, Growing Plymouth, Caring Plymouth and Confident Plymouth.

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land**

There are no additional resource implications arising from this planning enforcement update report.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety and Risk Management:

- Community Safety - effective planning enforcement is essential to support the Council’s role in this field.
- Health and Safety - effective planning enforcement assist in meeting health and safety objectives.
- Risk Management – effective planning enforcement assist in minimising risk from complaints and subsequent possible legal challenges to decision.

Equality and Diversity

Has an Equality Impact Assessment been undertaken? This mainly information disseminating report has an entirely neutral impact in terms of Equality & Diversity considerations.

Recommendations and Reasons for recommended action: The contents of this report to be noted by Members of the Planning Committee.

Alternative options considered and rejected:

The Council is required to carry out planning enforcement investigations and follow up actions.

Published work / information:

National and local planning policy guidance as set out in the report.

Background papers:

Title	Part I	Part II	Exemption Paragraph Number							
			1	2	3	4	5	6	7	
National Planning Policy Framework 2018										
National Planning Practice Guidance 2016										

Sign off:

Fin	pl.18. 19.16 5.	Leg	lt/31 633/ 0412	Mon Off		HR		Assets		IT		Strat Proc	
Originating SMT Member													
Has the Cabinet Member(s) agreed the contents of the report? Yes													

1.0 Introduction;

1.1 The purpose of this report is update Plymouth City Council's Planning Committee Members on the statutory background to the Council's planning enforcement activities, and to summarise the extent and type of planning compliance activities currently being carried out by the Council. The prompt and effective enforcement of planning rules is essential to protect the quality of the City's environment, and ensure public confidence is maintained in the planning system.

2.0 Planning Compliance Powers;

2.1 Section 171 of the Town & Country Planning Act 1990, the primary national planning legislation currently, gives Local Planning Authorities the necessary powers to enforce planning legislation in all its forms.

2.2 National guidance on planning enforcement is summarised on one relatively brief paragraph (number 58) in the National Planning Policy Framework 2018, which states as follows;

'Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate'.

2.3 More detailed guidance regarding planning enforcement, and how this should be carried out in practice, is contained in the National Planning Practice Guidance 2016 (last updated on 22/11/18) which contains a section devoted to planning enforcement and states in its introduction as follows;

'There is a range of ways of tackling alleged breaches of planning control, and local planning authorities should act in a proportionate way.

Local planning authorities have discretion to take enforcement action, when they regard it as expedient to do so having regard to the development plan and any other material considerations. This includes a local enforcement plan, where it is not part of the development plan.

In considering any enforcement action, the local planning authority should have regard to the National Planning Policy Framework, in particular paragraph 207 (now paragraph 58 in 2018 NPPF)'.

2.4 At the local level, and in line with the advice contained in the national guidance, Plymouth City Council adopted its own Planning Enforcement Policy in January 2017.

This document has a helpful role in setting out how the Council enforces planning rules at the local level. Significantly, given the resource intensive nature of the activity and the limited number of planning officers available for the activity (currently the equivalent of approximately 3.0 full time planning officer posts), it also identifies the Council's planning enforcement priorities, and provides targets for the investigation of different types of planning breach.

2.5 The Planning Enforcement Policy also highlights the importance of protecting the special built heritage of Plymouth, and in particular its many listed buildings, and the fourteen designated conservation areas. These assets in particular have been the subject of a number of proactive coordinated planning compliance initiatives, including most recently action against eight of the most neglected and untidy buildings in Union Street in November. These types of proactive initiatives are important in supporting and encouraging responsible owners who invest in their land and buildings, and helps maintain public confidence in the effectiveness of the planning system.

2.6 An audit of Plymouth City Council's planning enforcement service was carried out by Devon Audit in 2016. This found that the service was operating well, but recommended a series of changes to improve the service further. These included the adoption of an enforcement policy, the increased use of technology to improve customer service, and the identification of priorities to guide the allocation of resources. These changes have been implemented. In December 2017, planning compliance officers also visited Hounslow Borough Council to study and learn best practices from what is generally regarded to be an exemplar compliance service. Several new initiatives have since been introduced in Plymouth as a result of this.

(Appendix C1 – copy of the Plymouth City Council Planning Enforcement Policy)

3.0 What planning compliance can and cannot do;

3.1 Through a combination of national guidance, the legal framework, and a whole raft of case law on the subject, we have arrived a situation where planning enforcement can be seen to have several key characteristics as follows;

- **Planning enforcement is essentially a remedial activity not punitive.**
This means that the primary purpose of the activity is to remedy the harm being caused by a planning breach, in whatever the form that planning harm takes, and not necessarily to punish those responsible for the breach.

This is not to say that there are no punitive powers available to LPA's to address planning breaches, though, as patently there are, but these are normally reserved for situations where an absolute offence has occurred causing irreparable harm, or where a remedy cannot be secured through negotiation and discussions, and/or where a planning enforcement notice has been issued but has not been complied with.

- **Planning enforcement action is a discretionary activity and should be pursued only where this is considered to be expedient**

The Council is under a duty to investigate suspected, and reported, planning breaches, and not to do so would result in potentially punitive and costly intervention by the Local Government Ombudsman. However, where a breach of planning control is subsequently identified, enforcement action does not automatically follow, as the Council must consider whether it is expedient to pursue action based on the extent of any planning harm caused by the breach. For this reason, it is not uncommon for Councils not to pursue enforcement action where for example a very minor and inconsequential change is made from an approved scheme, or if a development only very slightly exceeds a permitted development allowance, with no planning harm being caused by this as a result.

- **Failure to obtain planning permission where this is required is not an offence in law.** Nor indeed, is failure to comply with planning conditions attached to a planning permission that has been issued by the Council, nor conditions attached to a permission granted under the nationally applicable General Permitted Development Orders.

It is clearly most unwise, however, for any person or organisation to carry out any development, either knowingly or unknowingly, without first obtaining the required planning permission, or fail to comply with planning conditions attached to a planning permission. This is because the Council has very robust planning enforcement powers it can take where unauthorised development causes planning harm, and where planning conditions are not being complied with.

These powers include the issuing of enforcement notices, of various types, which if not complied with, will result in the Council prosecuting the person(s)/organisation responsible, and or carrying out remedial works in the the form of direct action ie taking steps required and recovering the costs of this from the contravenor(s). Where found guilty in the Magistrate Court the maximum penalty on summary conviction is £20,000 per offence, with unlimited fines, and potentially custodial sentences, available to the higher Crown Court if required.

Where an absolute planning offence occurs, which applies to a small number potentially irreparable harm situations, such as the felling of a protected tree, or damage to a listed building, then immediate prosecution can take place, as these are examples of so called direct planning law offences.

- **Any planning enforcement action taken should be proportionate to the effect of the breach.**

There is a range of robust formal planning enforcement actions that can be pursued, starting with initial notices, then progressing to enforcement and stop notices, and then in extreme cases, injunction actions. The principle here is that the form of action taken should reflect the seriousness of the breach, and/ or extent of the planning harm being caused by it.

- **Any planning enforcement action that is taken should not duplicate, or seek to take the place of, any other legal action that could be taken under any parallel legislation.**

Some planning breaches can involve an activity which also contravenes some other form of environmental legislation, and national guidance makes it clear that planning enforcement should not replace another form of enforcement action, if this is applicable, and it can be pursued by the appropriate enforcing authority. Each situation needs to be carefully considered to determine which actions should be applied, and whether another form of enforcement action may achieve a more instant and/or effective remedy, or where parallel actions may be beneficial.

4.0 The role of Councillors and their constituents in this process;

4.1 Some breaches of planning control are identified by planning officers, in the normal course of their work, and are always recorded on the Council's planning compliance recording system, and followed up with appropriate action being taken as required.

4.2 The great majority of planning compliance cases, of which the Council records between 350 and 450 per year on average, are reported to the Council by members of the public, or by councillors, or by councillors on behalf of their constituents.

4.3 All reports of suspected planning breaches are recorded on the Council's recording system regardless of the means by which they are reported. All reports are treated in the strictest confidence, and in carrying out the necessary investigations the planning case officer will not divulge the sources of their information at any stage. This is clearly vital in terms of preventing any possible personal repercussions, and encouraging members of the public and councillors to report useful information.

4.4 To encourage members of the public to report suspected planning breaches quickly, and conveniently, an on-line reporting form has been available for use on the Council's website. This is located within the 'How we deal with Unauthorised Development' part of the website, which also contains useful information about how suspected breaches are investigated, and includes access to the adopted Planning Enforcement Policy.

4.5 City Councillors can report suspected breaches direct by phone, email, or letter, but also can use the Firmstep reporting system if they prefer. Councillors also now have access to a separate recently installed specific form for reporting Untidy Land & Buildings, and councillors are actively using this form to report cases for investigation.

4.6 Case officers will keep members of the public & councillors who have reported suspected planning breaches, updated on significant stages of their investigations, for example confirming if a breach of planning control has occurred and then outlining action which is considered expedient to pursue to remedy planning harm, and will also notify them of formal notices that have been served, and provide details of any appeal that is lodged. Councillors are also invited to participate in the appeal process, similar to participating in an appeal against a refusal of planning permission, by submitting their views to the Planning Inspectorate should they wish to do so.

4.7 City Councillors also play a key role in identifying subjects for proactive planning compliance initiatives, and the latest of these to be undertaken has involved action to secure improvements to eight significantly untidy buildings in Union Street. Members have been aware of growing concerns from Union Street residents about the buildings in question, and are keen to see improvements to the area to supplement the programme of improvements underway in the locality as part of the Millbay Boulevard development.

5.0 Types of planning enforcement notices;

In the event of a planning breach being identified, and where some form of remedial action is considered to be expedient, the following types of enforcement notices are available to the Council to utilise depending upon the type of planning breach being actioned;

(i). Breaches of planning permission ie development without necessary planning permission, development not in accord with details approved in a planning permission, failure to comply with conditions attached to a planning permission (granted either by the Council or by the General Permitted Development Order);

Planning Contravention Notice (PCN) - Requires persons to divulge information in respect of land and activities. This is often undertaken to determine if there is a breach of control and to inform the appropriate course of action.

Breach of Condition Notice (BCN) - To require compliance with conditions specified within a planning permission.

Enforcement Notice* (EN) - To require steps to be taken to remedy the breach of planning control.

Enforcement Order* (EO) – Issued where there is evidence that a planning breach has been knowingly concealed, or hidden, by the contravenor, in a deliberate attempt to gain immunity from conventional enforcement action by virtue of the 4 year or 10 year enforcement immunity rule. Needs to be authorised by the Magistrates Court.

Stop Notice*/Temporary Stop Notice - To require unauthorised activities to cease.

Injunction - To prevent unauthorised development and only used in a very limited number of specific circumstances. Needs to be authorised by a Crown Court judge and is only applicable in respect of the most serious types of planning breach, and where severe planning harm would otherwise result.

