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Democratic and Member Support

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PLANNING COMMITTEE

Friday 18 January 2019
2.00 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.

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

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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 13 December 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. 30 Dean Park Road Plymouth PL9 7NZ - 18/01955/FUL (Pages 7 - 14)

Applicant:	Mr & Mrs King
Ward:	Plymstock Radford
Recommendation:	Grant Conditionally

6.2 Land At St Annes Road Plymouth PL6 7LW - 18/01935/FUL (Pages 15 - 32)

Applicant: Mr S Larson
Ward: Moorview
Recommendation: Grant Conditionally

6.3 Argosy House | Longbridge Road Plymouth PL6 8LS - 18/01210/FUL **(Pages 33 - 40)**

Applicant: Mr Duncan Attwood
Ward: Moorview
Recommendation: Grant Conditionally

6.4 43 North Hill Plymouth PL4 8EZ - 18/01598/FUL **(Pages 41 - 50)**

Applicant: Mr & Mrs Hassan Laura & Mousa
Ward: Drake
Recommendation: Grant Conditionally

7. Planning Enforcement: (Pages 51 - 52)

8. Planning Application Decisions Issued (Pages 53 - 72)

The Service 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 73 - 74)

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 13 December 2018

PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

Councillors Churchill (substitute for Councillor Rebecca Smith), Corvid, Derrick, Mrs Johnson, Kelly, Loveridge, Morris, Nicholson, Mrs Pengelly, Tuffin and Winter.

Apologies for absence: Councillor Rebecca Smith

Also in attendance: Mark Lawrence (Lawyer), Chris Watson (Planning Consents & Compliance Manager), Helen Rickman (Democratic Advisor) and Jamie Sheldon (Democratic Advisor).

The meeting started at 4.00 pm and finished at 6.20 pm.

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

57. **Declarations of Interest**

There were no declarations in accordance with the code of conduct.

58. **Minutes**

Agreed the minutes of the meeting held on 8 November 2018.

59. **Chair's Urgent Business**

There were no items of Chair's urgent business.

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

There were no questions from members of the public.

61. **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.

62. **I Ronsdale Close, Plymouth, PL9 7QZ**

Mrs Sharon Reeves

Decision:

Granted Conditionally.

63. **53 Valley Road, Plymouth, PL7 1RF**

Conrad Energy (Developments) Limited

Decision:

Delegated authority to the Service Director for Service Director for Strategic Planning & Infrastructure, in consultation with Chair, Vice Chair and Shadow Planning Lead, to grant planning permission subject to additional, and amended conditions, and with delegated authority to refuse the application if the Applicant does not accept the amended hours of operation condition.

1. That the noise level of the plant does not increase to louder than the background noise at any residential property when measured from the outside of those properties (CS22 and CS34, policy dev 1 and dev 2)
2. All equipment installed on site as a result of this approval shall be regularly serviced and maintained in accordance with the manufacturer's specifications including any systems designed to control emissions to air. In the event of their being any site failure which results in noticeable increase in emissions to air or within one month of a written request from the local planning authority, an assessment of the air quality impact associated with the operation of the site shall submitted to the local planning authority. (CS22 and CS34)
3. Specific hours of operation and limitation of the plant are delegated to the Service Director for Planning & Infrastructure in consultation with the Chair, Vice Chair and Opposition Lead for Planning.
4. That the Code of Practice forms part of the conditions of the application.

(A Planning Committee site visit was held on 12 November 2018 in respect of this application).

(The Committee heard from Councillor Mrs Beer, Plympton Erle Ward Councillor)

(The Committee heard a representation against this application)

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

64. **Planning Enforcement**

Chris Watson (Planning Consents & Compliance Manager) provided members with an update on planning enforcement.

The following key points were highlighted:

- (a) Plymouth City Council's approach to planning compliance accorded with advice from National Planning Policy Framework 2018, the National Planning Policy Guidance 2016 and the Council's own Planning Enforcement Policy 2017;
- (b) key components of planning compliance included the remedying of situations via negotiation; discretionary action via an assessment of harm; proportionate action and the imposition of penalties if required;
- (c) enforcement action should be taken for planning reasons and not used to duplicate areas of legal control;
- (d) all complaints reported to the planning enforcement team were investigated however, due to the size of the team, timescales were dependent on priorities;
- (e) officers had been undertaking proactive initiatives with regards to untidy store development sites and untidy historic buildings in Union Street; eight untidy land notices had been issued in November 2018. Owners would then have three months to carry out the works requested otherwise legal proceedings could be initiated;
- (f) the impact of inconsiderate construction practices upon local surroundings and residents, including parking and noise, was referred to in the Council's Code of Construction however wording was due to be reassessed to help tackle concerns.

Comments and questions relating to the following areas were highlighted by Members:

In response to questions raised it was reported that:

- (g) owners of rented properties were, by law, able to display a genuine 'to-let' sign advertising the premises for 14 days after the property had been let however it was considered that signs were left displayed in excess of this period of time to advertise their company/ business other than the advertisement of the property itself; Officers were actively looking to tackle this issue and several removal notices had been sent out;
- (h) Officers would reassess the tone of the language used within the document, specifically with regards to protocol, anonymity and investigation timescales;
- (i) Officers took on board comments regarding the suggestion for the developers to display a contact number for local residents to call if problems occurred.

Members thanked Chris and his team for the report and the hard work undertaken to date.

65. **Planning Application Decisions Issued**

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

66. **Appeal Decisions**

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

67. **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

PLANNING COMMITTEE – 13 December 2018**SCHEDULE OF VOTING**

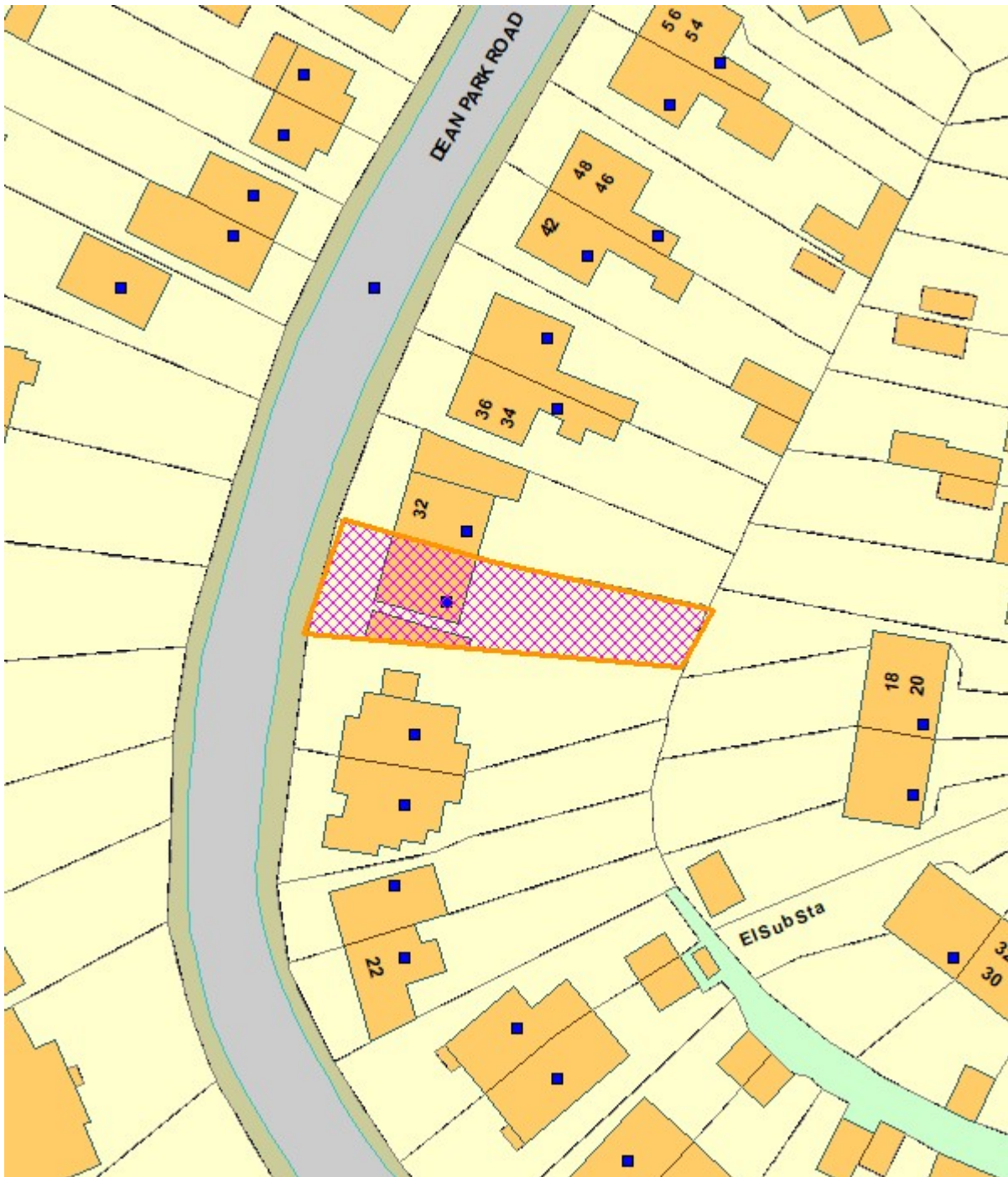
Minute number and Application		Voting for	Voting against	Abstained	Absent due to interest declared	Absent
6.1	Minute 62 1 Ronsdale Close, Plymouth, PL9 7QZ	Unanimous				
6.2	Minute 63 53 Valley Road, Plymouth, PL7 1RF	Councillors Stevens, Tuohy, Tuffin, Winter, Corvid, Morris, Derrick.	Councillors Mrs Johnson, Loveridge, Nicholson, Mrs Pengelly, Churchill.	Councillor Kelly		

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PLANNING APPLICATION OFFICERS REPORT



Application Number	18/01955/FUL	Item	01
Date Valid	26.11.2018	Ward	PLYMSTOCK RADFORD
Site Address	30 Dean Park Road Plymouth PL9 7NZ		
Proposal	Front porch, single storey side and rear extension and rear garden summer house		
Applicant	Mr & Mrs King		
Application Type	Full Application		
Target Date	21.01.2019	Committee Date	18.01.2019
Extended Target Date	N/A		
Decision Category	Councillor/PCC Employee		
Case Officer	Mrs Alumeci Tuima		
Recommendation	Grant Conditionally		



This application has been brought to Planning Committee, as it is an Employee application.

I. Description of Site

30 Dean Park Road is a semi-detached dwelling located within the Plymstock Radford neighbourhood. The property occupies a relatively large residential space, with parking/landscaping to the front and an elongated rear garden. The site is within an established residential area and the property is bound by timber and block treatment of which the east and north are in a poor state of repair.

The site is relatively level to the east and north and slopes slightly to the south.

2. Proposal Description

The proposal seeks to construct a front porch, a side and rear extension including a detached summer house to the east of the site. The intention is to create more useable space for habitable rooms and general enjoyment to the main dwelling.

3. Pre-application enquiry

None requested

4. Relevant planning history

None for this site

5. Consultation responses

Local Highways Authority: No objection

6. Representations

One Letter of Representation: Loss of light to rear extension.

7. Relevant Policy Framework

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

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

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

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

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

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

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

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

* Development Guidelines Supplementary Planning Document.

8. Analysis

1. This application has been considered in the context of the development plan, the draft JLP, the Framework and other material policy documents as set out in Section 7.
2. The main consideration in assessing this proposal is the impact on the neighbouring amenities, the street scene and local highway considerations. The application turns on policy CS02, CS28 CS34 of the Core Strategy and the detailed guidelines set out in the Development Guidelines SPD. Policies DEV1 (Protecting Health and Amenity), DEV20 (Place shaping and the quality of the built environment) and DEV31 (Specific Provisions relating to transport) of the JLP, and the National Planning Policy Framework (NPPF) 2012. The primary planning considerations in this case are the impact on neighbour amenity, the impact on the character and appearance of the area and the amenity of future occupants.

3. Principle of Development

4. The site has an established use as a residential dwelling. Its purpose to add value to the property is not uncommon for similar residential extensions. It is therefore acceptable in principle as it meets the policies and guidance as discussed below.

5. Design/Streetscene

6. The proposed front porch and side extension will be visible from the street and is proposed to be flat roofed with contemporary design and set well below ridge height. The front porch is approximately 2.7m (width) x 3.5m (height) x 1.3m (depth) allowing for a new floor space of approximately 3.5m². It will form part of the new main access door which is now repositioned to the side fronting the south elevation including elongated front facing windows.
7. The side extension will take on the original layout and most of the footprint of the existing garage and rear storage area to appear less dominant whilst maintain the existing off street parking facility. The dimensions of the extension are predominantly similar to the existing 3.8m (width) x 11.1m (depth) x 2.9m (height) side garage dimensions to include a flat roof finish.
8. The proposals for a modern design and materials to the porch and side extension were amended to be in keeping with the finished render on the main dwelling and although flat roofed it is considered acceptable in design terms, as it predominantly retains the original built form of the main dwelling, whilst not creating any demonstrable harm to the streetscene.
9. The rear extension will also introduce contemporary features for a flat roof, larger bi-folding doors and partial timber cladding. The proposed dimensions are approximately 6.5m (width) x 3.4m (depth) x 3m (height) which are close to permitted development levels. Although the features of the rear extension are at odds in terms of finished materials, it is not considered detrimental as it would not be immediately visible from the street.
10. The final element of the proposal is the detached summer house which will be situated to the eastern end of the rear garden. It will take on a slightly different form to include a shallow pitched roof, timber frame and composite wall cladding, a combination of window designs which is common for a summer house. The proposed dimensions are approximately 4m (depth) x 6m (width) x 2.95m (height) against a 1.8 metre fence panel. The summer house would be ancillary to the enjoyment of the main dwelling and this is secured by condition. The summer house is not considered to have adverse impact on the main dwelling or the character of the area.