(ii) Listed Buildings Enforcement – Specifically applicable where unauthorised alterations are made to a listed building;

Listed Building Enforcement Notice* - Requires remedial works to restore damage caused by unauthorised alterations, or changes, and normally where irreparable damage has not been caused.

(iii). Untidy Land or Buildings ie land and/or buildings which are so significantly untidy that they are considered to be adversely affecting the amenity of the area;

Section 215 Untidy Land Notice* – Specifies steps needed to be taken to improve a significantly untidy area of land, or a building, up to an acceptable level of appearance.

(iv). Unauthorised advertisements ie outdoor signs and adverts which lack the necessary consent from the Council; including flyposting on private property;

Removal Notice – Requires an unauthorised advertisement to be removed

* there is a right of appeal against all notices marked in this way, the appeal lodged with either the Planning Inspectorate, or the Magistrates Court, depending on the type of notice.

6.0 Breakdown by type of current compliance caseload;

6.1 The Council records on average between 350 and 450 planning compliance reports per year. Each recorded case is carefully investigated to determine if a breach of planning law has occurred, and to determine what action should be pursued.

6.2 By the end of November 2018, a total of 366 compliance cases had been recorded this calendar year. The subject matter of these cases cover a wide range of different environmental issues, but the majority fall within the following broad categories;

- development without planning permission
- development not in accordance with approved details
- development not complying with planning conditions
- unauthorised advertisements and signs
- untidy land and buildings

(Appendix C2 – Chart showing current outstanding cases in December 2018 by breach type)

6.3 In October 2018, a report was presented to Planning Committee summarising in table form the planning compliance details for that month. This was the first such report and was designed to illustrate the key information in a very simple way. The report for November 2018 is attached to this report.

6.4 During November, the pro-active coordinated special initiative was also carried out to require improvement to eight severely neglected buildings in the Union Street area. These notices related to;

- 1. Former C103 Nightclub – 103-113 Union Street**
- 2. Palace Theatre/Great Western Hotel 119 – 123 Union Street**
- 3. Phoenix Tavern – 9 Phoenix Street**
- 4. Former Choo Choo Nightclub/British Legion – 71 Union Street**
- 5. Hot Diggity Dog Building – 65 Union Street**
- 6. Dragon Inn Building– 93 Union Street**
- 7. Devon and Cornwall Furniture Reuse Project Building – 97 Union Street**
- 8. 148 Union Street (Vacant shop unit) - opposite the Palace Theatre.**

6.5 In addition to these, a ninth Untidy Land Notice was issued in November on the owner of a severely neglected building in Grenville Road, St Judes, after they failed to respond to an informal request for urgent improvements.

(Appendix C3 - Table showing summary of planning compliance cases & actions by Plymouth City Council in November 2018)

7.0 Case study example – construction site parking problems - planning compliance in practice;

7.1 Planning compliance can play a key role in ensuring approved development does not unreasonably impact on neighbouring residents during the construction stage of the development. A particular problem that causes a significant number of complaints from residents currently relates to construction vehicle parking, and the problem this causes where vehicles are parked inconsiderately, and even illegally ie where on-street parking restrictions exist for example.

7.2 The Council's Code of Construction Practice sets out to ensure construction work is carried out with minimal impact on neighbouring residents. This makes only limited reference to the issue of inconvenient and/or unsafe parking by contractors/delivery vehicles, and would benefit by modification to make explicit reference to provision being made on site and retained for this purpose where this is physically possible. Where space constraints mean this cannot be provided on site, an off-site parking plan will be required to be submitted for approval, and subsequent implementation.

7.3 In addition to the generic Code of Practice, the Council typically attach a planning condition to larger scale planning permissions requiring the submission of a specific tailored Code of Practice for the development site for approval before any work commences on site. To address these parking concerns the condition will be modified to require the submission of a detailed construction parking plan, including details of on-site parking spaces, vehicle turning areas, and materials delivery spaces, and it is proposed that planning permission is granted subject to strict adherence to the approved plan. Evidence of failure to comply with the approved details will result in enforcement action being pursued to secure compliance.

(Appendix C4 – Plymouth City Council's Code of Practice for Construction and Demolition Sites)

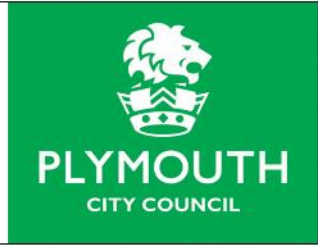
8.0 Summary;

8.1 This report has been prepared to assist Planning Committee Members in their understanding of the planning compliance process, and how this vital activity is being carried out in Plymouth. The report also updates Members of the Committee on the key planning compliance statistics as at November 2018, and contains a specific case study outlining how planning compliance action can assist in maintaining an acceptable level of residential amenity while development takes place near their homes.

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PLANNING ENFORCEMENT POLICY



Plymouth City Council Planning Enforcement Policy

**Tackling unauthorised
developments & other planning
law offences robustly but fairly**

**A concise guide for customers explaining what
action the Council will take where planning
rules have not been complied with.**

Introduction;

- Plymouth City Council is committed to taking the strongest forms of action against unauthorised planning developments.
- Planning rules exist for the benefit of all and to ensure new developments are carried out to an acceptable standard in order to protect the environment and create a vibrant City for all to enjoy.
- Those carrying out developments without the necessary permissions, where required, can expect to face action from the Council which is appropriate and proportionate.
- This document sets out the Council's policy and procedure for tackling unauthorised developments.

Plymouth City Council

The Council's Planning Compliance Service will:

- Robustly and promptly investigate all alleged breaches of planning control that are brought to our attention in writing.
- Complaints received by telephone will also be actioned however, complainants will be encouraged to follow up complaints in writing.
- Anonymous complaints will also be registered and investigated where the reported breach is felt to be potentially serious and/or readily noticeable.
- Register and record all written complaints received, and acknowledge receipt as well as appropriately updating complainants of the progress of the investigation.
- Promptly investigate breaches of planning control that cause demonstrable harm to amenity.
- Although pursuing the strongest action wherever necessary, planning enforcement action is a discretionary activity, and may not be pursued in some instances where after very careful consideration this is not considered to be expedient or in the public interest.

We will also deliver this service by:

- Prioritising cases in accordance with the Planning Enforcement Protocol and Priority Schedule.
- Being helpful and open in the way we work; by allocating a named case officer as a contact person; by responding to all contacts as promptly as possible.

Pursuing a breach of planning control to a suitable conclusion where considered expedient to do so.

- Retaining confidentially of complainants where possible.

Plymouth City Council

Plymouth City Council has introduced this policy to provide the basis for the provision of its Planning Enforcement Services, and as also recommended in Paragraph 207 of the National Planning Policy Framework (NPPF). It has been introduced taking into account:

- The National Planning Policy Framework
- The Government's Planning Policy in respect of Intentional Unauthorised Development, issued in August 2015, which requires weight to be given to the intentional nature of unauthorised development in all planning decisions taken by the Council and Planning Inspectors
- Policies contained within the Plymouth City Council Development Plan Framework, including the emerging Plymouth Plan
- The need to protect, maintain and enhance sites of special control for example Sites of Special Scientific Interest and Plymouth's fourteen valuable Conservation Areas
- The need to protect Plymouth's equally valuable listed buildings and other heritage assets
- The need to ensure compliance with the Council's Article 4 Direction – 'Managing Houses in Multiple Occupation'
- The need to protect the urban and semi-rural environment from unauthorised advertisements
- The need to provide a balance between protecting amenity and enabling good quality acceptable development to take place
- You can find further information on the Strategic Planning & Infrastructure Service's web page on the Plymouth City Council website at <http://www.plymouth.gov.uk> or by telephoning 01752 304366.

Plymouth City Council

Planning Services

Planning Enforcement Protocol

All legitimate complaints we receive that allege a breach of planning control will be investigated – you will have to give us your name and address to enable us to verify the complaint and have a point of contact to update you. Where an allegation is made anonymously we reserve the right not to investigate unless the breach is extremely serious.

When we receive a complaint, we will acknowledge it within 5 working days, using the name and address you provide on your letter of complaint. The letter of acknowledgement will identify the case officer who will investigate your complaint.

Aimed response times you can expect from the Enforcement Team are as follows:

- **Within 1 working days of receipt of the complaint (LEVEL 1 – HIGH PRIORITY):**
 - Unauthorised demolition of buildings
 - Unauthorised works to Listed Buildings
 - Unauthorised works to trees subject of a Tree Preservation Order (TPO), or trees within a designated Conservation Area
 - Breaches of conditions that control the construction hours of development
 - Unauthorised works which are considered to pose imminent danger to life

- **Within 10 and 15 working days of receipt of complaint (LEVELS 2 & 3 – MEDIUM & LOW LEVEL COMPLAINTS):**
 - Development causing noise and disturbance to residential occupiers during unsociable hours
 - The display of advertisements
 - Telecommunication apparatus on residential premises
 - Non-compliance with planning conditions or advertisement consents
 - All other complaints alleging a breach of planning control (e.g. unauthorised building works or engineering operations).

Plymouth City Council

Planning Enforcement – Our commitment:

Openness:

- We will comply with the standards contained in our Enforcement Policy
- We will publish these standards and our annual performance against them
- We will provide information and advice in plain, jargon free language on the rules and regulation we will apply
- We will be open and transparent about the way in which we work
- We will discuss general issues, specific compliance failures or problems with anyone experiencing difficulties.

Helpfulness:

- We believe that prevention is better than cure. We will therefore work with business to advise on and assist with compliance
- We will provide a point of contact and telephone number for each complaint
- We will ensure that where practicable, our enforcement services are effectively co-ordinated to minimise unnecessary overlaps and time delays

Complaints about service:

Where disputes about service cannot be resolved you have the right to make a complaint using the 'Have Your Say' section of the Council's website

<http://www.plymouth.gov.uk/homepage/newsandviews/haveyoursay/complaint.htm>

Procedures:

- Our advice will be put clearly and simply, will be confirmed in writing with an explanation as to why action is necessary
- Before formal action is taken, we will usually try to provide an opportunity to discuss circumstances of the case, resolve points of difference, unless immediate action is required
- Where immediate action is necessary, we will endeavour to provide an explanation of why such action is required at the time and confirmed in writing within 5 days and in all other cases in 20 -25 days.
- Where there are rights to appeal against formal action these will be clearly set out in any correspondence.

Plymouth City Council

Keeping complainants advised:

- Where we find no breach of planning control you will be informed in writing. In certain instances, you may be referred to alternative services to address the issue.
- Where legal action becomes necessary you will be informed of this in writing and we will endeavour to keep you updated of steps being taken in the case.
- Where a decision has been taken to close an investigation without action, you will be informed in writing of this.

Keeping the contravener advised:

- When a breach of planning control is found, the person(s) concerned will be informed in writing of the action that will be taken.
- When warnings are necessary, there will be issued in writing. There may also be a verbal warning if necessary.
- If no further action is required or if the matter is for another Council department or external body/agency, the contravener will be informed in writing.
- We will maintain an ongoing register of alleged breaches of planning control and a summary of what our investigations have revealed.