Amenity

11. Light – A letter of objection was received siting loss of light to the nearest habitable room at no.32 as a result of the rear extension. Officers note that the rear extension is east facing therefore given the orientation of the sun and the positioning of the extensions, officers do not consider that the proposal would result in adverse loss of light to the immediate neighbours. The SPD guidance on light focuses on the impact on light to windows/rooms. Officers do not consider the loss of light to the neighbouring windows/rooms would be unreasonable that it should justify a refusal. Similarly, the proposed extensions would not result in further impact on the 45

degree rule to the adjoining neighbour for the reasons mentioned above which is typical of an east facing rear extension.

12. Outlook- None that would raise serious concern given the scale, form and positioning the extensions. The side extension which appears relatively larger is no more than the existing that it should justify a refusal.

13. Privacy: As above, the side elevation walls will remain predominantly blank where they meet the Party Walls along the perimeter of the property boundary. There is a side facing high window on the summer house which fronts the southern boundary. Officers note that this is raised at 1.8 metres above floor level which offers adequate privacy levels to the south and is therefore acceptable.

Impact parking and highway safety

14. Local Highways Authority was consulted and initially recommended refusal because the conversion of the existing garage which would result in the loss of one off street parking space. Officers discussed this with the applicant and were able to negotiate an amended scheme to include an additional off street parking provision. The new parking space would lie adjacent to the existing off street parking facility to be in keeping within minimum residential parking standards and compliant with highway policies.

9. Human Rights

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

10. Local Finance Considerations

The proposal will not attract any Community Infrastructure Levy under the current charging schedule.

11. Planning Obligations

Not applicable for this application.

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

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and specifically policies CS02, CS28, CS34 of the Core Strategy and the detailed guidelines set out in the Development Guidelines SPD. Policies DEV1, DEV20, and DEV31 of the JLP, and the National Planning Policy Framework (NPPF) 2012 and has 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 26.11.2018 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

001/1a - received 29/12/18
001/2a - received 29/12/18
001/3a - received 29/12/18
001/5a - received 29/12/18
001/4b received 07/01/19
Site Location plan 12112018 - received 15/11/18

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: ANCILLARY OR INCIDENTAL USE

The proposed Summer House hereby approved; shall only be used for purposes incidental or ancillary to the primary use of the premises as single dwelling.

Reason:

Whilst the proposal for such ancillary use is acceptable to the Local Planning Authority, the independent use of different parts of the premises would be likely to produce conditions unacceptable to the Local Planning Authority; this condition is in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 and 123 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.

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PLANNING APPLICATION OFFICERS REPORT



Application Number	18/01935/FUL	Item	02
Date Valid	29.11.2018	Ward	MOORVIEW
Site Address	Land At St Annes Road Plymouth PL6 7LW		
Proposal	Erection of 4 bed detached dwelling with integral garage, parking and amenity areas		
Applicant	Mr S Larson		
Application Type	Full Application		
Target Date	24.01.2019	Committee Date	18.01.2019
Extended Target Date	N/A		
Decision Category	Councillor referral		
Case Officer	Miss Amy Thompson		
Recommendation	Grant Conditionally		



This application has been referred to Planning Committee by Councillor Chris Mavin

1. Description of Site

The application site is a private car park located on the corner of St Anne's Road and Glenfield Road in the Glenholt area of the City. The car park serves an existing three storey block of seven flats with three shop units on the ground floor.

2. Proposal Description

The proposal seeks to erect a four bedroom detached dwelling with integral garage, parking area and amenity area on an existing private car parking area. The proposal includes the reconfiguration of the existing car parking to create 10 marked out spaces with one additional marked out space situated at the north end of the site adjacent to St Anne's Road, resulting in a total of 11 marked out spaces.

The proposal is a resubmission of a previously refused application for the site which sought to erect a detached dwelling with detached garage and amenity area.

The main changes between the previously refused applications and the resubmitted application is:

- The removal of detached garages situated within the car parking area
- Amends the design and position of the house that incorporates a two storey side extension on the southern elevation that has an integral single garage. The garage will be accessed via a new drive from St Anne's Road. The drive will provide space for one vehicle to park off street.
- Amendments to the proposed demarcation of the proposed parking area to provide 10 spaces for shop users and occupiers of the flats. The previous scheme proposed 8 spaces within the parking area for the shop users and occupiers of the flats.
- Reduces the number of spaces from two to one at the northern end of the site.
- Proposes two new openings within the boundary wall to the front of the existing shop units.

3. Pre-application Enquiry

This application had no formal pre-application enquiry but a post-refusal meeting was held to discuss the refusal reason.

4. Relevant Planning History

18/01149/FUL- Erection of 4 bed detached dwelling with ancillary double garage and amenity areas- Refused for the following reason:

Inadequate Parking Arrangement

It is considered that the development will provide an inadequate level of parking for the combined new and existing parking demand and the new parking layout will create a safety and amenity problem for the existing residents and commercial users. The proposal is therefore considered to cause:-

(a) Damage to amenity;

(b) Prejudice to public safety and convenience;

(c) Interference with the free flow of traffic on the highway

which is contrary to Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007 and DEV31 (2,3) of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034).

5. Consultation Responses

Public Protection Service- No objection subject to recommended conditions.

Natural Infrastructure Team- Awaiting comments

Local Highway Authority- Has recommended approval subject to a condition that require the developer to fund the removal and installation of the privately owned bus shelter on site through a Unilateral Undertaking. Without the permission to move the bus shelter and without funding its relocation, vehicular access into the site could not be provided. On this basis the Highway Authority would be recommending the application for refusal on the basis of an unsatisfactory access giving rise to highway safety concerns.

6. Representations

73 letters of objections and a petition with 131 signatures was received. The main concerns raised were:

Parking/ Highway

- Insufficient parking
- More on street parking which creates traffic/ safety hazards and restricts access
- Reduced visibility

- Impact on safety of pedestrians and vehicles using the car park due to cramped layout and narrow entrance
- Restricts access for emergency service, fire escapes and to shops
- Lack of parking will exacerbate existing on street parking problems.
- Disabled space is situated in a dangerous area for manoeuvring and in the entrance area
- Does not meet the needs of the elderly or the disabled by providing additional space to get in and out of cars
- Traffic congestion made worse by construction of dwelling
- House turned into HMO creating more parking problems

Design

- Out of keeping with area which are mainly bungalows.
- Impact on historic hedge resulting in loss of birds and wildlife
- Overdevelopment of small site
- Loss of fire escape for residents and shop units and access to storage rooms.
- Little difference from previously refused submission

Amenity

- Loss of light and privacy to neighbours
- Disruption and obstruction during construction of development.
- Noise and air pollution
- Insufficient amenity space
- Affect the health and amenity values of local residents, impacting on quality of life
- Loss of open space

Community

- Insufficient parking will reduce footfall and have detrimental impact on local businesses and community as local residents rely on local businesses
- No benefit for the local community.
- Does not support community cohesion

Other

- Conflict of interest with local ward councillors
- Advertisement over the Christmas period to reduce number of comments

7. Relevant Policy Framework

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

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

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

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

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

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

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

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

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

8. Analysis

8.1.1. 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.

8.1.2. The principle issues in relation to this application are considered to be the Highways and Parking matters, Ecology and Biodiversity, Design and Layout considerations, Residential Amenity, and Contamination.

8.1.3. Therefore this planning application turns upon polices CS01 (Development of Sustainable Linked Communities); CS02 (Design); CS15 (Overall Housing Provision); CS16 (Spatial Distribution of Housing Sites); CS19 (Wildlife); CS22 (Pollution); CS28 (Local Transport Considerations) and CS34 (Planning Application Considerations) of the Local Development Framework Core Strategy.

8.1.4. Additionally, this planning application turns upon policies SPT1 (Delivering sustainable development); SPT2 (Sustainable linked neighbourhoods and sustainable rural communities); SPT3 (Provision for new homes); DEV1 (Protecting health and amenity); DEV2 (Air, water, soil, noise and land); DEV7 (Meeting local housing need in the Plymouth Policy Area); DEV9 (Meeting local housing need in the Plan Area); DEV10 (Delivering high quality housing); DEV20 (Place shaping and the quality of the built environment); DEV28 (Protecting and enhancing biodiversity and geological conservation); DEV30 (Trees, woodlands and hedgerows) and DEV31 (Specific provisions relating to transport) of the Plymouth and South West Devon Joint Local Plan.

8.1.5. The previous scheme was refused due to inadequate parking arrangements and was considered to damage amenity, be prejudicial to public safety and convenience and interfere with the free flow of traffic on the highway.

8.1.6. The submitted planning statement has detailed the changes that have taken place to overcome the refusal reasons of the previous scheme. The information states that the existing car park can accommodate 10 car parking spaces when applying the highway standard for car parking arrangements. The proposal seeks to "re-provide" 10 demarcated car parking spaces within the car

park. The proposal will also provide an additional space situated at the northern edge of the site and one on street due to reinstating the kerb across part of the existing car park entrance. The new proposal provides two car parking spaces with the curtilage of the dwelling. The amendments made seek to provide adequate level of parking for the combined new and existing parking demand.

8.1.6. The submitted information states that the proposal seeks to resurface and demarcate each of the re-provided car parking spaces to ensure that the safety of persons using the car park is improved compared to the existing situation. The proposal also includes a disabled car parking space close to the commercial units and is creating two pedestrian entry points through the existing low boundary wall to the front of the commercial units. The revised proposal seeks to provide a dwelling which has its own separate access and egress arrangements to restrict conflicts of use between future occupants and users of the car park.

Principle of Development

8.2.1. The proposal seeks to erect a detached four bedroom property with integral garage and amenity area on part of an existing car parking area. The existing private car parking area is informally used and not marked out to show the designated spaces. The car park serves the existing three storey block of flats which contains seven units and three ground floor shop units. It is noted that there is a small number of non-residential uses within this area but the character of the area is primarily residential.

8.2.2. In principle, the erection of a residential dwelling on this site is considered to be acceptable given that the character of the immediate neighbourhood is primarily residential. The application site itself is set within an established residential area, and would be of a comparable size to the neighbouring developed plots. It is therefore considered that the principle of the development is acceptable.

8.2.3. The development is therefore considered to accord with policies within policies CS01, CS02, CS05, CS15 and CS34 of the LDF Core Strategy, policies SPT2, DEVI, DEV7, DEV10 and DEV20 of the Joint Local Plan the paragraph 14, 17, 49 and 53 of the NPPF for providing sustainable development of an appropriate scale in a suitable location.

Character and Appearance of the Area

8.3.1. The Sustainable Design Supplementary Planning Document highlights the varied characteristics of Plymouth's neighbourhoods and the need for development to reflect local distinctiveness, including urban setting, density and layout. The Supplementary Planning Document states that new development should normally reflect the existing scale and massing of its surroundings. The existing block sizes, plot sizes, and street patterns should influence the layout.

8.3.2. The site is situated on the prominent corner of St Anne's Road and Glenfield Road with the surrounding properties being made up of a mixture of bungalows, detached two storey dwellings and a block of flats. The properties in the area vary in design, style, scale and materials with no singular distinctive style within the locality.

8.3.3. The proposal seeks to erect a two storey detached dwelling with a pitched roof and integral pitched roof garage that has a bedroom above. The dwelling would be set approximately 5 metres from the pavement edge on Glenfield Road and approximately set back 580mm from the pavement edge on St Annes Road. The proposed walls of the dwelling would be white rendered with stained timber cladding and grey windows and doors.

8.3.4. Considering the varying design and scales of properties within the locality the proposed design of the dwelling and detached garage is considered acceptable and would not have a detrimental impact on the existing street-scene or be visually intrusive. Officers consider the proposed

development would not be out of character of the area or demonstrably harm the pattern of development.

8.3.5. The development is therefore considered to accord with policies within policies CS01, CS02, CS15 and CS34 of the LDF Core Strategy, policies SPT2, DEVI0 and DEV20 of the Joint Local Plan.

Local Highway Authority

8.4.1. The primary highway concern in respect of this proposal relates to the potential loss of car parking on the site serving both the residential and ground floor commercial units. The previous application was refused at Planning Committee due to inadequate parking arrangement.

8.4.2. The revised proposal for the new dwelling includes the reconfiguration of the existing car parking to create 10 marked out spaces and an additional marked out space to the north of the site. The proposal therefore creates a total of 11 car parking spaces for the use of the residents of the flats and users of the commercial shop units.

8.4.3. A Transport Statement has been submitted to support the proposal. It states that the existing car park is large enough to accommodate 11 cars. The proposal seeks to provide 10 spaces on the main car park. The spaces would generally be used by the flats within the existing building.

8.4.4. It is proposed that one space will be marked out at the northern end of the site where an existing vehicle crossover exists providing car parking within the site at the rear of the footway. These spaces would generally be used as parking for the retail units.

8.4.5. The existing dropped kerb for the main car park is approximately 8.5 metres in width and it is proposed to reduce the overall width of dropped kerb to 4m in width which would provide an additional 4.5m of full kerb height reinstated along this section. This would, in effect, provide additional kerbside parking on front of the shops.

8.4.6. The Statement indicates that there will be no loss of car parking on site. Stating that proposal will retain the current levels of car parking of 11 spaces and would provide two spaces including a single garage to serve the new dwelling.

8.4.7. The Local Highway Authority have noted from the updated Transport Statement that the site was visited twice in order to determine the level of car parking demand associated with the use of the existing car park. The Local Highway Authority have no reason to question the outcome of these visits (on each occasion there being between 5 and 7 cars parked in the car park), but they have stated that it would have been helpful if these visits could have been conducted over a longer period. It is also not clear if these visits were undertaken at different times of the day.

8.4.8. The Local Highway Authority have stated that the layout of the revised car parking area serving the proposed dwelling now necessitates a very tight and inconvenient 180 degree turning manoeuvre in order to access the proposed garage. This is likely to require the dropped kerb access extending across the entire width of the car parking which, in turn, will necessitate the relocation of the existing bus shelter. In view of the fact that bus services along St Annes Road has been withdrawn (and there being no real likelihood of those services being reinstated), it is the view of colleagues within the PCC Public Transport Team that the shelter be relocated elsewhere to a suitable location on PCC's Shelter Wish List.

8.4.9. As the bus shelter is privately-owned, the developer will be responsible for paying the fees associated the removal and installation costs. These fees are likely to be in the region of £8k and would need to be secured through a Unilateral Undertaking. It should be noted that the applicant would not be permitted to move the bus shelter without due authorisation from its' owners and

consequently without funding its' relocation, vehicular access into the site could not be provided. On this basis the Highway Authority would have to recommend the current application for refusal on the basis of an unsatisfactory access giving rise to highway safety concerns.

8.4.10. The application includes adequate parking provisions for the proposed dwelling and the existing residents of the flats and shop units and is therefore acceptable in principle, subject to the added conditions. The development therefore accords with policies CS28 and CS34 of the Core Strategy and DEV31 of the Joint Local Plan.

Design, Layout and Amenity

8.5.1. The DCLG Technical housing standards - nationally described space standard (March 2015), supported by the Joint Local Plan, sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height.

8.5.2. The proposal offers approximately 116m² of internal amenity space. The national minimum internal floor space for a four bedroom, two storey property is 97m². Therefore the proposal complies with the national standards for a four bedroom, two storey property.

8.5.3. The closest residential dwelling to the application site is 23 Glenfield Road, which is a detached bungalow situated to the northwest of the site and is separated by a hedged boundary. The rear of the proposed dwelling would be approximately 7 metres away from the front of number 23 Glenfield Road at its closest point.

8.5.4. Concerns have been raised regarding the loss of light to the neighbours at 23 Glenfield Road. The officer visited the neighbouring site and it was noted that are habitable room windows on the front elevation that would be most at risk to the loss of light due to the proposed dwelling. The proposal does not comply with the Council's 45 degree rule which considers the loss of light to neighbouring properties, however having considered the topography of the site resulting in the application site being set lower than the neighbours, the site's orientation, the height of the existing hedged boundary and the position and of the neighbour's window it is considered that the loss of light to the bedroom window would not be detrimental enough to warrant a refusal of this application.

8.5.5. It is considered that the proposal would not have a detrimental impact on the neighbour's privacy as there are no proposed windows on the western elevation that would cause any overlooking into habitable room windows or amenity areas. It is noted that there are a tall hedged boundary between the application site and the neighbours at 23 Glenfield Road. If this was to be removed there would be overlooking from the neighbour's property into the proposed amenity area of the proposed dwelling. It is therefore considered necessary to attach a condition to ensure that this boundary treatment is kept and maintained to protect privacy.

8.5.6. It is also noted that the windows proposed on the eastern and northern elevation would not directly look into the neighbour's habitable room windows on the opposite side of the street at 4 St Anne's Road and the block of flats to the rear. The properties to the east are approximately 19 metres away from the eastern elevation of the proposed dwelling and are separated by the main road. The block of flats to the rear are approximately 22 metres away from the rear of the proposed dwelling and have no habitable room windows overlooking the proposed dwelling. Paragraph 2.2.23 of the Development Guidelines Supplementary Planning Document states that habitable room windows facing directly opposite one another should normally be a minimum of 21 metres apart, therefore this proposal complies with this guideline.

8.5.7. The Development Guidelines SPD states that "in order to protect the outlook of neighbouring properties, the minimum distance between a main habitable room window and a blank wall, should normally be at least 12 metres". The proposed dwelling is not situated directly in front of any neighbouring habitable room windows, it is therefore considered that the proposal would not have a detrimental impact on neighbour's outlook.

8.5.8. The Development Guidelines SPD standard for external amenity space for a detached dwelling is 100m², the proposed dwelling provides approximately 80m² of usable amenity space. While this is below the SPD guideline it is still considered an acceptable amount having considered the size of the external amenity areas of the properties along St Anne's Road and in the local area. The proposed amenity area is therefore considered sufficient and does not warrant a refusal of this application.

8.5.9. Having considered the internal layout of the dwelling and window positions will ensure that sufficient light levels will be afforded to future occupiers.

Drainage

8.6.1. The submitted information states that surface water shall be disposed of sustainably by soakaway, subject to confirmation by percolation testing. Foul drainage shall be connected to the mains sewerage system.

8.6.2. The Glenholt site is in Flood Zone 1 and is not located within a Critical Drainage Area. It is considered that the development will not be at risk of flooding nor present an increased risk of flooding elsewhere.

8.6.3. The principle of the drainage proposal is considered acceptable and accords with policy CS21 of the Core Strategy and policy DEV37 of the Joint Local Plan.

Natural Infrastructure

8.7.1. A Preliminary Ecological Appraisal has been submitted dated 5th June 2018 which concludes that "The development will result in a loss of hard-standing, amenity grassland and scattered broadleaved trees and has the potential to impact upon nesting birds, if left unmitigated. If the mitigation and enhancement recommendations are followed, then it is highly likely that there will be no negative impacts on ecological features of interest as a result of the new development. Furthermore, it has the potential to increase biodiversity on site post-development, by providing some of the following:

- Roosting opportunities within the new bat tubes in the new property;
- Nesting opportunities for birds in the new bird box/ house sparrow terrace on the new property;
- Nesting opportunities for native solitary bee species within the new bee brick provision;
- Nesting and foraging habitat for birds within new blocks of native shrubs and hedgerow; and
- Foraging habitat for mammals such as hedgehogs within the amenity Grassland".

8.7.2. A condition would therefore be added to ensure the development complies with the mitigation and enhancement measures set out in the submitted Preliminary Ecological Appraisal.

8.7.3. There are two silver Birch trees on site, with one being showed to be retained, it is however noted that it is within close proximity to the proposed house. The Natural Infrastructure Team has not raised an objection to the removal of the trees as long as new planting takes place to mitigate their loss. It is also noted that the hedgerow needs to be retained and protected during constructions. A pre-commencement condition will be added to ensure that details of tree planting and a landscape plan with a tree protection plan be submitted to ensure the hedgerow is protected during construction and to clarify whether one or two of the trees is to be removed and how their loss will be mitigated for onsite.

8.7.4. Officers consider that the proposal accords with Policies CS18 and CS19 of the Core Strategy and Policies SPT11, DEV28 and DEV30 of Joint Local Plan

Public Protection Service

8.8.1. A Phase I Contaminated Land Survey carried out by John Grimes Partnership (Ref: 14802/R1 Date: 14th June 2018) was submitted. The report has identified the need to undertake further investigations to inform contamination risks within the application site, with a recommended scope of investigation detailed. The consultant's conclusions, recommendations and proposed scope of investigation are agreed by the Public Protection Service. The Public Protection Service has recommended conditions order to support further intrusive investigation, remediation and verification works.

8.8.2. The Public Protection Service has also recommended that due to the potentially noisy and disruptive activities involved in this development a condition should be added to control the hours of working. However working hours are set out in the Council's Code of Practice for Construction and Demolition Sites which developments in the city needs to adhere to, it is not considered necessary to add a condition restricting construction working hours.

8.8.3. Conditions will be imposed to ensure the proposal accords with policy CS22 of the Core Strategy and DEV2 of the Joint Local Plan.

9. Housing Delivery Test (HDT)& 5 Year Housing Land Supply

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

Paragraph 73 of the NPPF stipulates that 'Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies or against their local housing need where the strategic policies are more than five years old'

Paragraph 11 of the NPPF states that 'plans and decisions should apply a presumption in favour of sustainable development' including applications involving the provision of housing. It also states (paragraph 11(d)):"Where there are no relevant development plan policies, or policies which are most important for determining the planning application are out-of-date (the planning authority should) granting permission unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'

Footnote 7 of paragraph 11d of the NPPF explains that policies which are most important for determining the application are considered out-of-date where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 73 of the NPPF); or where the HDT indicates that the delivery of housing is substantially below (less than 75% of) the housing requirement over the previous three years. Under the transitional arrangements set out in annex 1 of the NPPF the HDT 2018 result triggers the provisions of NPPF paragraph 11d if the HDT result is below 25% not 75%.

It should be noted, however, that the Local Planning Authority is at an advanced stage in the preparation of the Plymouth and South West Devon Joint Local Plan. The pre-submission version of the JLP has been formally approved by Plymouth City Council, West Devon Borough Council and South Hams District Council and has since been submitted to the Planning Inspectorate for

Examination, pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations.

Guidance on the amount of weight to be applied to the JLP is contained elsewhere in this report.

The 'Housing Requirement' set out in the Adopted Core Strategy (2007) is now considered to be out of date. The NPPF/NPPG/Housing Delivery Test (HDT) measurement rulebook makes clear that 'Housing Requirements' in adopted plans that are more than 5 years old are to be considered out of date. The Housing Requirement set out in the JLP is yet to be adopted. NPPG makes clear that the Government's new HDT and 5 year land supply applies to Plymouth LPA until adoption of the JLP using the new standard methodology establishing Local Housing Need (LHN).

Plymouth's 2018 HDT result is explained and set out in the JLP authorities Housing Position Statement together with the 2018, 5 year land supply position for Plymouth LPA. Plymouth LPA's 2018 HDT result is anticipated to be 201%. There are therefore no policy consequences and a 5% buffer only is required for the Plymouth LPA 5 year housing land supply.

Current National Policy and Guidance requires LPA's to use the latest household projections (2016) when deriving the Local Housing Need for Plymouth. The Government has also recently consulted on revising the NPPF/NPPG to stipulate that the latest household projections (2016) are not to be used and that the LHN should be derived using the previous Household Projections (2014). This however is not the current National Policy position until such time as the NPPF/NPPG is revised accordingly. The JLP authorities Housing Position Statement therefore sets out the 5 year land supply position for the Plymouth LPA against Plymouth's Local Housing Need derived from both sets of projections. The Housing Position Statement explains in paragraphs 5.17 and 5.18 that Plymouth LPA can demonstrate a net deliverable supply of 4,736 dwellings over the period 2018-2023. This represents 12.4 years supply when set against the LHN derived using the 2016 Household projections and a 7.2 years supply when set against the LHN derived using the 2014 Household projections. As Plymouth LPA can now demonstrate a 5 year land supply the tilted balance in favour of sustainable development (as set out in paragraph 11d of the revised NPPF) is not triggered for the purpose of deciding this application.

Upon adoption of the JLP the JLP authorities Housing Position Statement will be updated to reflect the 5 year land supply position against the housing requirement in the JLP and how this is to be monitored.

9. Human Rights

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

10. Local Finance Considerations

The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended).

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 while the letters of objection have raised concerns of the proposed development not considering the elderly or disabled users of the shop units in regards to access. The proposal includes a disabled off street car parking that would be of a sufficient width for disabled users.

13. Conclusions and Reasons for Decision

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policies SPT1 (Delivering sustainable development); SPT2 (Sustainable linked neighbourhoods and sustainable rural communities); SPT3 (Provision for new homes); DEV1 (Protecting health and amenity); DEV2 (Air, water, soil, noise and land); DEV7 (Meeting local housing need in the Plymouth Policy Area); DEV9 (Meeting local housing need in the Plan Area); DEV10 (Delivering high quality housing); DEV20 (Place shaping and the quality of the built environment); EV28 (Protecting and enhancing biodiversity and geological conservation); DEV30 (Trees, woodlands and hedgerows); DEV31 (Specific provisions relating to transport); and DEV37 (Managing flood risk and water quality impacts) of the emerging Joint Local Plan, as well as Policies CS01, CS02, CS15, CS16, CS18, CS19, CS21, CS22, CS28, and CS34 of the Local Development Framework Core Strategy, and national guidance and is therefore recommended for conditional approval. It is considered that the use of Joint Local Plan policies can be given moderate weight when determining this application as the policies used are similar to those used in the current development framework.

14. Recommendation

In respect of the application dated 29.11.2018 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**

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 2 YEARS**

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

Reason:

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

3 CONDITION: TREE PLANTING/MITIGATION

PRE-COMMENCEMENT

No works or development shall take place until full details the proposed mitigation for the loss of the trees on site, mitigation within the submitted PEA and landscaping works, including details of all proposed tree planting, tree/ hedge protection plan, landscaping plan, clarification on mitigation measures and the proposed times of planting and have been approved in writing by the Local Planning Authority and all tree planting shall be carried out in accordance with those details and at those times.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and policy DEV30 of the emerging Joint Local Plan.

Justification: To ensure tree planting and landscaping can be properly incorporated within the development proposals.

4 CONDITION: DETAILS OF BOUNDARY TREATMENT

PRE-COMMENCEMENT

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is first occupied. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 91,124, 127, 130 of the National Planning Policy Framework 2018.

Justification:

To ensure that the boundary treatment can be properly accommodated within the development proposals and addresses its purpose.

5 CONDITION:BUS SHELTER REMOVAL/RELOCATION (GRAMPIAN)

PRE-COMMENCEMENT

No works shall commence on-site until the applicant has entered into a Unilateral Undertaking to pay the fees associated with the removal and installation of the existing bus shelter to an alternative location to be agreed by the Local Planning Authority.

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.

Justification: To ensure that the development can ensure the safety of road users and pedestrians can be maintained.

6 CONDITION: PHASING OF DEVELOPMENT

PRE-COMMENCEMENT

Before work commences on site a scheme detailing the phasing of the construction of the development including the car parking arrangements through construction and construction of the dwelling/ proposed car park shall be submitted to and approved in writing by the Local Planning Authority. The details should include the availability of parking provision throughout construction. The development will be carried out in accordance with the details approved.