Plymouth City Council

Type of enforcement action	Purpose
Planning Contravention Notice (PCN)	Requires persons to divulge information in respect of land and activities. This is often undertaken to determine if there is a breach of control and to inform the appropriate course of action
Breach of Condition Notice (BCN)	To secure compliance with conditions specified within a planning permission.
Enforcement Notice	To require steps to be taken to remedy the breach of planning control.
Stop Notice/Temporary Stop Notice	To require the unauthorised activities to cease.
Section 215 Notice	To secure the proper maintenance of land and buildings.
Injunctions	To prevent unauthorised development and only used in a very limited number of specific circumstances.
Prosecutions	It is an offence not to comply with an enforcement notice, once the period for compliance has elapsed and there is no outstanding appeal. A successful prosecution in the Magistrates Court or Crown Court can result in a fine.

Plymouth City Council

Priority Schedule;

<p>Level 1: High Priority Immediate action initiated to address the breach of planning control</p>
<p>A serious and immediate danger to the public or health/safety (e.g. pollution problems/traffic hazards)</p> <p>Permanent damage being caused to the environment (e.g. loss of protected tree, unauthorised works to listed building etc.)</p> <p>Complaints received from elected Councillors</p>
<p>Level 2: Medium Priority Action required promptly, but no immediate harm being caused</p>
<p>Unauthorised development causing significant disturbance to residents or damage to the environment</p> <p>Significant non-compliance with conditions or approved plans taking place</p> <p>Ongoing development unlikely to be granted planning permission without substantial modification</p> <p>Unauthorised uses causing severe nuisance through noise, smells etc.</p>
<p>Level 3: Low Priority Breaches of planning that cause limited or no harm to the environment or residential amenity</p>
<p>Technical PD breaches</p> <p>Neighbour based disputes</p> <p>Minor variations from approved plans</p> <p>Unauthorised advertisements</p> <p>All other minor cases</p>

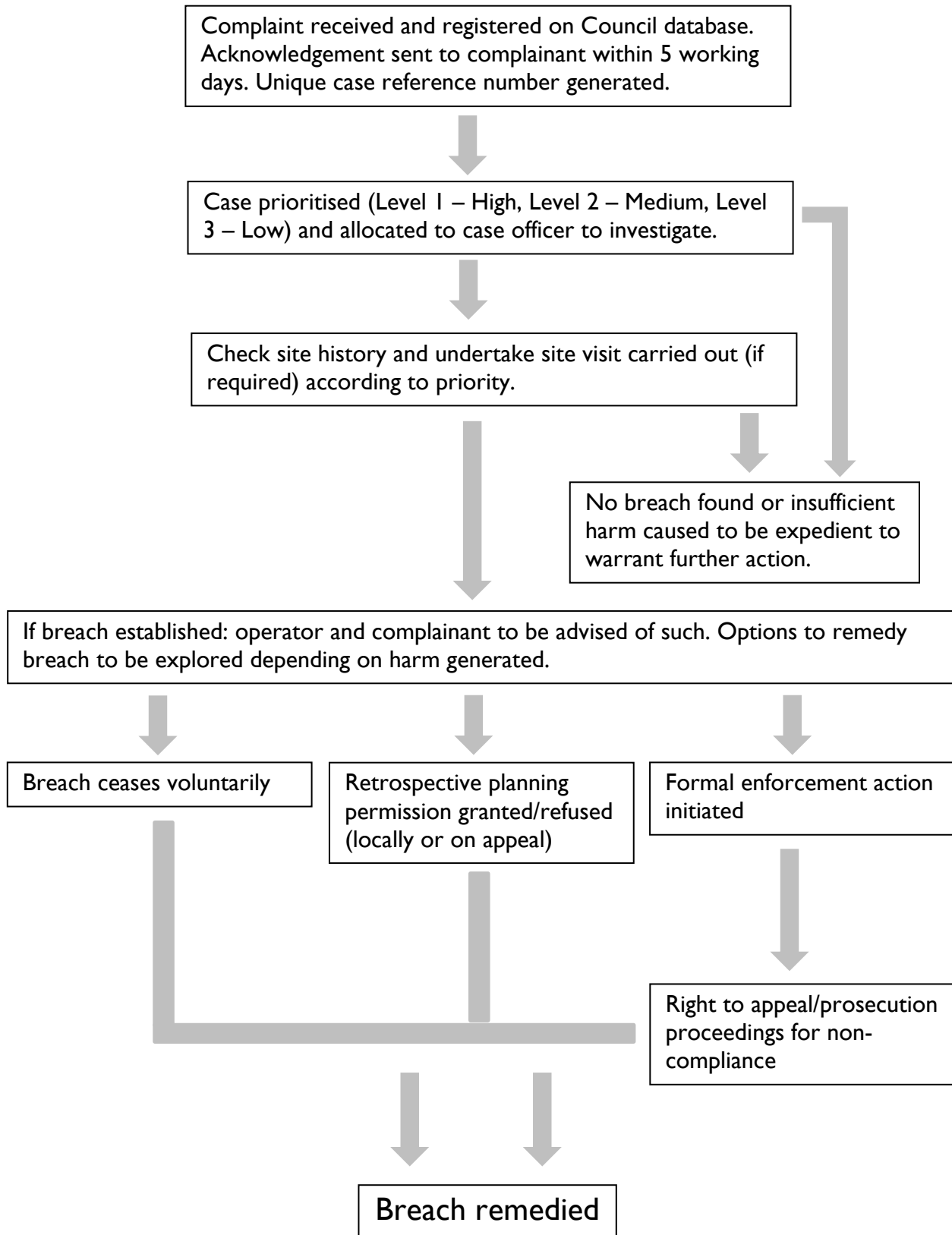
Plymouth City Council

Site visits;

Level 1: High Priority Immediate action initiated to address the breach of planning control
Visit within 2 working days
Level 2: Medium Priority Action required promptly, but no immediate harm being caused
Visit within 25 working days
Level 3: Low Priority Breaches of planning that cause limited or no harm to the environment or residential amenity
Visit within 25 working days

Plymouth City Council

Simplified Flow Chart of Enforcement Investigation Process



Plymouth City Council
Planning Compliance Summary (by type) – Jan 18 to end of Nov 18

Development without planning permission	117
Development not complying with planning permission details	83
Development not complying with planning conditions	64
Untidy Land	58
Miscellaneous others	44
Total Cases	366

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Plymouth City Council
 Planning Compliance Summary – to end of November 2018

Cases outstanding	309
Cases received this month	27
Cases closed this month	15
(No breach identified)	(7)
(Informal/formal action taken)	(8)
Planning Contravention Notices issued	1
Planning Enforcement Notices issued	0
Untidy Land Notices issued	9
Prosecutions initiated	0

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CODE OF PRACTICE

Public Protection Service



CONTROL OF POLLUTION AND NOISE FROM DEMOLITION AND CONSTRUCTION SITES

Welcome to the Plymouth City Council Code of Practice for Construction and Demolition Sites. No one can fail to miss the exciting re-development that is underway across Plymouth and we are fortunate that the City of Plymouth has a buoyant property market that contributes significantly to the local economy. Inevitably this brings some disruption and disturbance when vacant sites are developed or refurbishment takes place. It is important that disturbance to local residents and the environment is minimised during this process.

With this in mind the Council has developed a Code of Practice to provide advice to developers, contractors, residents and businesses on what standards we expect from those carrying out construction and demolition works.

Introduction

At any one time there are many demolition, construction and refurbishment sites underway within Plymouth City. The work is essential to enable the city to maintain its status as a top class city in the southwest.

This Code of Practice (CoP) has been developed to make it easier for building contractors and developers to demolish and construct whilst complying with the law and hopefully creating minimum disturbance.

This document is intended as a guide to good practice but should not replace a good dialogue between developers, contractors and regulators. On-going discussion with the Council is actively encouraged throughout all stages of a project.

The Council prefers to regulate these sites on a voluntary and proactive basis and encourage all developments to accept the principles contained within this document. However should problems/complaints not be dealt with satisfactorily, the Council does have specific powers under the Control of Pollution Act 1974 and the Environmental Protection Act 1990 to deal with noise and environmental nuisance.

Getting started

Before starting works we recommend that you seek advice from the Council's Environmental Protection and Monitoring (EP) Team and discuss proposed methods of working and measures to minimise disruption.

Contact names and numbers of appropriate site personnel should be provided to EP at the earliest opportunity.

You should identify any residential properties, nursing homes, schools or other sensitive premises close by which are likely to be affected by the works.

Good relations can be developed by keeping people informed of progress and by treating complaints fairly and rapidly. Prior to starting it is good practice to inform neighbours of:

- The start date
- The nature and duration of the project

- The main stages of the project including possible noisy sections
- Contact names and numbers of appropriate site personnel.

The Council should always be informed in advance of any unusual or particularly noisy activities. If a project is likely to take a significant amount of time then it is useful to maintain regular communication with EP and site neighbours for example by newsletter or site notice.

Noise and vibration

Noise is probably one of the greatest causes of complaint from demolition and construction sites. For this reason the Council has adopted a specific policy on acceptable hours of operation for all sites and we may also require you to keep within specified noise levels.

The Council's policy on hours of work is as follows:

- Monday to Friday: 8am to 6pm
- Saturday: 8.30am to 1pm
- No Sunday, Bank Holiday or Public Holiday working

Work may be permitted outside of these hours in exceptional circumstances and only by prior agreement with the Council and will be conditional on the contractor informing local residents in advance of the proposed activity.

There are industry codes of practice that we will expect you to follow and comply with:

- BS5228: Noise Control on Construction and Open Sites
 - Part 1 Code of Practice for Basic information and Procedures for Noise Control
 - Part 2 Guide to Noise Control Legislation for Building sites, including Road Construction and Maintenance

We expect you to take all reasonable steps to reduce noise as much as possible.

For your general guidance:

- Noisy plant and equipment should be sited as far as is practicable from noise-sensitive buildings,
- Throttle down or turn off machinery when not in use,
- Use modern, quiet and well-maintained equipment and fit effective exhaust silencers to vehicles and mechanical plant,
- Erect acoustic enclosures around essential, continuously running noisy equipment,
- Careful material handling such as lowering rather than dropping items,
- Considerate siting of loading/unloading areas,
- Controlling the opening of site gates,
- Erecting fencing or hoarding, where possible higher than the line of sight to neighbours,
- Avoiding unnecessary noise (such as shouting, loud radios or excessive revving of engines) by effective site management.

Monitoring

On long term or potentially noisy projects you are advised to carry out a noise survey before works begin. This will be used to set acceptable noise levels.

Sound levels should be monitored using methods contained in Annex E of BS 5228:1997 Part 1. Measurements should be taken with a Class I Integrating Logging Sound Meter calibrated with a Class I Acoustic Calibrator. Laeq and Lmax F noise levels should be recorded together with a record of the noise events principally affecting noise level at the time of the monitoring.