REASON: In the interests of highway safety and the amenity of the locality, in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV31 of the emerging Plymouth and South West Devon JLP March 2017 and paragraphs 91,102, 108 and 110 of the National Planning Policy Framework 2018.

Justification: to safeguard the parking of existing residents and business while the development is being implemented.

7 CONDITION: REINSTATEMENT OF FOOTWAY

PRE-OCCUPATION

The new dwelling shall not be occupied until the redundant section of footway crossover has been removed and the footway reinstated.

Reason:

In the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV31 of the emerging Plymouth and South West Devon JLP March 2017 and paragraphs 91,102, 108 and 110 of the National Planning Policy Framework 2018.

8 CONDITION: CAR PARKING PROVISION

PRE-OCCUPATION

The proposed dwelling shall not be occupied until the revised car parking areas serving both the new dwelling and the adjoining commercial and residential units as shown on the approved plans has been drained, surfaced and the spaces marked out in accordance with details to be submitted to and approved in writing by the Local Planning Authority and those areas shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with

Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV31 of the emerging Plymouth and South West Devon JLP March 2017 and paragraphs 91, 102, 105, 108 and 110 of the National Planning Policy Framework 2018.

9 CONDITION: TREE/HEDGEROWS TO BE RETAINED/PROTECTED

No retained hedgerow (specifically the hedgerow on the western boundary of the site) or tree shall be cut down, uprooted or destroyed, nor shall any retained hedgerow be topped or lopped to height less than 2 metres from ground level, other than in accordance with the prior written approval of the Local Planning Authority. If any retained hedgerow/ tree is removed, uprooted, destroyed or dies, a replacement tree or hedgerow shall be planted and that tree or hedgerow shall be of such size and species and shall be planted at such a time and in a position to be agreed with the Local Planning Authority.

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

Reason: To ensure that trees or hedgerows retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 124, 127, 170, and 175 of the National Planning Policy Framework 2018.

10 CONDITION: CONTAMINATED LAND

PRE-COMMENCEMENT

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

Section 1. Site Characterisation

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

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

- o ecological systems
- o archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

Section 2. Submission of Remediation Scheme

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

Section 3. Implementation of Approved Remediation Scheme

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

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

Section 4. Reporting of Unexpected Contamination

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

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 170,178-183 of the National Planning Policy Framework 2018.

11 **CONDITION: BIODIVERSITY**

Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Preliminary Ecological Appraisal (dated 5th June 2018) for the site.

Reason

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34, Joint Local Plan Policies SPT11 & DEV28 and Government advice contained in the NPPF 2018 paragraphs 8, 170, 174, 175

12 CONDITION: RESTRICTIONS ON PERMITTED DEVELOPMENT

Notwithstanding the provisions of Article 3 and Classes A, B and C of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no enlargements, improvements or other alterations, including to the roof, shall be constructed to the dwelling hereby approved.

Reason:

In order to protect neighbours amenity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 127, 170, and 180 of the National Planning Policy Framework 2018.

INFORMATIVES

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

The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at www.plymouth.gov.uk/CIL. You can contact the Local Planning Authority at any point to discuss your liability calculation; however a formal Liability Notice will only be issued by the Local Planning Authority once "planning permission first permits development" as defined by the CIL Regulations. You must ensure that you submit any relevant forms and get any pre-commencement details agreed before commencing work. Failure to do so may result in surcharges or enforcement action.

2 INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)

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 (2018) the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

3 INFORMATIVE: CODE OF PRACTICE FOR CONSTRUCTION

All construction work should adhere to the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web pages.

4 INFORMATIVE: KERB LOWERING

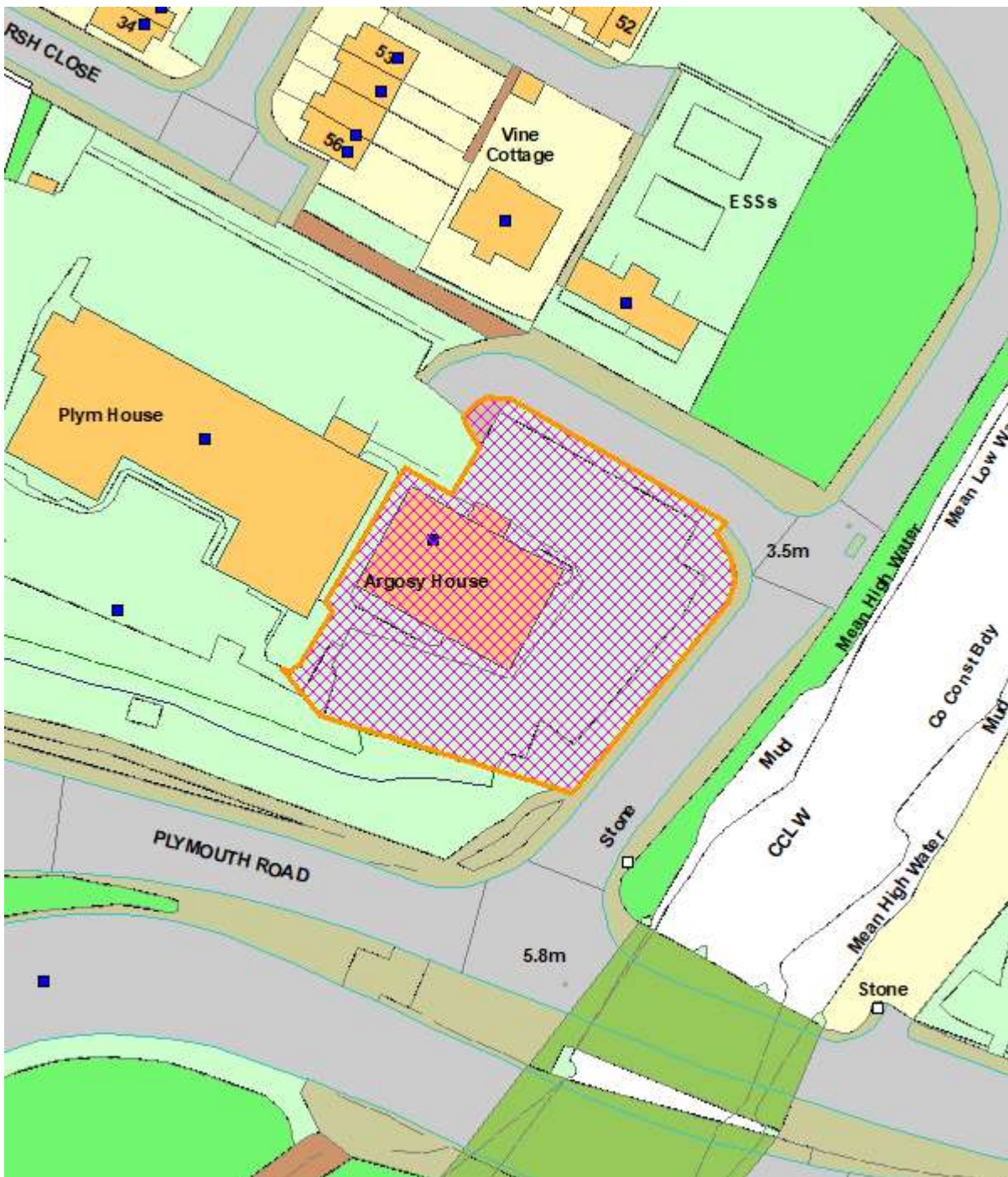
Before the accesses hereby approved are first brought into use it will be necessary to secure dropped kerbs [and footway crossings] with the consent of the Local Highway Authority. The applicant should contact Plymouth Highways for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority.

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PLANNING APPLICATION OFFICERS REPORT



Application Number	18/01210/FUL	Item	03
Date Valid	07.08.2018	Ward	MOORVIEW
Site Address	Argosy House Longbridge Road Plymouth PL6 8LS		
Proposal	Change of use from clinic (Class D1) to gym (Class D2) at Left Hand Suite, 2nd Floor		
Applicant	Mr Duncan Attwood		
Application Type	Full Application		
Target Date	02.10.2018	Committee Date	18.01.2019
Extended Target Date	21.01.2019		
Decision Category	Councillor/PCC Employee		
Case Officer	Mr Macauley Potter		
Recommendation	Grant Conditionally		



This application was referred to Planning Committee by Councillor Bridgeman.

1. Description of Site

Argosy House is a relatively large brick faced building containing offices of various companies, surrounded by associated car parking. Marsh Mills Roundabout and the Parkway Industrial Estate lie immediately to the south west and west (respectively).

2. Proposal Description

Change of use from clinic (Class D1) to gym (Class D2) at Left Hand Suite, 2nd Floor. Proposed D2 use will have an area of 119.6 square metres.

3. Pre-application Enquiry

No pre application enquiry associated with this application.

4. Relevant Planning History

14/01899/FUL -Change of use from offices (Class B1) to Laser Clinic (Class D1)- Grant conditionally.

18/01167/GPD - Change of use from D1 to D2 at Left Hand Suite, 2nd floor, Argosy House – Application returned/withdrawn.

5. Consultation Responses

Highway Authority – The Highway Authority does not wish to raise any in-principle objections to this application from a highway viewpoint. The Highway Authority would recommend that a minimum of 2 secure and covered cycle parking spaces be provided and that this be addressed through a cycle parking condition.

Economic Development Department – Economic Development has no objection to this proposal.

Public Protection Service – Public Protection Service originally recommended refusal based on a lack of information submitted regarding the noise impact the proposed facilities will have and any mitigation methods which will be used to reduce this impact. Public Protection cite that they experience a high level of noise complaints from gyms near residential properties. Following a submission of a noise impact statement by the applicant, Public Protection Suggested that a condition be attached detailing that no audible noise is to be emitted outside the surrounding areas of the gym. Public Protection confirm that they would support this application with the noise condition attached to any grant of consent.

6. Representations

19 letters of representation received. Summarised below are the main issues highlighted in the objections:

- 1) Overflow parking into Marsh Close which is already overloaded resulting from the existing office use of Argosy/Plym House along with the wider Marsh Mills retail park.
- 2) Gym would be open late hours and will cause unwanted noise pollution.
- 3) Argosy House is designated as offices and a gym would be outside that use.
- 4) Application has insufficient parking (5 spaces and 8 full time members of staff).
- 5) Already endure noise from nearby speedway.
- 6) There are many other sites that a gym can be allocated, without the need to impede on an already burdened residential area.

7. Relevant Policy Framework

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

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

The 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.

- 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. The application turns particularly on policies CS34 (Planning Application Considerations), CS22 (Pollution), CS28 (Local Transport Considerations) and Dev2 (Air, water, soil, noise and land), Dev16 (Providing retail and town centre uses in appropriate locations) and Dev31 (Specific provisions relating to transport) of the JLP. The most significant key issues are: whether the proposed use is acceptable in this location (outside a designated centre); whether the development is acceptable in transport terms, and in particular whether adequate parking is proposed with particular consideration of its impacts on residential occupiers of Marsh Close.

Principle of development

2. The application is for a proposed change of use from a D1 use to a D2 use and whilst acceptable in principle the site itself is situated outside Plymouth's Designated Town Centres and in order to address paragraphs 86, 87, 88 and 90 of the NPPF (2018) as well as being compliant with Dev16 of the emerging Joint Local Plan a sequential test was therefore required.

3. A sequential test should define the primary catchment area of the proposal, this establishes the site requirement taking into account flexibility in the business model. It should include all sites in existing centres, edge of centres, and more accessible locations both considering their suitability and availability.

4. A test was submitted which highlights a proposed catchment area encompassing much of the Devon Expressway from the outskirts of the Plympton area to the Crownhill/Derriford area. As highlighted in the document the 2nd floor office space currently has consent for use as a D1 having previously been a tattoo removal clinic. It has since been vacant for 3 and a half years. Officers consider the proposal is acceptable in this case as the gym already falls within Class D and is therefore not considered to have a detrimental impact to the surrounding area and neighbour amenity (in terms of change to the physical character of the area, noise issues and parking), provided

the conditions attached to the recommendation at the end of this report are considered to make this application acceptable in development terms.

Transport Issues?

5 Adequate car parking for this specific proposal is retained on site and is considered suitable (subject to conditions requested by the Highway Authority). An allocated parking condition and a cycle storage condition have been attached to the recommendation of this application (to be in compliance with CS28).

6 The supporting information states that accommodation comes with 5 parking spaces and is within the Argosy House development which has its own bespoke car park. The application states that the planned number of staff is 8 in total. The gym will operate for a total of 70 hours per week and none of the staff will be there all the time. On average, there will be two staff on site at any one time, together with one customer plus one waiting, thus occupying an average of four spaces in the car park. Officers acknowledge that a future business model for the gym may change the number of staff and clients. However, based on the floorspace provided with this development officers still consider that the parking is sufficient for the use proposed.

7 It is important to note that the existing D1 use as it stands could be occupied by a business falling under D1 with similar numbers of employees/visiting clients as suggested in this application. In planning there are no powers in the legislation which can restrict the number of people using a floor space for either a gym or a clinic.

Noise and opening hours

8 Multiple objections relating to noise have been raised. Some supporting information was submitted by the applicant to address this, as summarised below.

9 Addressing point 2 of the representations officers consider that the noise emitted from this specific gym type would have no adverse impact on the residents of Marsh Close (see noise impact statement submitted with this application). The opening hours of the premises will be 08.00 hours to 20.00 hours Monday to Friday and 08.00 hours to 18.00 hours Saturdays. Officers consider the proposed opening hours to be reasonable. A noise condition is recommended to be attached to any grant of consent along with an opening times condition (addressing CS22, CS34 and Dev2). This ensures that in the event of another gym with a different business model moving into this floor space under D2 Class would still have to meet the noise, parking and opening times conditions.