If it is deemed necessary to carry out a noise survey it should be conducted by a suitably qualified noise consultant and be agreed with the Council.

Each site should be considered on its own individual merits.

The suitability of specific noise limits is highly dependant upon the individual site. The factors to be considered include:

- The characteristics of the potentially affected neighbours;
- Baseline ambient noise levels;
- The nature and duration of the works.

Piling

The noise sensitivity of the area should be considered when determining the method of piling to be used. The Public Protection Service (01752 304147) should be informed as to the agreed method.

Sheet piling shall be carried out using hydraulically operated or vibratory hammers, wherever practicable. The use of conventional impact hammers should be avoided. In cases where it is used a "Hush Piling" Rig or complete enclosure of the system should be deployed to reduce noise levels. Other methods not involving impact noise and ground vibration should be used.

You should note that with regard to piling operations working hours may be restricted due to the levels of noise generated.

Blasting

These must be carried out in accordance relevant British Standards

The contractor should ensure that measures are taken to:

- Protect the residents, users of buildings close-by and passers-by from nuisance or harm and
- Protect buildings from physical damage.

The following factors will be considered:

- Human exposure - The contractor will comply with BS 6472: 1992, guide to Evaluation of Human Exposure to Vibration in Buildings (1Hz to 80Hz). The standards for vibration assessment are defined in this British Standard.
- Protection of Structures - Demolition and construction activities will be carried out in such a way that vibrations arising will not cause significant damage to adjacent structures.

Vibration levels must not exceed 10 mm/sec at any nearby buildings.

Dust and air pollution

Contractors on every site have a duty to adopt 'Best Practicable Means' to minimise dust nuisance arising from site activity. Dust nuisance occurs more readily during prolonged dry weather and especially in strong winds. Consequently, good site management includes the ability to respond quickly to such situations.

The following should be considered:

- Plant should be well maintained and measures taken to ensure that they are not left running for long periods when not in use,
- Stockpiling should be limited and be dampened down and covered,
- Vehicles carrying dusty materials should be sheeted,
- Regularly sweep and water spray hard standings,
- Wheel washing equipment should be provided at the site exit,
- Limit vehicle speeds over all unmade surfaces,
- Regular damping down of work-faces, loading operations, unsurfaced haul routes and verges,
- Screen buildings likely to be affected by dust

The use of crushers on site should be carefully considered in terms of the potential to cause dust and nuisance to neighbours. Any crushing plant must be authorised under the Environmental Protection Act 1990.

In addition, where there is evidence of volatile or airborne materials or there is a risk of fumes affecting the local area, the contractor should conduct a programme of regular air monitoring in consultation with the Council.

Burning of materials on site is not permitted.

Special precautions must be taken if materials containing asbestos are encountered on site.

Lighting

Site lighting must be positioned and directed to minimise nuisance to residents.

In the event that evening or night working has been expressly permitted by the Environmental Protection and Monitoring Team lighting for the works must be planned so as not to cause unnecessary nuisance to neighbouring residents.

Mud on the road

This is a common source of complaint and potentially hazardous. You will need to ensure that the site and surrounding carriageways and footpaths are kept clean. Steps to reduce mud traffic include:

- Providing easily cleansable hard-standings for all vehicles leaving the site,
- Providing wheel washing facilities for vehicles leaving the site,
- Using a mechanical road sweeper to clean the site hard standing and any mud or debris deposited by site vehicles on roads or footpaths in the vicinity of the site.
- Adequately sheet lorries carrying waste material from site to prevent it from falling off on- route to disposal.

Pest control

Pest problems are commonplace where site disturbance takes place. Because of the impact on neighbouring properties/land the Council requires the following:

- Contractors will be required to bait for rodent pests, prior to site disturbance and eradicate where infestation exists on site.
- The contractor should take all necessary steps to ensure that pests - rodents, birds, insects and plants are controlled at all times. This should include liaison with the Public Protection Service.

- Where poison is laid, it must comply with any relevant Health and Safety requirement and access should not be possible by children or non-target species.
- Preventative measures must also be taken such as the correct and satisfactory stopping and sealing of all disused drains and sewers.
- There shall be no accumulation of rubbish or putrescible material on site. All on-site messing/catering must pay strict attention to food delivery, handling, storage and disposal.
- It is advisable to establish if there are records of pests being present on site in the past.
- Records of all treatments should be recorded and available for inspection by Public Protection Service.

Contaminated land

Development is increasingly being conducted on brownfield sites that are often contaminated. For any new development land contamination would have normally been identified in the planning phase of the project. The contractor should obtain and review copies of any site investigations that have been carried on the site.

You will need to satisfy yourself and the Council that a thorough assessment of potential risks to the following has been undertaken:

- Users of the site
- Workers during redevelopment
- Neighbours and members of the public
- The local environment
- Construction materials

Consideration must be given to the potential for wind blown dust on contaminated sites affecting neighbouring residents, this is particularly important when material is being stockpiled on site. Stockpiles must be appropriately managed to minimise dust.

Where contaminated material is being removed from site vehicles must be sheeted at all times.

If any contamination or ground gas is identified or suspected during the course of the works, the contractor should notify the Council immediately and undertake further specific investigations.

Waste management

All wastes must be removed off site using a registered waste carrier and sent to sites authorised to receive it. Disposal must be in accordance with relevant legislation.

All waste documentation – Transfer Notes and Consignment Notes – must be completed and held on site.

The generation of waste on site can be minimised by:

- Reducing over-ordering and the correct storage of materials
- Reuse materials on site
- Recycling of materials

As of the 6 April 2008 it became a legal requirement for all new construction projects worth more than £300 000 (excluding VAT) to produce a Site Waste Management Plan.

The kind of information required includes:

- types of waste removed from the site
- identity of the person who removed the waste and their waste carrier registration number
- a description of the waste
- site that the waste was taken to
- environmental permit or exemption held by the site where the material is taken. For further information please visit the <http://www.netregs.org.uk/> website.

A copy of your Site Waste Management Plan should be submitted to:

Environmental Protection, Public Protection Service, Windsor House, Tavistock Road, Plymouth, PL6 5UF. Telephone: 01752 304147

We recommend that where there is a potential for a development to have an impact on the water environment that the Environment Agency document Works in, Near or Liable to Affect Watercourses: Pollution Prevention Guidance 5 is consulted, this document is available on the <https://www.gov.uk/government/organisations/environment-agency> website.

CHECKLIST

Do I know?

<input type="checkbox"/>	What hours can I work?
<input type="checkbox"/>	How much noise I can make?
<input type="checkbox"/>	If I am likely to create high levels of vibration
<input type="checkbox"/>	What dust problems I may cause and how to minimise them
<input type="checkbox"/>	What condition the machinery is in and does it comply with the law
<input type="checkbox"/>	If there is any contamination or hazardous materials on site
<input type="checkbox"/>	How to deal with them if there is
<input type="checkbox"/>	The neighbours and do they know what I am doing, when and for how long
<input type="checkbox"/>	What permissions I need
<input type="checkbox"/>	Who can help me find out about any of the above
<input type="checkbox"/>	Do I need a Site Waste Management Plan for my project

If you do not know the answer to the last question please contact the Public Protection Service on 01752 304147.

APPENDIX I**Useful contact information****Public Protection Service**

Tel: 01752 304147

Email: public.protection@plymouth.gov.uk**Building Control**

Tel: 01752 304343

Email: buildingcon@plymouth.gov.uk**Planning Control**

Tel: 01752 304024 or 01752 304366

Email: planningconsents@plymouth.gov.uk**Health and Safety Executive**

Tel: 0845 3450055

Website: <http://www.hse.gov.uk>**Environment Agency (general enquiries)**

Tel: 08708 506506

Email: enquiries@environment-agency.gov.uk**Environment Agency (emergencies)**

Tel: 0800 807060

South West Water

Tel: 0800 1691144

Website: <http://southwestwater.custhelp.com/app/answers/list>

Planning Applications Determined Since Last Committee

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
25/10/2018	Granted Conditionally	18/00772/FUL	Mr Ian Frazer	Demolition of building, retain part adjoining walls as buttressing to boundary wall and section of low wall as historic record.	Coachmans Cottage Higher Chapel Street Plymouth PL1 3QZ	Mr Mike Stone
25/10/2018	Granted Conditionally	18/00919/FUL	Mr Sue Mudge	Two-storey side extension and front porch	25 Longwood Close Plymouth PL7 2HD	Mrs Alumeci Tuima
25/10/2018	Granted Subject to S106	18/01332/S73	Mr R Pillar	Variation of Condition 2 (Approved Plans) for application 14/02336/FUL	Mannamead Centre 15 Egguckland Road Plymouth PL3 5HF	Mr Thomas Westrope
25/10/2018	Granted Conditionally	18/01476/TPO	Mr Steve Scarpenter	T2 Willow - reduce to fence height or coppice.T3 Oak - no work required (amendment agreed 24/10/18 with agent Nigel Coles)T1 Silver Birch - no work required (amendment agreed with agent 24/10/18)	Touchwood 64B Glenfield Road Glenholt Plymouth PL6 7LN	Mrs Jane Turner
25/10/2018	Granted Conditionally	18/01520/FUL	Mr Folaji	Partial demolition of existing side utility room and construction of single storey side extension	46 Hemerdon Heights Plymouth PL7 2EY	Mrs Alumeci Tuima
25/10/2018	Granted Conditionally	18/01593/FUL	Mr Matthew Conyers	Front and rear dormers and rear roof pitch alteration	18 Cheltenham Place Greenbank Road Plymouth PL4 7DZ	Mr Chris Cummings
25/10/2018	Granted Conditionally	18/01627/FUL	Mr Jonathan Crowder	Garage conversion, rear extension and front access ramp	43 Frensham Avenue Plymouth PL6 7JN	Mr Mike Stone
25/10/2018	Refused	18/01787/AMD	Mr Steve Holcombe	Non-material Amendment: Addition of Velux rooflight to application 18/00155/FUL	17 Cross Park Avenue Plymouth PL6 5AR	Mrs Alumeci Tuima