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. Specifically the applicant has only considered above ground floor premises (in the sequential test) which feature adequate lift facilities for disabled clients (see Supporting Sequential Assessment submitted with the application).

13. Conclusions and Reasons for Decision

The concerns raised by nearby residents have been considered and it is recognised that there are significant parking and noise issues surrounding the wider Marsh Mills area and planning conditions have been recommended to ensure that there are no further adverse impacts to the amenity of properties in Marsh Close and Longbridge Road resulting from this application. 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 07.08.2018 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

Tenant's Demise 27963/01 - received 11/07/18
Site Location Plan 11072018 - received 11/07/18
Site Plan 17092018- received 17/09/18

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 OPENING

The use hereby permitted shall not be open to customers outside the following times: 08.00 hours to 20.00 hours Monday to Friday and 08:00 to 18:00 on Saturday. The use shall not be open to customers on Sundays and public/bank holidays.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 170, 180-183 of the National Planning Policy Framework 2018.

4 CONDITION: CYCLE PROVISION

PRE-OCCUPATION

The 2nd level floorspace as detailed on the approved plans shall not be occupied until space has been laid out within the site in accordance with the approved plans for 6 bicycles to be securely parked. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV31 (specific provisions relating to transport) of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 91, 102, 108 and 110 of the National Planning Policy Framework 2018.

5 CONDITION: CAR PARKING PROVISION

PRE-OCCUPATION

The 2nd level floor space shall not be occupied until the car parking area shown on the approved plans providing a total of 5 allocated spaces have been marked out/labelled specifically for the use hereby permitted.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV31 (specific provisions relating to transport) of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 91, 102, 105, 108 and 110 of the National Planning Policy Framework 2018.

6 CONDITION: NOISE LEVEL

The noise emanating from the use (LAeqT) shall not exceed the background noise level (LA90) by more than 5dB, including the character/tonalities of the noise, at any time as measured at the facade of the nearest residential property. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason: To protect the residential and general amenity of the area from noise emanating from the operation of the gym and to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and emerging policies DEVI (protecting health and amenity) and DEV2 (air, water, soil, noise and land) of the Plymouth and South West Devon Joint Local Plan (2014-2034), and the National Planning Policy Framework (2018).

7 CONDITION: SPECIFIED USE RESTRICTION

The premises shall be used as a personal training fitness studio business and for no other purposes (including any other purpose in Class D2); of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order. Upon cessation of the use hereby permitted the premises shall return to a D1 use.

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and DEVI6 (providing retail and town centre uses in appropriate locations) of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 80, 82, 85, 86, 89 and 102 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.

PLANNING APPLICATION OFFICERS REPORT



Application Number	18/01598/FUL	Item	04
Date Valid	27.09.2018	Ward	DRAKE
Site Address	43 North Hill Plymouth PL4 8EZ		
Proposal	Change of use from Class A1 to Class A3 (restaurant/cafe)		
Applicant	Mr & Mrs Hassan Laura & Mousa		
Application Type	Full Application		
Target Date	22.11.2018	Committee Date	18.01.2019
Extended Target Date	N/A		
Decision Category	Councillor referral		
Case Officer	Mr Chris Cummings		
Recommendation	Grant Conditionally		



This planning application was called into Planning Committee by Councillor Chaz Singh.

1. Description of Site

43 North Hill is a mid-terrace property located in the Drake ward of Plymouth. It is located on the busy North Hill classified road and is in close proximity to the University of Plymouth campus. The proposal relates to the ground floor of the property that is currently in Class A1 use.

2. Proposal Description

Change of use from Class A1 (shop) to Class A3 (restaurant/cafe)

The original proposal was for a change of use to a hot food takeaway (Class A5), however this was found not to comply with Policy DEV6 of the emerging Joint Local Plan as it was sited within 400 metres of a site of secondary education. The proposal was then modified to apply for a change of use to a café/restaurant (Use Class C3).

3. Pre-application Enquiry

None

4. Relevant Planning History

80/01409/FUL - Retain additions to existing building and continue use as offices - Granted conditionally

84/00043/FUL - Installation of new shop front - Granted conditionally

90/02807/FUL - Alterations and extension to offices - Granted conditionally

91/01718/FUL - Extensions to offices - Granted conditionally

95/01445/FUL - Change of use of office to café/takeaway including installation of flue on the rear elevation - Refused

10/01902/FUL - Change of use from offices (Use Class B1) to hairdressing salon (Use Class A1)

5. Consultation Responses

Local Highway Authority - No objections to proposal

Public Protection Service -No objection to proposal subject to conditions on noise, hours of opening, deliveries and plant operation.

Public Health - No comments submitted

Police Architectural Liaison - No objections to proposal

6. Representations

20 Letters of Representation have been received for the original proposal as an A5 unit, 15 supporting and 5 against. The material considerations outlined in the representations are summarised below.

Following re-advertising of the revised proposal as an A3 unit on 6 November 2018 no further letters of representation were received. The application was re-advertised a third time following submission of a noise impact assessment and extraction unit details and 13 additional letters of representation were received (giving a total of 33 letters submitted) with 11 supporting and 2 objecting to the proposal.

Support:

- Increase variety of food available in nearby area
- Increase trade for other businesses
- Useful facility for students
- Supports regeneration of the area
- Already other food units in surrounding area

Oppose:

- Increased levels of late night noise
- Increased litter
- Smell and noise from cooking and any extractor units
- Large number of existing fast food and takeaway outlets in surrounding area
- Courtyard to rear is under ownership of business above café
- Potential anti-social behaviour from customers
- Impact on approved student accommodation to the south
- Lack of toilet provision for customers

There is not proposed to be any development on the rear courtyard and any issues relating to the ownership are a civil matter between the applicant and the land owner.

All other considerations raised will be dealt with in the analysis section of the report below.

7. Relevant Policy Framework

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

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

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

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

- For Plymouth's current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

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

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

- Development Guidelines Supplementary Planning Document
- City Centre and University Area Action Plan

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 site is an existing A1 unit, which is currently operating as a coffee shop with cold food available (in line with the restrictions of the A1 Use Class).
3. The original proposal looked for a change of use to hot food takeaway (Use Class A5), however it was found that the site was contrary to Policy DEV6 of the emerging Joint Local Plan as it was positioned within 400 metres of a site of secondary education. The applicant then revised the proposal to apply for a change of use of the site to café/restaurant (Use Class A3).

Principle of Development

4. Policy CCI6 of the City Centre and University Area Action Plan states that proposals in the North Hill Area should 'enhance the cultural district on North Hill'. The change of use to an A3 unit, although not directly providing a cultural use is considered to support the aims of Policy CCI6 in attracting footfall to this area of North Hill and supporting other cultural uses within the surrounding area.

5. There are some permitted development rights allowed for changes of use from shops to cafes, with Class C of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO). This would be carried out through the prior approval process however, due to the location of nearby properties and need for extraction unit the outcome of any application through this route would be that a prior approval of the Council is required and a full application (such as the one submitted) would be needed to fully assess the noise and odour impacts.

6. Under Class D of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the site is able to have a temporary change of use to Use Class A3 for a 2 year period without the need for any formal planning application to be submitted for the change of use. This route does not include the installation of any extraction units, which would require separate consent. This part of the GPDO does provide limited weight on the principle of a change of use from Use Class A1 to Class A3, subject to full assessment of impacts from any extraction systems that would require separate consents.

7. The surrounding area has a mix of uses including shops (Use Class A1), cafes and restaurants (Use Class A3), offices (Use Classes A2 and B1), bars (Use Class A4) and hot food takeaways (Use Class A5). Due to this range of existing uses in the immediate area the proposed change of use is not considered to be out of character with the surrounding area and will retain employment within the site, in accordance with Policy CS05 of the Core Strategy.

Visual Impacts

8. The proposal will not see any extensions to the existing premises, with the only external alteration being the installation of an extraction unit on the rear of the site.

9. The extraction unit will be positioned on a flat roof at the rear of the site. It will consist of a 6 metre high extraction funnel, connected to the kitchen area below.

10. This area is not readily visible from the public highway and is surrounded by neighbouring buildings, with no windows immediately adjacent to the proposed extraction unit.

11. On balance it is considered that there is not a significant enough level of visual harm generated from the installation of the extraction unit to warrant a refusal. The proposal is therefore found to comply with Policies CS02 and CS34 of the Core Strategy and Policy DEV20 of the emerging Joint Local Plan.

Amenity Impacts

12. The proposal has a number of existing business uses to the side of the site, and dwellings on Skardon Place to the rear.

13. The site is already in use as a coffee shop with customers visiting the shop and the change of use is not considered to create significant alterations to the existing amenity situation with regards to customers. However the use as a café has the potential to generate other impacts from odour or noise on the surrounding area.

14. The Council's Public Protection Service (PPS) originally objected to the proposal and the applicant has worked with them to ensure a suitable extraction unit is installed and that any odour or noise levels from the site are acceptable. The PPS final response raised no objections to the proposal subject to conditions.

15. PPS advised that the submitted noise impact assessment demonstrated that sensitive receptors will experience no adverse impact from noise from the extraction unit plants, however this made assumptions on the design and installation of the noise and emissions from the extraction unit. Further information was then submitted on these details to allow Public Protection to fully assess the impacts of the proposal detailing the noise attenuation and odour emission controls that will be installed. PPS advised that they considered the new information would adequately control noise and odour from the site.

16. Conditions were recommended from PPS that the noise of the ventilation system do not exceed background noise levels of more than 5db when measured from the nearest residential property and that all associated plant is turned off by 23.00 hours Monday to Saturday and 22.30hrs on Sundays and Bank Holidays.

17. A condition was also recommended that the carbon filtration system be installed prior to first use and be operated and maintained (including cleaning) in accordance with manufacturer's instructions and any variation would need written approval from the Council.

18. Proposed opening hours were submitted as 08.00 to 23.00 hours. The site is on a busy road and it is considered that these hours of operation are appropriate for Monday to Saturday, however Sundays and Bank Holiday use should be restricted further. PPS recommended hours of operation of 08.00 to 23.00 hours Monday to Saturday and 10.00 to 22.30 hours on Sundays and Bank Holidays and this is considered an appropriate level of restriction to further limit amenity harm to the surrounding area.

19. It is also considered appropriate to add a condition restricting deliveries and refuse collection to Mondays to Saturdays 8.00 to 18.00 hours only to protect residential amenity.

20. It is considered that with the additional submitted information and the use of conditions the proposal will, on balance, not generate any significant amenity impacts and complies with Policies CS22 and CS34 of the Core Strategy and Policies DEV1 and DEV2 of the emerging Joint Local Plan.

Highway Considerations

21. The Local Highway Authority were consulted on the proposal and raise no objections. The site is on a busy pedestrian route in close proximity to the university, on a primary route to and from Mutley and the City Centre and near to a number of existing offices. There is a public car park within close walking distance of the site. It is considered that due to the location the majority of visitors to the site will either be by foot or will be able to use existing parking facilities and there are no significant transport considerations raised by the proposal in accordance with Policy CS28 of the Core Strategy and Policy DEV31 of the emerging Joint Local Plan.

Other Considerations

22. No toilet has been provided for customers of the site. It was advised by the Public Protection Service that this is a requirement of catering establishments where occupants are invited to sit and drink on the premises. Although this is not a planning requirement, it is considered appropriate to add an informative to any approval decision to advise the applicant of this requirement.

23. It was noted by letters of representation the approval of student accommodation at 41 North Hill could be impacted by the proposal (approval 17/02091/FUL). No work has commenced on site for this proposal and the submitted proposal has been assessed against the existing setting of the site.

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

No charge under current schedule

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. The entrance to the unit is level with the existing pavement and is considered to be physically accessible for all.

13. Conclusions and Reasons for Decision

The original proposal to hot food takeaway (Use Class A5) was found to be an unacceptable proposal and the application was subsequently amended to be a café/restaurant (Use Class A3). The applicant has worked with the Public Protection Service to ensure acceptable noise and odour measures are provided and it is considered that, with the use of conditions, that the proposal will not generate any significant impacts.

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 27.09.2018 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**

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: CONTROL OF ODOURS AND FUMES**

The system of carbon filtration submitted with this proposal shall be fully installed and operational prior to the A3 use hereby approved opening to customers. The proposed scheme must be operated and maintained in accordance with the manufacturer's instructions, including cleaning of the internal ductwork by a relevant professional at regular intervals. Any alteration or variation to the approved details will require written submission to and approval from the Local Planning Authority.

Reason: To ensure that the use hereby permitted does not cause any adverse disturbance to the amenities of the residential properties near the premises, and any other properties in the surrounding area, in accordance with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Policies DEV1 and DEV2 of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034)

4 **CONDITION: CONTROL OF NOISE**

Pre-use

Prior to the approved use first opening to customers the equipment identified in the submitted noise impact assessment, including silencers and anti-vibration mountings, shall be installed. All plant installed shall thereafter be operated and maintained in accordance with manufacturer's instructions.

The noise emanating from the approved ventilation extraction system (LAeqT) should not exceed the background noise level (LA90) by more than 5dB, including the character/tonalities of the noise, at any time as measured at the façade of the nearest residential property.

Reason: To protect the residential and general amenity of the area from noise emanating from the operation of any mechanical extract ventilation system and avoid conflict with Policies CS22 and

CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Policies DEV1 and DEV2 of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034).

5 CONDITION: DELIVERIES AND COLLECTIONS

Goods deliveries and refuse collections at the site shall be restricted to Mondays to Saturdays 08.00 to 16.00, with no deliveries or refuse collections on Sundays or Bank Holidays.