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
29/10/2018	Agreed	18/00794/CDM	Mr Ian MacMartin	Condition Discharge: Condition 30 of application 15/00858/OUT	Former Chaucer Primary School, Chaucer Way Plymouth	Mr Thomas Westrope
29/10/2018	Agreed	18/01265/CDM	Taylor Wimpey (Exeter)	Condition Discharge: Conditions 8 (Retaining Walls), 9 (Boundary Wall Details), 11 (Building Construction Details), 12 (Bin Storage Details), and 13 (Cycle Spaces - Residential Units) of application 18/00011/REM	Sherford New Community Land South And West Of A38 Deep Lane And East Of Hays Road Plymouth Elburton PL9 8DD	Mr Tom French
29/10/2018	Agreed	18/01626/CDM	Mr Richard Spence	Condition Discharge: Condition 20 of application 17/00586/S73M	Derrys Department Store 88 Royal Parade Plymouth PL1 1HA	Mr Simon Osborne
30/10/2018	Agreed	18/00467/CDM	Pomphlett Primary School	Condition Discharge: Condition 6 of application 17/00867/FUL	Pomphlett Primary School Howard Road Plymouth PL9 7ES	Mr Chris King
30/10/2018	Granted Conditionally	18/01373/FUL	Mr Anthony Ward	Rear garage	133 Lipson Road Plymouth PL4 7NQ	Mr Chris Cummings
30/10/2018	Granted Conditionally	18/01374/FUL	Mr Nigel Ferris	Construction of new entrance, access steps and disabled lift	Plym House 3 Longbridge Road Plymouth PL6 8LT	Mr Macauley Potter
30/10/2018	Granted Conditionally	18/01473/FUL	Mr & Mrs Richard Prouse	Two storey side extension.	50 Dark Street Lane Plymouth PL7 1PW	Mr Macauley Potter
30/10/2018	Granted Conditionally	18/01634/FUL	Mr Michael George	Single storey side extension	2 Pennys Lane Plymouth PL9 8JW	Miss Carmell Thomas

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
30/10/2018	Granted Conditionally	18/01640/FUL	Mr & Mrs Collins	Two-storey side extension	24 Holly Park Close Plymouth PL5 4JY	Mr Chris Cummings
30/10/2018	Granted Conditionally	18/01661/FUL	Ms K Worden	Two storey side extension	69 Larkham Lane Plymouth PL7 4PL	Mr Sam Lewis
31/10/2018	Granted Conditionally	18/00284/FUL	Mr K Altamimi	Erection of MOT bay and continued use of garage workshop and garage (Sui Generis)	60 Valley Road Plymouth PL7 1RF	Miss Amy Thompson
31/10/2018	Granted Conditionally	18/01220/REM	Mr Graham Bartlett	Application for approval of reserved matters for access, appearance, landscaping, layout and scale following outline consent 18/00179/OUT	2 Springfield Road Plymouth PL9 8ED	Mr Jon Fox
31/10/2018	Granted Conditionally	18/01250/FUL	Mr M Rundle	Single storey rear extension with raised decking to the side	14 Maddock Close Plymouth PL7 1XS	Mr Sam Lewis
31/10/2018	Granted Conditionally	18/01335/FUL	Plymouth Argyle Football Club	New 2 Storey Green Tavenors Building (Class A4) within the boundary of Plymouth Argyle Football Club	Home Park Football Ground Outland Road Plymouth PL2 3DQ	Mr Chris King
31/10/2018	Granted Conditionally	18/01413/TPO	Mr Jonathan Sims	Oak - reduce branches overhanging roof of new dwelling by a maximum of 2m to natural side shoots to give clearance of 1m from roof. No work to branches over garden required (as agreed with Mr Sims 30/10/18).	90 Meadow Way Plymouth PL7 4JB	Mrs Jane Turner
31/10/2018	Granted Conditionally	18/01519/FUL	Mr Paul	Ground floor rear extension and rear extension at part first and part second floor levels.	10 Radnor Place Plymouth PL4 8DW	Mr Mike Stone

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
31/10/2018	Granted Conditionally	18/01561/FUL	Mr James Tichias	Proposed enlargement of front dormer.	69 Copse Road Plymouth PL7 1QB	Mrs Alumeci Tuima
31/10/2018	Granted Conditionally	18/01562/TPO	Mr Oliver Gibbins	T1 Ash. Crown reduction, remove up to 2-3 meters from the crown to previous pruning points , cutting off the secondary growth, all over the crown. Remove parts of branches over hanging the road and building.	1 Berkeley Cottages Collingwood Road Plymouth PL1 5QT	Ms Joanne Gilvear
31/10/2018	Granted Conditionally	18/01568/FUL	Mr Chris Kearney	Demolition of existing rear tenement and construction of single storey rear extension.	5 Dunstone Road Plymstock Plymouth PL9 8RG	Mrs Alumeci Tuima
31/10/2018	Granted Conditionally	18/01604/TCO	Mrs Longdon	T1 Bay Tree: fell.	3 The Grove Stoke Plymouth PL3 4AL	Ms Joanne Gilvear
31/10/2018	Granted Conditionally	18/01637/TCO	Mrs Lawrie Thorne	Birch - Fell	6 Penlee Way Plymouth PL3 4AW	Ms Joanne Gilvear
31/10/2018	Granted Conditionally	18/01639/TCO	Mr Keith Rimmer	Ginkgo biloba tree - remove due to damage to wall etc..	44 Durnford Street Plymouth PL1 3QN	Ms Joanne Gilvear
31/10/2018	Granted Conditionally	18/01657/TCO	Joe McCarthy	Tree adjacent to car park space - remove due to damage to paving.	10 The Old Laundry Plymouth PL1 3NL	Ms Joanne Gilvear
31/10/2018	Granted Conditionally	18/01684/FUL	Mr And Mrs Martin Pollard	Conversion of existing conservatory to sun room/dining room (same footprint as conservatory)	40 Owen Drive Plymouth PL7 4RN	Mr Sam Lewis

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
31/10/2018	Agreed	18/01687/CDM	Mr Steve Merrick	Condition Discharge: Condition 2 ,3 & 6 of application 11/01164/FUL	2A Russell Avenue Plymouth PL3 5RA	Mrs Karen Gallacher
31/10/2018	Refused	18/01734/AMD	Plymouth Community Homes	Non-material Amendment for planning application 18/00656/FUL	451-489 Budshead Road, 2-40, 42-80 And 82-120 Ipswich Close. Plymouth PL5 4DS	Mr Jon Fox
01/11/2018	Granted Conditionally	18/01497/FUL	Mr & Mrs Davis	Single storey rear extension	17 Wombwell Crescent Plymouth PL2 2DW	Mr Macauley Potter
01/11/2018	Granted Conditionally	18/01498/FUL	Mr & Mrs McCairns	Rear and side extension	25 Greatfield Road Plymouth PL3 6QQ	Mr Mike Stone
01/11/2018	Granted Conditionally	18/01669/FUL	Mr Adam Drake	Change of use part first & second floor from dwelling to 2x 1-bed flats, change of use of part-first floor to beauty room, single storey extension (demolition of existing rear tenement), rear fire escape and internal alterations (Revision to approval 17/02013/FUL)	31 Devonport Road Plymouth PL3 4DJ	Mr Chris Cummings
01/11/2018	Refused	18/01721/AMD	Ms Claire Newcombe	Non-material Amendment: Revisions to rear gardens and canopy widths for application 17/01277/S73M	Former Southway Primary School Bampfylde Way Plymouth PL6 6SR	Mrs Katie Saunders
01/11/2018	Agreed	18/01742/CDM	Abie Hearn	Condition Discharge: Condition 3 of application 17/02457/FUL	Central Park Mayflower Drive Plymouth PL2 3DG	Mr Chris King
02/11/2018	Granted Conditionally	18/01567/ADV	CDS Superstores International Ltd	Illuminated fascia/totem signs and directional signage.	15 William Prance Road Plymouth PL6 5ZD	Mr Macauley Potter

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
02/11/2018	Granted Conditionally	18/01589/FUL	Mr & Mrs B Croft	Erection of front porch and single storey side extension	19 Admiralty Road St Budeaux Plymouth PL5 1NJ	Mr Chris Cummings
02/11/2018	Granted Conditionally	18/01606/FUL	Mr Lee Pond	Part side utility and rear kitchen extensions (resubmission of 18/00212/FUL)	35 Periwinkle Drive Plymouth PL7 2WR	Mrs Alumeci Tuima
02/11/2018	Granted Conditionally	18/01663/FUL	Mrs Debbie Ambrose	Proposed parking bay and raised decking	4 Castle Rise Plymouth PL3 6BH	Miss Carmell Thomas
02/11/2018	Refused	18/01677/AMD	Mr David Hiatt	Non-material Amendment: Change to tiled roof and white UPVC doors and windows of application 17/02108/FUL	301 Fort Austin Avenue Plymouth PL6 5TQ	Mr Macauley Potter
02/11/2018	Refused	18/01783/AMD	Mr Robin Reip	Non-material Amendment: To amend the internal layout to second floor flat C to provide an internal fire escape route for application 18/00055/FUL	90 New George Street Plymouth PL1 1RX	Miss Amy Thompson
05/11/2018	Granted Conditionally	18/01225/FUL	Mr & Mrs R Tooze	Change of use of dwelling to three self contained flats and parking garage	Coombe House The Quay Plymouth PL9 7NE	Mr Chris King
05/11/2018	Granted Conditionally	18/01538/TPO	Mr Pete Johnson	T1-T13: Sycamores. Various works including removal and reduction. T14: Elm. Dead - remove. T15: Ash. Remove dead wood T16: Oak. Dead. Agreed to wait until Spring 2016 to see if this is dead, and if it's still alive to review what works (if any) are necessary. If it's dead, reduce to large monolith trunk.	324 Outland Road Plymouth PL3 5TB	Ms Joanne Gilvear

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
05/11/2018	Granted Conditionally	18/01540/TPO	Mr Mike Stevens	T1 Ash: Fell (not covered by TPO)T2 Pine: Fell due to cavity forming at base and showing signs of decay.T3 Pine: Fell (dead tree)T4 Pine: crown clean removing dead broken branches, review condition in 2019 for presence of honey fungus (amendment agreed with owner and agent 30/10/18) T5 Pine: remove approx. 6 low horizontal branches over garden and crown clean removing deadwood and damaged branches (amendment agreed with owner and agent 30/10/18)	Park House 6 Conqueror Drive Plymouth PL5 3UT	Mrs Jane Turner
05/11/2018	Granted Conditionally	18/01559/TPO	Mr Anthony Radley	No.1 Ash: reduce part of crown overhanging neighbours by 2-3 m to balance with other side carried out in 2015 (no report or evidence to justify the felling or severe pruning applied for has been submitted). Amendment agreed with owner 23/9/18.No.3 Sycamore: reduce to previous pruning points approximately 6m reduction.No.2 Sycamore: no reduction work required at present. Crown thin by 15 percent only (agreed with owner).	29 Caradon Close Plymouth PL6 6AJ	Mrs Jane Turner
06/11/2018	Granted Conditionally	18/00944/FUL	Mr Paul Redding	Part two storey and part single storey rear extension	70 Pemros Road Plymouth PL5 1NF	Mr Mike Stone
06/11/2018	Granted Conditionally	18/01527/FUL	Mrs Sarah Jones	Hardstand.	1 Kiel Place Plymouth PL3 6DW	Mr Macauley Potter
06/11/2018	Granted Conditionally	18/01584/FUL	Mr M Brooks	Two storey rear extension.	19 St Aubyn Avenue Plymouth PL2 1LL	Mr Macauley Potter