Reason: To protect the residential and general amenity of the area from noise emanating from delivery and waste collection activities and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Policies DEV1 and DEV2 of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034).

6 CONDITION: PLANT OPERATING HOURS

All plant associated with the cooking procedures shall only be in operation 08.00 to 23.00 Mondays to Saturdays and 10.00 to 23.00 hours on Sundays and Bank Holidays.

Reason: To protect the residential and general amenity of the area from noise emanating from the operation of any mechanical extract ventilation system during times when the overall background noise levels are lowest and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Policies DEV1 and DEV2 of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034).

7 CONDITION: HOURS OF OPENING

The use hereby permitted shall not be open to customers outside the following times: 08.00 to 23.00 hours Mondays to Saturdays inclusive and 10.00 to 22.30 hours on Sundays and Bank or Public Holidays.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies DEV1 and DEV2 of the emerging Plymouth and South West Devon Joint Local Plan and Paragraphs 170, 180-183 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: FOOD PREPARATION DRAINAGE

The drainage in the A3 unit food preparation area will be required to be fitted with a grease separator in line with Building Regulations Approved Document H and prEN1825-1:2004, designed in accordance with prEN1825-2:2002, or other effective means of grease removal from the waste water systems.

4 INFORMATIVE: CUSTOMER TOILETS

All catering establishments where the public are invited to sit and drink on the premises must provide adequate toilet facilities for customers, as well as staff. British Standard 6465 Part 1 1994, Code of Practice for Scale of Provision, Selection and Installation of Sanitary Appliances, detail the number of facilities required for male and female customers.

5 INFORMATIVE: LICENSING POLICY

The Applicant should be made aware that the premises falls within the Authority's cumulative impact area and therefore is likely to be subjected to restrictions with regard to certain licenses. Details can be found at:
<https://www.plymouth.gov.uk/licensingandpermits/alcoholandentertainment/licensingpolicies>

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

Cases outstanding	296
Cases received this month	9
Cases closed this month	22
(No breach identified)	(12)
(Informal/formal action taken)	(10)
Planning Contravention Notices issued	1
Planning Enforcement Notices issued	1
Untidy Land Notices issued	0
Prosecutions initiated	0

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Planning Applications Determined Since Last Committee

Decision Date	Decision	Application 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
04/12/2018	Granted Conditionally	18/00576/LBC	Mr Paul Edwards	Replace existing bay windows, replace conservatory with a porch, rear extension and works to the roof of main building	12 Old Priory Plymouth PL7 1QS	Miss Amy Thompson
04/12/2018	Agreed	18/01526/CDM	Mr Lee Cawse	Condition Discharge: Condition 3 of application 17/01227/REM	Land Off Aberdeen Avenue Plymouth	Mrs Katie Saunders
04/12/2018	Granted Conditionally	18/01752/ADV	Mr Andrew Chapman	Installation of an illuminated external fascia and projecting sign	22 Sutton Road Plymouth PL4 0HN	Miss Carmell Thomas

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
04/12/2018	Granted Conditionally	18/01754/ADV	Mr Navaratnarajah Nimalasan	Shop signage	38 - 40 Marlborough Street Plymouth PL1 4AH	Miss Carmell Thomas
04/12/2018	Granted Conditionally	18/01802/LBC	Mr Joseph Clingo	Alterations to hardware on ground floor doors (Building M070)	Devonport Dockyard Saltash Road Keyham Plymouth PL1 4SG	Mrs Alexandra Pickstone
05/12/2018	Granted Conditionally	18/00583/FUL	Mrs Briddick	Change of use of cafe (Class A3) to 2 bed flat (Class C3)	50 Marlborough Street Plymouth PL1 4AP	Mr Simon Osborne
05/12/2018	Granted Conditionally	18/01410/FUL	Mr Paul Warren	Two storey side extension with pitched roof to form annex	32 Unity Park Plymouth PL3 6PN	Miss Amy Thompson
05/12/2018	Refused	18/01504/FUL	Mrs Christina Haythorn	Erection of 1 dwelling, domestic garage, creation of vehicular and pedestrian access and associated works	69 Church Road Plymstock Plymouth PL9 9AU	Mr Oliver Gibbins
05/12/2018	Refused	18/01505/LBC	Mrs Christina Haythorn	Erection of 1 dwelling, domestic garage, creation of vehicular and pedestrian access and associated works	69 Church Road Plymstock Plymouth PL9 9AU	Mr Oliver Gibbins
05/12/2018	Granted Conditionally	18/01563/FUL	Mr James Armstrong	Construction of boundary and side wall facing Hotham Place (retrospective)	98 - 99 Hotham Place Plymouth PL1 5NE	Mr Mike Stone
05/12/2018	Agreed	18/01565/CDM	Mr Andrew Davies	Condition Discharge: Condition 3 of application 18/00883/FUL	Derriford Hospital Derriford Road Plymouth PL6 8DH	Mr Chris King
05/12/2018	Refused	18/01587/FUL	Ms Keen	Proposed extension to balcony and alteration from glazed panels to vertical timber balustrades.	Edwin House St Johns Road Cattedown Plymouth PL4 0NZ	Mr Mike Stone

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
05/12/2018	ESRI Completed	18/01766/ERS105	Homes England	Request for scoping opinion for proposed development of 600 residential units, a community hub, vehicular access, and hard and soft landscaping, including Sustainable Drainage Systems (SuDS)	Former Clay Drying Facility North Of Coypool Road Plymouth	Mr Simon Osborne
05/12/2018	Granted Conditionally	18/01800/FUL	Mr Steve Day	Single storey rear extension, rear dormer and balcony	11 Hartwell Avenue Plymouth PL9 8BY	Miss Carmell Thomas
05/12/2018	Agreed	18/01902/CDM	Costa Ltd	Condition Discharge: Condition 11 of application 18/01094/S73	Plymouth Gateway Retail Park 270 Plymouth Road Plymouth PL6 8LN	Mr Alistair Wagstaff
06/12/2018	Granted Conditionally	18/01699/FUL	Mr Jo Dibsdale	Two storey side and rear extension, porch and altered driveway, demolition of existing garage (resubmission of 18/00946/FUL with reduction in size of windows, relocation of garage door and new side window to east elevation)	25 Woodland Drive Plymouth PL7 1SN	Mr Mike Stone
06/12/2018	Granted Conditionally	18/01712/TPO	Mr I Saif	Group 1 consisting of 1 Sycamore, 1 Oak and 1 large Sweet Chestnut tree - reduce lateral growth only (not height) towards house by 2.5 to 3 meters to natural growth points.	4 Blue Haze Close Plymouth PL6 7HR	Mrs Jane Turner
06/12/2018	Granted Conditionally	18/01747/TPO	Mr Stephen Vitali	Pine: Fell	26 Longbrook Street Plymouth PL7 1NJ	Mrs Jane Turner
06/12/2018	Granted Conditionally	18/01773/TPO	Mr Paul Thomas	T1 Oak: reduce whole crown by up to 3 meters to natural growth points.	41 Great Woodford Drive Plymouth PL7 4RP	Mrs Jane Turner

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
06/12/2018	Granted Conditionally	18/01776/TPO	Mr Mason-Smith	G1 Group of 8 Beech trees at rear of property's - reduce height by up to 3 meters and lateral growth towards the properties by up to 2 meters - (previously topped).G2 Oak - over car park reduce lowest branch by 1-2m to natural growth ponits (shrubs not covered by TPO). Birch tree near garage has since fallen.	11 Shackleton Court Plymouth PL5 3UL	Mrs Jane Turner
06/12/2018	Granted Conditionally	18/01823/FUL	Mr Sabir Hamza	Rear extension.	Lower Ground Floor Flat 22 Ford Park Road Plymouth PL4 6RB	Mr Mike Stone
06/12/2018	Granted Conditionally	18/01831/TCO	Mr Paul Evans	3 Sycamore - remove.	9 Fore Street Plympton Plymouth PL7 1LZ	Mrs Jane Turner
06/12/2018	Granted Conditionally	18/01832/FUL	Mr Tom Johnson	Erection of dwelling (revisions to approval 16/01875/FUL)	21 Meadow Park Plymouth PL9 9NY	Mr Chris Cummings
06/12/2018	Granted Conditionally	18/01845/FUL	Mrs Janette Beaton	Conversion of lower-ground floor to create self-contained flat and erection of detached garage	9 Hazel Close Plymouth PL6 6HL	Mr Chris Cummings
06/12/2018	Granted Conditionally	18/01862/FUL	Mr James Carson	New lift shaft to rear of building	1 Milehouse Road Plymouth PL3 4AA	Mr Mike Stone
06/12/2018	Granted Conditionally	18/01891/FUL	Mrs Coley	Front extension with associated steps.	26 Wrens Gate Plymouth PL9 7BQ	Mr Mike Stone
07/12/2018	Refused	18/02008/AMD	Mr & Mrs Wills	Minor amendments to external windows and doors for application 17/02292/FUL	49 Southwell Road Plymouth PL6 5BG	Mrs Alumeci Tuima

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
10/12/2018	Granted Conditionally	18/01704/FUL	Miss Hayley Summers	Change of use from shop (Class A1) to cafe/restaurant (Class A3)	43 Mayflower Street Plymouth PL1 1QL	Mr Mike Stone
10/12/2018	Granted Conditionally	18/01774/FUL	Mrs & Mrs S Avent	Detached dwelling and double garage in front garden	26 Vinery Lane Plymouth PL9 8DE	Mr Chris Cummings
10/12/2018	Granted Conditionally	18/01779/ADV	Mr Robert Haste	Fascia sign and car park totem signage (Retrospective)	Mothercare 1 Plymouth Gateway Marsh Mills Plymouth PL6 8NH	Miss Carmell Thomas
10/12/2018	Granted Conditionally	18/01791/FUL	Mr Robert Haste	Addition of External Plant Area to Retail Unit - Confirmation of extent/equipment. Technical details to application 17/00150/S73	Mothercare Plymouth 1 Plymouth Gateway Retail Park Marsh Mills Plymouth PL6 8NH	Mr Alistair Wagstaff
10/12/2018	Granted Conditionally	18/01858/ADV	Ms Sharon Morrow	Two internally illuminated fascia signs, two other internally illuminated signs and eight other non illuminated signs.	10 Glacis Park, Sendalls Way Plymouth PL6 5JT	Miss Carmell Thomas
10/12/2018	Granted Conditionally	18/01860/FUL	Mr & Mrs Crossley-Anderson	Front porch and rear extension (garden room)	4 Rollis Park Close Plymouth PL9 7NW	Miss Carmell Thomas
10/12/2018	Granted Conditionally	18/01881/FUL	Miss Kim Jones	Two storey side extension	5 Cundy Close Plymouth PL7 4QH	Miss Carmell Thomas
10/12/2018	Agreed	18/01915/CDM	Mr Andrew Davies	Condition Discharge: Condition 4 of application 18/00883/FUL	Car Park D, Derriford Hospital Derriford Road Plymouth PL6 8DH	Mr Chris King

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
11/12/2018	Agreed	15/02365/CDM	Taylor Wimpey (South West)	Condition Discharge: Conditions 4 (Final Surface Water Drainage), 5 (Watercourse), and 7 (Service Strips and Sub-Surface Services) of application 15/00517/REM	"Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Hays Road Elburton Plymouth PL9 8DD	Mr Ian Sosnowski
11/12/2018	Granted Conditionally	18/01605/FUL	Mr Graham West	Wall to enclose land (originally feather board fence).	1 Ditton Court Plymouth PL6 5LP	Mr Macauley Potter
11/12/2018	Granted Conditionally	18/01749/TPO	Mr M Wildman	T1: Horse Chestnut - Fell and replace due to continued decline.T2: Sycamore - 1m reduction on east side, only on removal of T1.	141 Hooe Road Plymouth PL9 9NL	Mrs Jane Turner
11/12/2018	Granted Conditionally	18/01751/FUL	Mr Andrew Chapman	Change of use from Office (Class B1) to Estate Agents (Class A2)	22 Sutton Road Plymouth PL4 0HN	Mr Chris Cummings
11/12/2018	Granted Conditionally	18/01808/FUL	Mr Richard Blackmore	Creation of roof terrace and new external staircase	45 Higher Compton Road Plymouth PL3 5HZ	Mr Mike Stone
11/12/2018	Granted Conditionally	18/01819/TPO	Dr Diane Collinson	T1 - Monterey Cypress - reduce one low branch over road near cables by up to 3m.T2 - Cedar - crown clean only - no reduction of branches over road or lateral branches towards the Lime necessary (amendment agreed with owner 10/12/18).T3 - Lime - pollard to just above point where single stem divides rather than remove (amendment agreed with owner 10/12/18).T4 - Copper Beech - reduce crown by 3-4m ie. to previous pruning points.	1A Seymour Drive Plymouth PL3 5BG	Mrs Jane Turner
11/12/2018	Granted Conditionally	18/01841/TPO	Mrs Patricia Jackson	2x Oak - reduce back overhanging branches to natural growth points to provide approx. 2m clearance from the roof and side of house at 60 Southway Drive.	60 Southway Drive Plymouth PL6 6QD	Mrs Jane Turner