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
06/11/2018	Refused	18/01585/FUL	Mr Graham Witt-Davies	Retrospective application for retention of two storage units and associated ground works for a period of 12 months for house alterations	2 Conqueror Drive Plymouth PL5 3UT	Mr Jon Fox
06/11/2018	Granted Conditionally	18/01591/LBC	Mr & Mrs Cunningham	Internal alterations	5 Western College Road Plymouth PL4 7AG	Mrs Alexandra Pickstone
06/11/2018	Granted Conditionally	18/01655/FUL	Mr & Mrs Talbot	Single storey rear extension with new lean-to roof section to form access from above	41 Copse Road Plymouth PL7 1QA	Mr Sam Lewis
07/11/2018	Granted Conditionally	18/01525/FUL	Mr James Edmunds	Rear extension	40 Lynwood Avenue Plymouth PL7 4SF	Mrs Alumeci Tuima
07/11/2018	Granted Conditionally	18/01590/FUL	Mr Darren Gregory	Relocation of gates within boundary, new line markings for additional parking and HGV loading area.	BSS, Unit G, St Modwen Road Parkway Industrial Estate Plymouth PL6 8LH	Mr Macauley Potter
07/11/2018	Agreed	18/01644/CDMLB	Mr Andrew Joyce	Condition Discharge: Conditions 7 & 10 of application 17/02184/LBC	The Bank Old George Street Plymouth PL1 2TG	Miss Amy Thompson
08/11/2018	Refused	18/01201/FUL	Miss J Williams	Rear extension, first floor side extension, front and rear loft conversion, front porch and alterations to hardstanding	168 Taunton Avenue Plymouth PL5 4ER	Mrs Alumeci Tuima

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
08/11/2018	Granted Conditionally	18/01213/TPO	Mr Steven Heath	T1: Beech. Trim side branches back to a suitable growth point in line with the boundary adjacent to car parking area. Remove section of branch which forms a right-angled bend, to a suitable growth point, in the area adjacent to the boundary (back garden wall). T2: Oak. Sever some ivy strands at base. Trim the side branch overhanging Rowan by approx 2m back to a suitable growth point in line with boundary (back garden wall).	Land To Rear Of Loxley, 9 Temeraire Road Plymouth PL5 3UA	Ms Joanne Gilvear
08/11/2018	Granted Conditionally	18/01534/FUL	Cattewater Harbour Commissioners	Replacement of existing windows on front and side elevations	Cattewater Harbour Commissioners 2 The Barbican Plymouth PL1 2LR	Mr Chris Cummings
08/11/2018	Granted Conditionally	18/01550/FUL	Mrs W K Wong	Single storey rear extension	9 Culverwood Close Plymouth PL7 2WB	Mr Macauley Potter
08/11/2018	Granted Conditionally	18/01596/FUL	Mr & Mrs Dixon	Single storey rear extension and front porch (part retrospective).	13 Manor Road Plymouth PL9 7DP	Mr Macauley Potter
08/11/2018	Granted Conditionally	18/01651/TCO	Mr Lee Merchant	Mulberry - Prune to previous pruning points and lift crown to 2.4 m above ground level.	Plymouth College Of Art Palace Court Buckwell Street Plymouth PL1 2DA	Ms Joanne Gilvear
08/11/2018	Granted Conditionally	18/01656/TCO	Mr Terence Allen	Lime tree - fell.	67 Valletort Road Plymouth PL1 5PN	Mrs Jane Turner
08/11/2018	Granted Conditionally	18/01658/FUL	Mr & Mrs Hill	Raised roof ridge height and rear dormer to create rooms in roofspace	118 Tamerton Foliot Road Plymouth PL6 5ES	Mr Chris Cummings

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
08/11/2018	Granted Conditionally	18/01685/FUL	Mr Josh Fletcher	Proposed loft conversion including a rear dormer and front rooflights	8 Thornyville Drive Plymouth PL9 7LF	Mr Sam Lewis
08/11/2018	Granted Conditionally	18/01740/FUL	Mr Else	Change of use of basement, ground, first and part second floor from Use Class B1 to Use Class D1 (non-residential institutions) and demolition of rear garage	111 North Hill Plymouth PL4 8JY	Mr Chris Cummings
08/11/2018	Granted Conditionally	18/01745/S73	Mrs Carol Cook	Removal of Conditions 1 and 2 of application 01/00924/FUL to remove on-site warden and student occupation only	41 - 43 Furzehill Road Plymouth PL4 7JZ	Mr Chris Cummings
09/11/2018	Granted Subject to S106	17/02074/FUL	Mr Adam Harvie-Clark	Redevelop site by erection of 15 dwellings and associated roads, footways, garages, parking and landscaping (demolition of existing boatyard buildings) and works to replace slipway	Bostons Boat Yard Baylys Road Plymouth PL9 7NQ	Mrs Janine Warne
09/11/2018	Agreed	18/00680/CDMLB	Mr Paul Body	Condition Discharge: Conditions 3 & 4 of application 17/02105/LBC	1 The Crescent Plymouth PL1 3AB	Mr Jon Fox
09/11/2018	Agreed	18/00737/CDM	Mr David Moore	Condition Discharge: Condition 6 of application 15/01271/FUL	Kinterbury Point, HMAD Bullpoint HMNB Devonport Plymouth PL2 2BG	Mr Chris King
09/11/2018	Granted Conditionally	18/01242/FUL	Mr Ian Frazer	Remove existing single glazed metal framed windows to communal stairwells and replace with double glazed uPVC framed windows, overlay existing flat roof with insulation and bitumen felt, over render existing Tyrolean (Teats Hill Flats). Replace all existing windows with double-glazed uPVC framed windows, new balcony balustrades and make repairs to render (Artillery Place). New bin store and cycle storage. (Resubmission of 18/00597/FUL).	Teats Hill Flats And Artillery Place Flats Teats Hill Road Plymouth PL4 0LX	Mr Mike Stone

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
09/11/2018	Agreed	18/01341/CDM	Drake Circus Leisure Ltd	Partial Condition Discharge: Condition 6(a) (part) of application 17/01409/S73M	Bretonside Bus Station Bretonside Plymouth PL4 0BG	Mr John Douglass
09/11/2018	Granted Conditionally	18/01450/FUL	Mr David Smith	Frontage to Prospect Place: Erection of timber hit-and-miss fencing and part covering with metal roofing for bin and gas cylinder storage.Frontage to Leigham Street: Placement of area of hard-standing and planted screening. Erection of metal security fencing to the north and east of building.	Plymouth Marine Laboratory Prospect Place Plymouth PL1 3DH	Mr Tim Midwood
09/11/2018	Agreed	18/01528/CDM	Mr Will Kennedy	Condition Discharge: Conditions 7 & 8 of application 17/02471/FUL	Colebrook House 51 Newnham Road Plymouth PL7 4AW	Mr Chris King
09/11/2018	Refused	18/01612/FUL	Mr Peter Bragg	Conversion of existing two storey outbuilding into residential annex ancillary to main dwelling	217 Stuart Road Plymouth PL1 5LQ	Mr Chris Cummings
09/11/2018	Agreed	18/01646/CDMLB	Mr Ian Cox	Condition Discharge: Conditions 3 & 4 of application 17/01470/LBC	19 Acre Place Plymouth PL1 4QR	Mrs Alumeci Tuima
09/11/2018	Agreed	18/01647/CDMLB	Mr Ian Cox	Condition Discharge: Condition 4 of application 17/02155/LBC	19 Acre Place Plymouth PL1 4QR	Mrs Alumeci Tuima
09/11/2018	Refused	18/01727/AMD	Plymouth City Council	Non-material Amendment: Works to retain outbuilding for application 16/02094/S73	City Museum & Art Gallery Drake Circus Plymouth PL4 8AJ	Miss Katherine Graham
09/11/2018	Refused	18/01882/AMD	Mr David Watson	Non-Material Amendment: To alter internal room allocations for application 18/00746/FUL	Scott Cottage Millway Place Plymouth PL9 7RQ	Mr Mike Stone

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
12/11/2018	Refused	18/00710/OUT	Mr Roger Howes	Outline application for erection of 4 dwellings (details of access, appearance, landscaping, layout & scale, reserved for future consideration)	Land/Garage Site R/o 15-59 Randwick Park Road Plymouth	Mr Simon Osborne
12/11/2018	Granted Conditionally	18/01560/FUL	Mr T Ohlenschlager	Proposed additional off road car parking area, with new steps to access dwelling	136 Weston Park Road Plymouth PL3 4NR	Mr Macauley Potter
12/11/2018	Granted Conditionally	18/01580/FUL	Mr James Monteith	Covered walkway from building to mobile MRI & changing door to window	20 Brest Road Plymouth PL6 5XP	Mr Macauley Potter
12/11/2018	Granted Conditionally	18/01642/FUL	Mr Truscott & Ms Menendez Alonso	Single storey rear extension with roof terrace (demolition of existing single storey structure)	26 Cecil Avenue Plymouth PL4 8SG	Mr Chris Cummings
12/11/2018	Granted Conditionally	18/01736/FUL	Mrs Sarah Trail	Rear extension with veranda and internal alterations (re-submission of application 18/01211/FUL)	3 Jennycliff Lane Plymouth PL9 9RN	Miss Carmell Thomas
13/11/2018	Agreed	18/01543/CDC	Tracy Flack	Condition compliance: All conditions relating to application 11/01164/FUL	2A Russell Avenue Plymouth PL3 5RA	Mrs Karen Gallacher
14/11/2018	Refused	18/00649/FUL	Ms Lacey Keating	Change of use of the land to a private Gypsy and Traveller caravan site consisting of 2no mobile homes, car parking and associated development	Land Off Colesdown Hill Plymouth	Mr Oliver Gibbins
14/11/2018	Granted Conditionally	18/01597/FUL	Laura Tozer	Change of use from dwelling (Class C3) to 4-bed HMO (Class C4) (retrospective)	7 Prince Maurice Road Plymouth PL4 7LH	Mr Chris Cummings

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
15/11/2018	Agreed	18/00166/CDM	Miss Kate Baker	Condition Discharge: Conditions 15, 17, 18, 19, 20, 24 & 25 of application 14/00223/FUL	Land Off Towerfield Drive Plymouth	Mr Chris King
15/11/2018	Agreed	18/00282/CDM	Mr Colin Salisman	Condition Discharge: Conditions 3, 4, 5 & 6 of application 17/01997/FUL	23 How Street Plymouth PL4 0DB	Mr Chris King
15/11/2018	Granted Conditionally	18/00928/FUL	Mr T Chan	Part two-storey side and rear extension	29 Lyndrick Road Plymouth PL3 5TA	Mrs Alumecei Tuima
15/11/2018	Granted Conditionally	18/01522/FUL	Mr Martin Simpson	Rear extension (conservatory)	14 Aquarius Drive Sherford PL9 8FB	Mr Mike Stone
15/11/2018	Granted Conditionally	18/01613/FUL	Mr Jon Back	Temporary Changing Facilities during construction of new facilities being provided pursuant to 17/01684/OUT	Home Park Football Ground Outland Road Plymouth PL2 3DQ	Mr Chris King
16/11/2018	Granted Subject to S106	17/02141/FUL	CPP London Properties Ltd	Demolition of building and erection 21 storey (plus basement) mixed use development for student accommodation (554 bedrooms), office (Class B1a), 105 bed hotel (Class C1), flexible ground floor commercial (Class A1, A2, A3 and/or A4) and associated works (access, parking, public realm/landscape, refuse storage)	1 The Moneycentre 1 Drake Circus Plymouth PL1 1QH	Miss Katherine Graham
16/11/2018	Granted Conditionally	18/01390/FUL	Mr P Richards	Partial demolition of existing school buildings and erection of replacement school building including associated infrastructure.	Plympton Academy Moorland Road Plymouth PL7 2RS	Mr Chris King
16/11/2018	Granted Conditionally	18/01440/FUL	Mr Dan Bower	Change of use from no.2 flats to no.3 flats (conversion of basement to form new dwelling) and single storey extension	16 Neath Road Plymouth PL4 8TG	Mr Chris Cummings