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
11/12/2018	Refused	18/01959/AMD	Eliot Design And Build	Non-material amendment for application 17/01246/FUL: Level out the arch above the side and garage doors on House Types A and B.	Land Off Barton Road Turnchapel Plymouth PL9 9RH	Mrs Karen Gallacher
12/12/2018	Granted Conditionally	18/01599/TPO	Mr Will Kennedy	Turkey Oak Remove the first long thin dead branch (exempt works). Reduce second lowest branch that overhangs the fence back to previous pruning points where regrowth goes at right angles. The third larger limb overhangs no.11 roof area reduce back to a natural side shoot to provide 2m clearance from the roof and side of the property at no.11.	9 Esthwaite Lane Plymouth Plymouth PL6 5FQ	Mrs Jane Turner
12/12/2018	Granted Conditionally	18/01638/FUL	Mr Robbie Burns	Extend existing balcony and replacement wooden store	1 Rollis Park Road Plymouth PL9 7LX	Mrs Alumecci Tuima
12/12/2018	Granted Conditionally	18/01815/FUL	Mr James Pegrum	Erection of 2.4m high green powder coated metal fencing to perimeter of school grounds	Chaddlewood Primary School Westfield Plymouth PL7 2EU	Miss Carmell Thomas
12/12/2018	Granted Conditionally	18/01839/TPO	Mrs Natasha Whitford-Robson	T1 Sycamore: Fell due to decay at base and loss of other stem T2 Sycamore: Fell due to decay at base T4 Sycamore: multi stemmed (3 primary leaders) remove secondary growth off the lower and central crown area back to the nearest major limb, to re-balance.	1 Great Woodford Cottages Great Woodford Drive Plymouth PL7 4RP	Mrs Jane Turner
12/12/2018	Granted Conditionally	18/01918/FUL	Mr Grassick	Part single and two storey side and rear extensions and new porch	16 Penlee Way Plymouth PL3 4AW	Mr Sam Lewis
12/12/2018	Granted Conditionally	18/01976/ADV	CO-OPERATIVE FOOD	Various internally illuminated and non-illuminated signs	Co-op Food Ridgeway Plymouth PL7 2YR	Miss Carmell Thomas

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
13/12/2018	Granted Conditionally	18/01818/FUL	Mrs Kelly Keyes	Single storey side extension and loft conversion	109 Compton Avenue Plymouth PL3 5DD	Mrs Alumeci Tuima
13/12/2018	Granted Conditionally	18/01851/LBC	Mrs Penny Tarrant	Erection of blue plaque	15 Alfred Street Plymouth PL1 2RP	Mr Chris Cummings
13/12/2018	Granted Conditionally	18/01859/FUL	Mrs Elizabeth Farmer	Demolition of existing garage and erection of a part single rear and part two-storey side extension	81 Newnham Road Plymouth PL7 4AT	Mrs Alumeci Tuima
13/12/2018	Granted Conditionally	18/01904/LBC	Mr Dominic De Wolf	Creation of new internal reception area	Plymouth High School For Girls St Lawrence Road Plymouth PL4 6HT	Mr Chris Cummings
13/12/2018	Agreed	18/01981/CDM	Mr Jamie Rail	Condition discharge; Conditions 3 and 4 of planning permission 18/01263/FUL	63 - 65, 67-69 St Modwen Road Plymouth PL6 8LH	Mr Chris King
14/12/2018	Agreed	18/01266/CDM	Taylor Wimpey (Exeter)	Condition Discharge: Conditions 8 (Retaining Walls), 9 (Boundary Wall Details), 18 (Building Construction Details), 19 (Bin Storage Details) and 20 (Cycle Spaces - Residential Units) of application 15/00517/REM	Sherford New Community Land South And West Of A38 Deep Lane And East Of Haye Road Plymouth Elburton PL9 8DD	Mr Ian Sosnowski
14/12/2018	Granted Conditionally	18/01686/FUL	Mr Simon Richards	Two storey extension	20 Boringdon Avenue Plymouth PL5 1UU	Miss Carmell Thomas
14/12/2018	Granted Conditionally	18/01750/LBC	Mrs Zoe Underwood	Addition of lightweight internal partitions to create 3x meeting rooms; no demolition, alterations or changes to the listed building	Creykes Court, Unit 12, 5 Craige Drive Plymouth PL1 3JB	Mrs Alexandra Pickstone

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
14/12/2018	Granted Conditionally	18/01871/FUL	Mrs C Brimacombe	Rear extension, alterations and repositioning of external staircase including under storage	Trenarren Broad Park Plymouth PL9 7QE	Mrs Alumecci Tuima
14/12/2018	Granted Conditionally	18/01899/FUL	Mr Dave Smith	Front proch, single storey rear extension and hardstanding	287 Clittaford Road Plymouth PL6 6DB	Miss Carmell Thomas
14/12/2018	Granted Conditionally	18/01908/FUL	Mr Kieron Vosper	Garage conversion to provide accessible bedroom and wet room with provision for level access to dwelling	32 Powderham Road Plymouth PL3 5SG	Miss Carmell Thomas
14/12/2018	Granted Conditionally	18/01963/ADV	Mrs Clark	No.1 fascia sign, no.1 projecting sign and vinyl window graphics	95 Mutley Plain Plymouth PL4 6JJ	Mr Chris Cummings
17/12/2018	Granted Conditionally	18/01737/FUL	Mrs Sharron Reeves	Relocation of front entrance door and roof alterations to existing single storey front extension	1 Ronsdale Close Plymouth PL9 7QZ	Mr Macauley Potter
17/12/2018	Granted Conditionally	18/01872/ADV	Mercedes-Benz UK	Various illuminated and non replacement external commercial vehicle dealership and forecourt signs.	Unit 6, Cannon Mill Business Park Plymbridge Road Plymouth PL6 7LH	Miss Carmell Thomas
17/12/2018	Granted Conditionally	18/01900/LBC	St Austell Brewery	Removal of pier to Bar and stud wall adjacent Main Entrance	The Ship Quay Road Plymouth PL1 2JZ	Mr Sam Lewis
17/12/2018	Granted Conditionally	18/01922/FUL	Miss Kath Atkins	Single storey extension to the emergency department (Retrospective)	Derriford Hospital Derriford Road Plymouth PL6 8DH	Mr Mike Stone
17/12/2018	Granted Conditionally	18/01923/FUL	Mr Essy Kamaie	Part single, part two-storey side extension and detached triple garage (resubmission of 18/00953/FUL).	Poltair Seymour Road Mannamead Plymouth PL3 5AR	Mr Macauley Potter

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
17/12/2018	Granted Conditionally	18/01931/FUL	Mrs Sandi Sobey	Single storey rear extension and raised terrace	7 Whitby Crescent Plymouth PL6 5LD	Miss Carmell Thomas
17/12/2018	Granted Conditionally	18/01946/FUL	Mr & Mrs Matthews	Rear extension	4 Honcray Plymouth PL9 7RP	Mrs Alumeci Tuima
18/12/2018	Agreed	15/02372/CDM	Linden Sherford	Condition Discharge: Conditions 4 (Final Surface Water Drainage), 5 (Watercourse), 7 (Service Strips and Sub-Surface Services), 8 (Retaining Walls), 19 (Bin Storage Details) and 20 (Cycle Spaces) for parcels C, K, O, P, and Q of application 15/00518/REM	"Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Hays Road Elburton Plymouth PL9 8DD	Mr Ian Sosnowski
18/12/2018	Agreed	15/02384/CDM	Ruth Burrows	Condition Discharge: Conditions 4 (Final Surface Water Drainage), 5 (Watercourse), 7 (Service Strips and Sub-Surface Services) and 10 (Mews Streets and Parking Courtyards) of application 15/00519/REM	"Sherford New Community" Land South/Southwest Of A38 Plymouth	Mr Ian Sosnowski
18/12/2018	Agreed	17/01636/CDM	Plymouth City Council	Condition Discharge: Condition 10 of application 16/02094/S73	City Museum & Art Gallery Drake Circus Plymouth PL4 8AJ	Miss Katherine Graham
18/12/2018	Granted Conditionally	18/01216/S73	Plymouth City Council	Removal of condition 22 (Gibbon Street Traffic Regulation Order) of application 16/02094/S73	City Museum & Art Gallery Drake Circus Plymouth PL4 8AJ	Miss Katherine Graham
18/12/2018	Agreed	18/01277/CDM	Ms Julie Boyes	Condition Discharge: Condition 7 of application 17/01207/FUL	Yealmpstone Farm Primary School Meadowfield Place Plymouth PL7 1XQ	Miss Amy Thompson
18/12/2018	Granted Conditionally	18/01330/TPO	Mr Jeremy Caley	3 Trees to the west of the cricket pavilion: raise crown to 5m above ground level.	51 Discovery Road Plymouth PL1 4PR	Ms Joanne Gilvear

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
18/12/2018	Granted Conditionally	18/01398/FUL	Ms Michaela Beck	Refurbishment and extension to house restaurant, kitchen, immersive dome, new amenity space, offices, function rooms and event & exhibition space	The Market House Building 65 Duke Street Plymouth PL1 4ED	Mr Jon Fox
18/12/2018	Granted Conditionally	18/01399/LBC	Ms Michaela Beck	Refurbishment and extension to house restaurant, kitchen, immersive dome, new amenity space, offices, function rooms and event & exhibition space	The Market House Building 65 Duke Street Plymouth PL1 4ED	Mr Jon Fox
18/12/2018	Agreed	18/01488/CDM	Devcor (Plymouth) Ltd	Condition Discharge: Conditions 9 & 10 of application 17/01826/S73	Peirson House, Mulgrave Street Plymouth PL1 2RW	Mr Simon Osborne
18/12/2018	Granted Conditionally	18/01764/S73	Portobello Developments Plc And Ralph Anthony Ltd	Variation of condition 1 (Approved Plans) and 4 (Cycle Provision) of application 17/01350/FUL	Zone E, 4 Phelps Road Plymouth, Devonport PL1 4FY	Mrs Janine Warne
18/12/2018	Granted Conditionally	18/01784/TPO	Mr Sean Fraser	G1 - Group of Cherry and Hazel overhanging back garden - reduce overhanging branches by approx. 1.5 m back to boundary fence and natural growth points.	18 Dunraven Drive Plymouth PL6 6AR	Mrs Jane Turner
18/12/2018	Granted Conditionally	18/01838/FUL	Miss Elaine Coward	Hardstanding and vehicle crossing	186 Elburton Road Plymouth PL9 8HZ	Mrs Alumeci Tuima
18/12/2018	Granted Conditionally	18/01854/ADV	Amsric Ltd	One fascia sign and ten other internally illuminated and non-illuminated signs	Part Of Car Park, Coypool Retail Park Plymouth Road Plymouth PL7 4SS	Miss Carmell Thomas
18/12/2018	Agreed	18/01866/CDM	Mr T Wills	Condition Discharge: Conditions 6 & 7 of application 18/00740/FUL	Plymouth Mail Centre 29 Central Park Avenue Plymouth PL1 1AA	Mr Tim Midwood

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
18/12/2018	Granted Conditionally	18/01868/TPO	LiveWest (Liverty)	1x Sycamore: Fell Coppice self-seeded growth <300mm diameter growing within 1m of wall.Remove partially failed tree resting on the wall of 22 Medway Place.Clear BT lines and crown lift trees within marked area to achieve highway clearance.	32 Stott Close Plymouth PL3 6HA	Mrs Jane Turner
18/12/2018	Granted Conditionally	18/01892/TPO	Mr Clive Bonner	T1 Lime: re pollard and remove the basal epicormic growth.	18 Wantage Gardens Plymouth PL1 5DN	Mrs Jane Turner
18/12/2018	Granted Conditionally	18/01932/FUL	Mr B Swift	Rear extension	3 Lysander Lane Plymouth PL6 8EA	Mrs Alumeci Tuima
18/12/2018	Granted Conditionally	18/01953/TCO	Andrew Walker	T1 Fig - crown reduction by 1.5m all around.T2 Yew - crown reduction by 1.5m all around.T3 Laurel - crown reduction by 1.8m all around.	12 - 14 Longbrook Street Plymouth PL7 1NJ	Ms Joanne Gilvear
19/12/2018	Split Decision	18/00593/CDM	Mr Simon Wagemakers	Condition Discharge: Conditions 4 & 5 of application 17/01202/REM	Morley Park, Saltram Meadows Plymstock Quarry Billacombe Road Plymouth	Mr Alan Hartridge
19/12/2018	Refused	18/01575/FUL	Mr N Hiscocks	Construction of a 3 storey (room in loft) detached house.	Site Adjoining 11 Gara Close Plymouth PL9 8UN	Mr Jon Fox
19/12/2018	Granted Conditionally	18/01767/FUL	Mr & Mrs Baldwin	Change of use from Garage/Store to Cafe (Class A3), alterations to elevations, rear extension and decking at front and sides	The Lodge Garage, Beaumont Park Beaumont Road Plymouth PL4 9BG	Mr Chris Cummings
19/12/2018	Refused	18/01826/FUL	Mrs Wu	Change of use from single dwelling (Class C3) to 13-bed HMO (Sui Generis)	45 Citadel Road Plymouth PL1 3AU	Mrs Karen Gallacher

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
19/12/2018	Agreed	18/01836/CDM	Mr Chris Lennan	Condition Discharge: Condition 5 of application 16/00150/FUL	Land At Redwood Drive And Poplar Close Plymouth PL7 2FS	Mr Simon Osborne
19/12/2018	Granted Conditionally	18/01894/FUL	Mr Malcolm Sargeant	Front porch, side extension and rear extension	14 Harwood Avenue Plymouth PL5 4NX	Miss Carmell Thomas
19/12/2018	Permission Granted in Principle	18/01912/PIP	Miss Martin	Permission in principle for 1 to 2 dwellings	Land At 13 Westfield Avenue Plymouth PL9 9PE	Mr Jon Fox
19/12/2018	Granted Conditionally	18/01914/FUL	Mrs Lamb	Single storey rear and side extension, garage conversion and demolition of existing conservatory	7 The Arbour Plymouth PL6 5HZ	Miss Carmell Thomas
19/12/2018	Granted Conditionally	18/01919/FUL	Mr S Batrick	Replacement garage with storage platform over	13 Hartwell Avenue Plymouth PL9 8BY	Mrs Alumeci Tuima
19/12/2018	Granted Conditionally	18/01921/FUL	Mr Dominic Butcher	Alterations to roof and windows, and demolition of conservatory and outbuilding	38 Whiteford Road Plymouth PL3 5LX	Miss Carmell Thomas
19/12/2018	Granted Conditionally	18/01937/FUL	Mr Andrew Kay	Single storey rear extension	17 Lopes Road Plymouth PL2 3DZ	Miss Carmell Thomas
19/12/2018	Granted Conditionally	18/01952/FUL	Rickett	Rear conservatory	169 Pemros Road Plymouth PL5 1LT	Mrs Alumeci Tuima