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
16/11/2018	Granted Conditionally	18/01466/FUL	Burrington Estates	New dwelling with associated works (resubmission of 17/00724/FUL)	Land At Looseleigh Lane Plymouth	Mr Simon Osborne
16/11/2018	Granted Conditionally	18/01635/FUL	Mr Ken Foster	Erection of part two-storey, part single-storey, (plus underbuild) building for use as double private motor garage, workshop, single private motor garage and garden store (Amendment to approved application 05/01233/FUL to change design of roof).	35 Wembury Road Plymouth PL9 8HQ	Mr Mike Stone
16/11/2018	Granted Conditionally	18/01703/LBC	Mr Mountford	Installation of fire alarm & emergency lighting systems	13 - 17 Western College Road Plymouth PL4 7AG	Mrs Alexandra Pickstone
16/11/2018	Granted Conditionally	18/01732/FUL	Mrs Katrina Parker	Single storey rear extension and garage conversion	14 Efford Road Plymouth PL3 6NE	Mr Mike Stone
16/11/2018	Granted Conditionally	18/01746/FUL	Mr & Mrs Mason-Smith	Replace existing front door and flag windows	11 Shackleton Court Plymouth PL5 3UL	Mr Macauley Potter
19/11/2018	Granted Conditionally	18/01602/FUL	Mr Stephen Pittman	Replacement windows.	101 Downfield Drive Plymouth PL7 2DP	Mr Macauley Potter
19/11/2018	Granted Conditionally	18/01629/TPO	Mr P Thorneycroft	T1 Lime tree crown raise over road and driveway to 5.5m to allow safe passage of vehicles T2-T5 Lime trees re reduce to approximately 2-3 meters above previous pollard points T6 Holm Oak Selectively prune 3 overextended branches by 2 metres to natural growth points.	Netherton Cottage The Elms Plymouth PL3 4BR	Ms Joanne Gilvear

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
19/11/2018	Granted Conditionally	18/01630/FUL	Helen Jarvis	Single storey rear extension (revision to approval 18/01115/FUL)	29 Fore Street Plympton Plymouth PL7 1LZ	Mr Chris Cummings
19/11/2018	Granted Conditionally	18/01631/LBC	Helen Jarvis	Single storey rear extension (revision to approval 18/01116/LBC)	29 Fore Street Plympton Plymouth PL7 1LZ	Mr Chris Cummings
19/11/2018	Granted Conditionally	18/01645/TPO	Mrs J Wilkingson	Oak to r/o 20 Tillard Close - reduce whole crown by 3m to natrual growth points.	20 Tillard Close Plymouth PL7 2YT	Mrs Jane Turner
19/11/2018	Granted Conditionally	18/01660/TPO	Miss Gemma Furse	T1 Eucalyptus r/o 2 & 4 Chelwood Grove - reduce crown by approximately one third to natural growth points.	Land To The Rear Of 4 Chelwood Grove Plymouth PL7 2AX	Mrs Jane Turner
19/11/2018	Granted Conditionally	18/01665/FUL	Mr & Mrs Emma and Jason Phillips-Crowther	Two storey side extension and balcony	Wolverwood Farm Wolverwood Lane Plymouth PL7 1UD	Miss Carmell Thomas
19/11/2018	Granted Conditionally	18/01666/TPO	Mr Mike George	T1 Sycamore:: Fell/coppice allow to regenerate T2 Sycamore: Reduce lower growth by approx 1 to 1.5 metres back to the boundary, reduce the crown by approx 3 metres to natural growth points. T3 Sycamore: Reduce lower growth by approx 1 to 1.5 metres back to the boundary, reduce the crown by up approx 3 meters to natural growth points. T4 Sycamore: Reduce lower growth by approx 1 to 1.5 metres back to the boundary, reduce the crown by approx 3 meters to natural growth points. T5 Sycamore: Reduce lower growth by approx 1 to 1.5 metres back to the boundary, reduce the crown by up approx 3 meters to natural growth points.	Lake Cottage 1 The Old Wharf Plymouth PL9 7PT	Mrs Jane Turner

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
19/11/2018	Granted Conditionally	18/01676/TPO	Mr John Stenning	Ash - re-pollard to previous points (reduce by approx 3m)	2 Cosdon Place Plymouth PL6 5AW	Ms Joanne Gilvear
19/11/2018	Granted Conditionally	18/01680/TPO	Mrs Kirsten Kruse	T1 - T8: Various tree works including crown lifting to 5.5 m above the road and some over-hanging branch and epicormic growth removal.	14 Seymour Park Plymouth PL3 5BQ	Ms Joanne Gilvear
19/11/2018	Granted Conditionally	18/01730/TCO	Mr Patrick Hendy	T1: Turkey Oak - Crown lift to approx 5 metres. Remove low hanging branch. Reduce crown by a maximum of 2-3 metres, back to natural growth points, in height and on the sides to shape.T2: Ash -Reduce low long limb over-hanging carpark by approx. 6 metres to natural growth point. T3: Ash - FellT4: Bay - Remove large stem growing towards swimming pool and cut back smaller overhanging growth	1 Nelson Gardens Plymouth PL1 5RH	Ms Joanne Gilvear
19/11/2018	Granted Conditionally	18/01771/FUL	Mr Richard Burt	Rear balcony	36 Sherford Road Plymouth PL9 8BS	Mr Mike Stone
19/11/2018	Granted Conditionally	18/01781/TCO	Mr Simon Pink	Eucalyptus - fell	11 Brunswick Place Plymouth PL2 1BR	Ms Joanne Gilvear
19/11/2018	Granted Conditionally	18/01822/LBC	Mrs Jill Wadge	Internal refurbishment of a non structural nature to include new kitchen and bathrooms. The existing internal decor is in a dilapidated 70's style with no period features with the exception of the stonework around the fireplace opening.	126 Durnford Street Plymouth PL1 3QP	Mrs Alexandra Pickstone
20/11/2018	Agreed	18/01462/CDMLB	Mr Andrew Joyce	Condition Discharge: Condition 8 of application 17/02184/LBC	The Bank Old George Street Plymouth PL1 2TG	Miss Amy Thompson

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
20/11/2018	Granted Conditionally	18/01592/FUL	Mr R Short	Proposed replacement of 2x windows and 1x door, with sidescreens both sides.	Flat 37 Harbourside Court Hawkers Avenue Plymouth PL4 0QT	Mr Macauley Potter
20/11/2018	Granted Conditionally	18/01662/LBC	Mr Mike Fisher	Removal and replacement of existing sliding doors and associated side screens at 2 entrances to the Colonnade	Lyster Court, 2 Craigie Drive Plymouth PL1 3JB	Mrs Alexandra Pickstone
20/11/2018	Granted Conditionally	18/01729/FUL	Plymouth City Council	Removal and replacement of toilet cubicles with new access and associated landscaping	Public Conveniences Adj Hoe Lodge Restaurant Hoe Road Plymouth PL1 2PA	Mr Chris Cummings
21/11/2018	Granted Conditionally	18/01339/FUL	Plymouth City Council	Provision of a new shared pedestrian and cycle path to the north and west perimeters of King George V Memorial Playing Fields comprising a 3m wide bound surface path.	King George V Memorial Playing Fields Plymouth	Mr Tom French
21/11/2018	Granted Conditionally	18/01416/FUL	Mr David Healy	Rear garden boundary fence	4 Holland Road Peverell Plymouth PL3 4PH	Mrs Alumeci Tuima
21/11/2018	Granted Conditionally	18/01793/FUL	Mr Douglas Friend	Change of use from restaurant/cafe (Class A3) to Non-residential institutions (Class D1)	2 Charles Darwin Road Plymouth PL1 4GU	Mr Chris Cummings
21/11/2018	Refused	18/01897/AMD	Mr Will Kennedy	Non-material amendment for application 17/02471/FUL: Alteration of house type of plot 3	51 Newnham Road Plymouth PL7 4AW	Mr Chris King
22/11/2018	Agreed	18/01391/CDM	Mr Alastair Carswell	Condition Discharge: Condition 4 of application 15/02241/REM	Land At Millbay, Millbay Road Plymouth	Miss Katherine Graham

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
22/11/2018	Granted Conditionally	18/01619/LBC	Mr David Pengelly	Regularisation application to address minor items following construction under permission 12/01669/LBC	Admiralty House Mount Wise Crescent Plymouth PL1 4HZ	Miss Katherine Graham
22/11/2018	Refused	18/01624/AMD	Mr David Pengelly	Non-material Amendment: Address minor elevation changes following construction under permission 12/01666/FUL	Admiralty House, Mount Wise Crescent Plymouth PL1 4HZ	Miss Katherine Graham
22/11/2018	Agreed	18/01725/CDM	Mr John Henley	Condition Discharge: Conditions 5 (partial) & 6 of application 18/00234/S73	Former Quality Hotel Cliff Road Plymouth PL1 3BE	Mr Tim Midwood
23/11/2018	Granted Subject to S106	17/02323/FUL	Sutton Harbour Services Ltd	Erection of nine-storey building comprising 14 residential units and ground floor commercial unit for use as a shop (Class A1), or financial and professional services (Class A2), or a restaurant or cafe (Class A3), car parking provision, cycle and refuse storage facilities, resurfacing of existing hardstanding and associated works	Harbour Arch Quay Sutton Harbour Plymouth PL4 0HN	Mrs Janine Warne
23/11/2018	Granted Conditionally	17/02325/LBC	Sutton Harbour Services Ltd	Resurfacing of existing hard surface	Land At Harbour Arch Quay Sutton Harbour Plymouth PL4 0HN	Mrs Janine Warne
23/11/2018	Granted Conditionally	18/00725/REM	Mr Paul Thompson	Application for reserved matters with details of access, appearance, layout, landscaping, and scale following grant of application 16/00870/OUT for a two storey property to create 2 flats	8 - 10 Dale Avenue Plymouth PL6 5SF	Miss Amy Thompson
23/11/2018	Granted Conditionally	18/01689/S73	Miss Emma Fallon	Variation of condition 6 (Delivery Hours) of application 12/01780/FUL	95 - 99 Ridgeway Plymouth PL7 2AA	Mr Jon Fox

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
23/11/2018	Granted Conditionally	18/01709/FUL	Mr Nigel Passmore	Variation of condition 1 (Approved Plans) and 3 (Greenspace Enhancements) of application 17/00610/FUL	Land East Of Bell Close Plymouth	Mrs Katie Saunders
23/11/2018	Agreed	18/01770/CDM	Plymouth City Council	Condition Discharge: Conditions 3, 4, & 5 of application 18/01031/FUL	Lawn Bowling Club Pavilion Mayflower Drive Central Park Plymouth PL2 3DG	Mr Chris King
26/11/2018	Granted Conditionally	17/02163/REM	Mr & Mrs Burchell	Application for reserved matters including appearance, landscaping, layout and scale of 2 dwellings following grant of permission 14/01830/OUT	18 Torland Road Plymouth PL3 5TS	Miss Amy Thompson
26/11/2018	Granted Conditionally	18/01648/FUL	Hedley	Installation and relocation of boilers, compound and associated works	Premier Inn 28 Sutton Road Plymouth PL4 0HT	Mr Macauley Potter
26/11/2018	Granted Conditionally	18/01772/FUL	Mr Johnathan Hughes	Rear extension and alterations to existing side extension	6 Kingston Close Plymouth PL7 2XA	Miss Carmell Thomas
26/11/2018	Granted Conditionally	18/01796/ADV	Mrs Tracey Skea	Sign A - Illuminated Flex Box to front elevation Sign B - Illuminated Flex Box to front elevation Sign C - Illuminated Flex Box to rear elevation Sign D - Non Illuminated Goods In sign to rear elevation Sign E - Printed graphic to existing totem	Plymouth Gateway Retail 3 Plymouth PL6 8NH	Mr Macauley Potter
26/11/2018	Granted Conditionally	18/01805/FUL	Mrs Parsons	Change of use to allow enclosed dog walking facility.	Land At Ridge Road Plymouth	Mr Mike Stone
26/11/2018	Granted Conditionally	18/01830/FUL	Mr S Edwards	Detached single storey store to the front of the existing dwelling (resubmission of 18/01180/FUL)	48 Milford Lane Plymouth PL5 4JN	Mr Mike Stone

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
27/11/2018	Granted Conditionally	15/01785/S257	Alan Swan	Stopping up of footpaths associated with the Drake Lesiure redevelopment of Bretonside Coach Station	Bretonside Bus Station, Bretonside Plymouth PL4 0BG	Mr John Douglass
27/11/2018	Granted Conditionally	18/01536/FUL	Mr K Millar	Two storey rear extension	298 Ringmore Way Plymouth PL5 3RL	Mrs Alumeci Tuima
27/11/2018	Refused	18/01620/FUL	Mr Lee Hardacre	Erection of hardstanding	633 Budshead Road Plymouth PL5 4DW	Mr Chris Cummings
27/11/2018	Granted Conditionally	18/01652/FUL	Mr & Mrs Foster	Erection of single storey rear extension and erection of two storey side "granny annex".	Lydcott 11 Tavistock Road Plymouth PL5 3DG	Mr Macauley Potter
27/11/2018	Granted Conditionally	18/01672/FUL	Mr D Lay	Two storey side extension	18 Dunstone Drive Plymouth PL9 8SQ	Mr Macauley Potter
27/11/2018	Granted Conditionally	18/01691/TPO	Mr Peter Heasman	3x Lime: Re-pollard	Springdale Cottage Osborne Road Plymouth PL3 4BS	Ms Joanne Gilvear
27/11/2018	Granted Conditionally	18/01717/FUL	Mr Sergiu Trifan	External insulation works to front and rear elevation	21 Tewkesbury Close Plymouth PL2 2HE	Mrs Alumeci Tuima
27/11/2018	Granted Conditionally	18/01735/FUL	Mr & Mrs Richard Harding	Boundary wall (retrospective)	6 Billacombe Villas Plymouth PL9 8AL	Miss Josephine Maddick
27/11/2018	Granted Conditionally	18/01741/TPO	Mr A Morgon	T1 Sycamore: reduce overhanging branches by 3 to 4 meters to bring it inline with neighbours side.	6 Frensham Avenue Plymouth PL6 7JN	Ms Joanne Gilvear

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
27/11/2018	Granted Conditionally	18/01762/FUL	Ms Suzie McLaughlin	First floor rear/side balcony and alteration to side boundary fence	70 Ponsonby Road Plymouth PL3 4HW	Mr Sam Lewis
27/11/2018	Granted Conditionally	18/01765/FUL	Mr Matt Duncombe	First floor extension to create two storey dwelling (Revisions to approval 17/01817/FUL)	57 Reservoir Road Plymstock Plymouth PL9 8NL	Mr Chris Cummings
27/11/2018	Granted Conditionally	18/01769/FUL	Mrs Julie Waterfall	Loft conversion with hip to gables, rear extension and front extension to garage	14 Ridge Park Plymouth PL7 2BP	Miss Carmell Thomas
27/11/2018	Granted Conditionally	18/01807/FUL	Great End Properties Limited	Retail unit division and replacement shop front	29 The Broadway Plymouth PL9 7AF	Mr Macauley Potter
28/11/2018	Agreed	18/00814/CDM		Condition Discharge: Condition 21 of application 15/01956/FUL	North Prospect Phase 3, Wordsworth Road/Wordsworth Crescent Plymouth PL2 2NE	Mr Chris King
28/11/2018	Agreed	18/01650/CDMLB	Mr Ian Cox	Condition Discharge: Condition 3 of application 17/02155/LBC	19 Acre Place Plymouth PL1 4QR	Mrs Alumeci Tuima
28/11/2018	Granted Conditionally	18/01713/LBC	Mrs Emily Handslip	Refurbishment of ground floor office and staircase, installation of new signage, external furniture & glazed outer entrance door	The Guard House Royal William Yard Plymouth PL1 3RP	Mr Sam Lewis
28/11/2018	Granted Conditionally	18/01720/FUL	Mrs J Nyman	Conservatory	61 Orchard Avenue Plymouth PL6 5SB	Miss Carmell Thomas

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
29/11/2018	Granted Conditionally	18/01616/LBC	Mr Marc Nash	Modification and refurbishment of Grade II Listed site entrance gateway (formerly at the Fore Street entrance)	20 Vivid Approach Plymouth PL1 4RW	Mr Oliver Gibbins
29/11/2018	Granted Conditionally	18/01760/FUL	Mr Webb Webb	Retrospective rear extension (resubmission of approved consent 18/00709/FUL)	23 Knapps Close Plymouth PL9 8UX	Mrs Alumeci Tuima
29/11/2018	Granted Conditionally	18/01798/FUL	Mr George Plenderleith	First floor extension, removal of existing canopy, replacement of front door and external rendering over brickwork	Ernest English House Buckwell Street Plymouth PL1 2DA	Mr Chris Cummings
29/11/2018	Granted Conditionally	18/01828/FUL	Mr & Mrs Cooper	Two storey side extension and single storey rear extension	63 Merrivale Road Beacon Park Plymouth PL2 2RW	Mr Mike Stone
29/11/2018	Refused	18/01940/AMD	Mr Andrew Mitchelmore	Minor Amendment: Amendment to parking arrangement for application 18/00643/FUL	St Budeaux Library Victoria Road Plymouth PL5 1RG	Mr Chris King
30/11/2018	Granted Conditionally	18/01513/LBC	Ms Sandra Pentney	Repairs to Elizabethan House including structural/building fabric repairs, new suspended timber floor, two storey rear extension, formation of access through boundary wall and ancillary works	32 New Street Plymouth PL1 2NA	Mr Jon Fox
30/11/2018	Granted Conditionally	18/01514/FUL	Ms Sandra Pentney	Two storey rear extension to the Elizabethan House museum, formation of access through boundary wall and ancillary works	32 New Street Plymouth PL1 2NA	Mr Jon Fox
30/11/2018	Granted Conditionally	18/01821/FUL	Mr Edwards	Single storey side extension	1 Birkbeck Close Plymouth PL7 4BW	Mrs Alumeci Tuima

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
03/12/2018	Granted Conditionally	18/01733/FUL	Mr Paul Martin	Side and rear extension to form residential annexe and front hardstanding.	25 Briarleigh Close Plymouth PL6 8RT	Mr Mike Stone
03/12/2018	Granted Conditionally	18/01757/TPO	Mr Harrison	G1 Conifer/Bay/Laurel group: reduce by approx 2 metres all over T2 Hazel : re pollard to previous points (approx 2 meters off)	57 Church Road Plymstock Plymouth PL9 9AR	Ms Joanne Gilvear
03/12/2018	Granted Conditionally	18/01763/TPO	Mr Farmer	T1 Indian bean tree - fell G1 Mixed hedging - reduce in height by 2 metres	5 Stanborough Road Plymouth PL9 8SP	Mrs Jane Turner
03/12/2018	Granted Conditionally	18/01785/ADV	Heineken Ltd	New signage	The Jolly Miller Leypark Drive Plymouth PL6 8UD	Miss Carmell Thomas
03/12/2018	Granted Conditionally	18/01867/FUL	Mr Nigel Bam	Single story boat store/garage sited on existing hard standing	2 Lawson Grove Plymouth PL9 7QJ	Mr Sam Lewis

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Appeal Decisions between 29/10/2018 and 04/12/2018

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
02/11/2018	17/02070/FUL	2018/0011	Appeal Dismissed	APP/N1160/W/18/3203584
Ward				
Southway				
Address				
5 Trentham Close Plymouth PL6 6BR				
Application Description				
New dwelling (resubmission of 17/00791/FUL)				
Appeal Process		Officers Name		
Written Representations		Miss Amy Thompson		
Synopsis				
<p>Planning permission was refused for the erection of a detached two bedroom dwelling in an existing garden area . The proposal was considered to be to be contrary to Local Development Framework Core Strategy Policies CS15 (Overall Housing Provision) and CS34 (Planning Application Considerations), Paragraph 2.2.31 of the Development Guidelines Supplementary Planning Document, Policies DEV1 (protecting health and amenity) and DEV10 (delivering high quality housing) of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework. Having reviewed the application the Inspector did not agree with the Councils view that the development would provide inadequate living conditions for potential occupiers. The Inspector acknowledged that the proposed development did not accord with the DCLG Technical Housing Standards, nationally described space standards with respect to ceiling heights but having considered the modest scale of the shortfalls considered the development would provide adequate living conditions. The Inspector supported the Councils view that the proposed development would have an oppressive and overbearing impact on the living conditions of the neighbouring property at 1 Farnley Close. The Inspector acknowledged that the proposal would have some benefits but they do not outweigh the clear adverse impacts of the development and is therefore does not represent sustainable development. No applications were made for costs by either side and no costs were awarded by the Inspector.</p>				

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