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
19/12/2018	Granted Conditionally	18/01957/FUL	Steve Wood	Conversion of garage to habitable space and single storey extension linking garage to dwelling (Revision to approval 17/02099/FUL removing first floor element)	19 Earls Wood Drive Plymouth PL6 8SF	Mr Chris Cummings
19/12/2018	Granted Conditionally	18/01962/FUL	Mrs Clark	Change of use from charity shop (Class A1) to babies/toddlers music sessions and soft play area (Class D2)	95 Mutley Plain Plymouth PL4 6JJ	Mr Chris Cummings
19/12/2018	Refused	18/02065/AMD	Mr Gogola	Minor amendment: Amendments to external steps, boundary wall and railing and handrail for application 16/00644/FUL.	Land To The North Of Clittaford Road Southway Plymouth	Mr Chris King
19/12/2018	Agreed	18/02073/CDM	Drake Circus Leisure Ltd	Condition Discharge: Condition 12 of application 17/01409/S73M	Bretonside Bus Station Bretonside Plymouth PL4 0BG	Mr John Douglass
19/12/2018	Granted Conditionally	18/02082/ADV	Mr Daren Steers	Replacement of internally positioned existing fascia sign with externally positioned illuminated fascia sign	Drake Circus Shopping Mall 1 Charles Street Plymouth PL1 1EA	Mr Chris Cummings
20/12/2018	Granted Subject to S106	18/01245/FUL	Sutton Harbour Holdings PLC	Erection of a 20 storey (plus basement) mixed use development comprising basement car parking, 170 residential apartments, ground floor and mezzanine commercial space (Class A1, A2, A3 & A4), a gym (Class D1) and co-working space (Class B1a) and associated landscaping, public realm & infrastructure works	Land At Sugar Quay East Quay Sutton Harbour Plymouth	Mrs Janine Warne
20/12/2018	Granted Conditionally	18/01246/FUL	Sutton Harbour Holdings PLC	Erection of two additional storeys to existing car park and change of use and external alterations to former toilets to form a commercial unit (Class A1 and A3)	Harbour Car Park Lockyers Quay Plymouth PL4 0RA	Mrs Janine Warne
20/12/2018	Agreed	18/01491/CDM	Mr Christopher Friend	Condition Discharge: Conditions 3-7 of application 17/01109/FUL	12B Miller Court Plymouth PL1 3LQ	Miss Amy Thompson

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
20/12/2018	Granted Conditionally	18/01715/FUL	Natural Infrastructure Team	Change of use from a residential and office space to an office, training and meeting space for the Derriford Community Park	Poole Farm Blunts Lane Plymouth PL6 8NF	Mr Jon Fox
20/12/2018	Granted Conditionally	18/01888/FUL	Mr Nigel Passmore	Demolition of existing building to provide eight residential apartments and associated infrastructure	Land Adj 29 Compton Park Road Plymouth PL3 5BU	Mr Chris King
20/12/2018	Granted Conditionally	18/01938/FUL	Mr Gary Dungate	Proposed single storey front and rear extension, raised patio and hardstand	60 Efford Road Plymouth PL3 6NG	Mr Sam Lewis
20/12/2018	Granted Conditionally	18/01961/FUL	Mr Jon Back	New camera gantry at high level to rear of existing Lyndhurst Stand	Home Park Football Ground Outland Road Plymouth PL2 3DQ	Mr Mike Stone
20/12/2018	Granted Conditionally	18/01965/FUL	Mr Saundry	Loft conversion and rear dormer	80 Thornyville Villas Plymouth PL9 7LD	Mr Mike Stone
21/12/2018	Agreed	18/00642/CDM	Mr Alastair Carswell	Condition Discharge: Condition 5 of application 15/02241/REM	Land At Millbay, Millbay Road Plymouth	Miss Katherine Graham
21/12/2018	Refused	18/01675/TPO	Mr John Stenning	3x Beech Trees: Crown reduction by 3m	40 Cross Park Way Plymouth PL6 5AP	Mrs Jane Turner
21/12/2018	Granted Conditionally	18/01693/FUL	Mr Marc Nash	Phase 2 expansion of existing Marine Industries Production Campus for the demolition of existing building SO35 (old Porter's Lodge) and erection of 3x light industrial buildings (Class B2 & B8) and a new three storey office building (Class B1), car parking, ancillary accommodation & landscaping	Devonport Dockyard, South Yard, (Areas 1 West) Devonport Plymouth	Mr Oliver Gibbins

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
21/12/2018	Agreed	18/01744/CDM	Mr Douglas Friend	Condition Discharge: Conditions 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 18 & 19 of application 17/01134/FUL	Area D (Phase 3B) - Mount Wise Mount Wise Crescent Plymouth Mount Wise	Miss Katherine Graham
21/12/2018	Granted Conditionally	18/01768/FUL	Mr John Heasman	Two storey side extension.	Springdale Cottage Osborne Road Plymouth PL3 4BS	Mr Mike Stone
21/12/2018	Refused	18/01795/ADV	Mr Simon Arthurs	4no free standing signs on landscape verge	Gdynia Way Plymouth	Miss Amy Thompson
21/12/2018	Granted Conditionally	18/01833/FUL	Mr Azad Haque	Change of use to hot food takeaway (Class A5).	5 Hornchurch Road Plymouth PL5 2TQ	Mr Macauley Potter
21/12/2018	Granted Conditionally	18/01844/S73	Mr T Wills	Removal of condition 4 (Details of Boundary Treatment) and 5 (Network Rail Asset Protection) of application 18/00740/FUL	Plymouth Mail Centre 29 Central Park Avenue Plymouth PL1 1AA	Mr Tim Midwood
21/12/2018	Granted Conditionally	18/01875/FUL	Mr Steve Bowden	Construction of hardstanding	35 Brancker Road Plymouth PL2 3DW	Mrs Alumeci Tuima
21/12/2018	Agreed	18/01909/CDM	Plymouth City Council	Condition Discharge: Condition 3 of application 17/01132/FUL	Poole Farm Blunts Lane Plymouth PL6 8NF	Mr Tim Midwood
21/12/2018	Granted Conditionally	18/01926/FUL	Mr & Mrs Ganga Sapkota	Change of use and extension of lower ground floor to create a one bedroom flat with a ground floor and first floor maisonette above including hardstanding.	31 Ladysmith Road Plymouth PL4 7NL	Mrs Alumeci Tuima

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
21/12/2018	Granted Conditionally	18/01930/FUL	Mr & Mrs Thomas	First floor extension over existing garage	2 Windermere Crescent Plymouth PL6 5HX	Mr Sam Lewis
21/12/2018	Granted Conditionally	18/01960/ADV	Mr Joseph Clingo	No.8 signs to be positioned at the end of jetties 2, 3, 4 & 5	Devonport Dockyard Saltash Road Keyham Plymouth PL1 4SG	Mr Chris Cummings
21/12/2018	Refused	18/02099/AMD	Mr Steffan Shageer	Non-material Amendment applicaton for 15/01271/FUL	Kinterbury Point, Hmad Bullpoint, HMNB Devonport Plymouth PL2 2BG	Mr Chris King
31/12/2018	Granted Conditionally	18/01797/FUL	Mr Malcolm Pryor	Single storey front extension	304 Southway Drive Plymouth PL6 6QW	Miss Carmell Thomas
02/01/2019	Granted Conditionally	18/00429/LBC	Ms K Brimicombe	Alterations to and enclosure of windows and associated internal works	City Museum & Art Gallery Drake Circus Plymouth PL4 8AJ	Miss Katherine Graham
02/01/2019	Granted Conditionally	18/01878/FUL	Ms J E Farrage	Creation of vehicle hardstand	48A Longcause Plymouth PL7 1JD	Mrs Alumeci Tuima
02/01/2019	Granted Conditionally	18/01978/FUL	The Co-operative Group	Installation of 1no gas cooler and 1no BA1 pack to roof plant area, and decoration of window frames, doors, entrance lobby brickwork, and fascias	Co-OP Food Ridgeway Plymouth PL7 2YR	Mr Sam Lewis
02/01/2019	Granted Conditionally	18/01993/FUL	Star Pubs And Bars Ltd	Installation of porch, pergola with retractable awning, planters and external seating and replacement smoking shelter roof	The Jolly Miller Leypark Drive Plymouth PL6 8UD	Mr Chris Cummings

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
02/01/2019	Granted Conditionally	18/01995/FUL	Miss Emma Simon	No.37 external lights	88 Royal Parade Plymouth PL1 1DS	Mr Chris Cummings
03/01/2019	Refused	18/01724/AMD	Mr Douglas Friend	Non-material Amendment: Various changes (including elevation, roof plan, landscape, materials, roof lights) for application 17/01134/FUL	Area D (Phase 3B) - Mount Wise Mount Wise Crescent Plymouth Mount Wise	Miss Katherine Graham
03/01/2019	Granted Conditionally	18/01984/ADV	Ms Jan Clark	Retrospective application for signage for ATM	46 - 48 Bretonside Plymouth PL4 OAU	Mr Mike Stone
04/01/2019	Agreed	18/01420/CDM	Ms Claire Newcombe	Condition Discharge: Conditions 4, 7, 10 & 11 of application 17/01277/S73M	Former Southway Primary School Bampflyde Way Plymouth PL6 6SR	Mrs Katie Saunders
04/01/2019	Granted Conditionally	18/01848/FUL	GBH (Devon) Ltd	Change of use of basement floor from D1 to B1(a)	Former Royal Eye Infirmary Apsley Road Plymouth PL4 6PL	Mr Jon Fox
04/01/2019	Granted Conditionally	18/01849/LBC	GBH (Devon) Ltd	Works to change use of basement floor from D1 to B1(a)	Former Royal Eye Infirmary Apsley Road Plymouth PL4 6PL	Mr Jon Fox
04/01/2019	Granted Conditionally	18/01905/TPO	Mrs Lesley Doidge	1 x Fir tree: crown reduce by a maximum of 5 metres as indicated in photo and reduce lowest branch back over garage by 1 to 2 metres (being careful not to go beyond green growth).	Hellensleigh Cobb Lane Plymouth PL9 9BQ	Mrs Jane Turner
04/01/2019	Granted Conditionally	18/01906/TPO	Mr Robert Fitzsimmons	1 Beech - redcue back to previous pruning points approximately 1-2m (amendment agreed with owner 2/1/19).	10 Bedford Terrace Plymouth PL4 8EY	Mrs Jane Turner

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
04/01/2019	Granted Conditionally	18/01928/FUL	Mr C Nimmo-Williams	Two-storey side and part two-storey rear extension including a front porch.	2 Higher Park Close Plymouth PL7 1XG	Mrs Alumeci Tuima
04/01/2019	Granted Conditionally	18/01973/FUL	Mr V Lovelady	Demolition of single storey rear extension and new two storey rear extension.	15 Clarence Place Devonport Plymouth PL2 1SF	Mr Mike Stone
04/01/2019	Granted Conditionally	18/01983/FUL	Ms Jan Clark	Retrospective application for the installation of an ATM	46 - 48 Bretonside Plymouth PL4 0AU	Mrs Alumeci Tuima
04/01/2019	Granted Conditionally	18/01985/FUL	Mr Nicholas Vosper	Removal and reinstallation of external walls around existing building frame including creation of internal first floor	15 Valley Road Plymouth PL7 1RF	Mr Chris Cummings
04/01/2019	Granted Conditionally	18/02013/FUL	Susan Payne	Rear extension and detached double garage	234 Fort Austin Avenue Plymouth PL6 5NZ	Mr Mike Stone
07/01/2019	Agreed	18/01864/CDMLB	Mr Vince Rosson	Condition Discharge: Condition 3 of application 17/01771/LBC	16-20 Duke Street Plymouth PL1 4EA	Mr Chris King

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Appeal Decisions between 04/12/2018 and 06/01/2019

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
04/01/2019	18/00951/FUL	2018/0019	Appeal Dismissed	APP/N1160/W/18/3208617
Ward				
Drake				
Address				
6 Apsley Road Plymouth PL4 6PJ				
Application Description				
Change of use to 9-bed HMO (Sui Generis)				
Appeal Process		Officers Name		
Written Representations		Mr Chris Cummings		
Synopsis				
<p>Planning permission was refused for a change of use to a 9-bed HMO (Sui Generis) as it was considered that there was an overconcentration of HMOs, contrary to Local Development Framework Core Strategy Policies CS01 and CS15, and there was inadequate outdoor amenity space provided, contrary to Policy CS15. Having reviewed the application and visited the site, the Inspector supported the Council's view that the development results in an imbalanced and unsustainable community which adversely affects the character of the area. The Inspector did not agree with the Council's view regarding insufficient outdoor amenity space, advising that although the amenity level is below recommended level for a terraced house the Development Guidelines Supplementary Planning Document advises that in older areas of the city it is not unreasonable to assume the provision might be lower. The Inspector advised that although the proposal reduces the amenity space available there is public open space within reasonable proximity of the appeal site and there would be provision of satisfactory levels of amenity for future occupiers. The Inspector concluded that although there would be sufficient amenity space, this did not outweigh the harm generated from allowing an HMO in an area with high concentrations of HMOs where associated noise and parking problems could be exacerbated and the appeal was dismissed. No applications were made for costs by either side, and no costs were awarded by the Inspector.</p>				

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