



#plymplanning

Oversight and Governance

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PLANNING COMMITTEE

Friday 15 March 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.

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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 14 February 2019.

4. Chair's Urgent Business

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

5. Questions from Members of the Public

The Chair will receive and respond to questions from members of the public submitted in accordance with the Council's procedures. Questions shall not normally exceed 50 words in length and the total length of time allowed for public questions shall not exceed 10 minutes. Any question not answered within the total time allowed shall be the subject of a written response.

6. Planning Applications for consideration

The Assistant Director for Strategic Planning and Infrastructure will submit a schedule asking Members to consider Applications, Development proposals by Local Authorities and statutory consultations under the Town and Country Planning Act 1990 and the Planning (Listed Building and Conservation Areas) Act 1990.

6.1 57 Underlane, Plymstock, Plymouth, PL9 9LA - 19/00177/FUL (Pages 7 - 14)

Applicant:	PCC Employee
Ward:	Plymstock Radford
Recommendation:	Grant Conditionally

6.2 4 Holyrood Place, Plymouth, PL1 2QB - 19/00089/FUL (Pages 15 - 22)

Applicant: Mr and Mrs Carson
Ward: St Peter and the Waterfront
Recommendation: Grant Conditionally

6.3 1 Galileo Close, Plymouth, PL7 4JW - 18/01234/FUL (Pages 23 - 46)

Applicant: ALDI Stores Limited
Ward: Plympton St Mary
Recommendation: Refuse

6.4 47A North Road East, Plymouth, PL4 6AY - 18/02105/S73 (Pages 47 - 64)

Applicant: Hermes Great Estate Ltd
Ward: Drake
Recommendation: Grant Conditionally

7. Planning Enforcement: (Pages 65 - 66)

8. Planning Application Decisions Issued (Pages 67 - 78)

The Assistant Director for Strategic Planning and Infrastructure, acting under powers delegated to him by the Council, will submit a schedule outlining all decisions issued since the last meeting –

- 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 79 - 80)

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.

Planning Committee

Thursday 14 February 2019

PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

Councillors Corvid, Derrick, Mrs Johnson, Kelly, Loveridge, Morris, Nicholson, Mrs Pengelly, R Smith, Tuffin and Winter.

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

The meeting started at 4.00 pm and finished at 7.00 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.

81. Declarations of Interest

The following declaration of interest was made in accordance with the code of conduct:

Name	Minute Number and Item	Reason	Interest
Councillor Nicholson	Minute 86 Part of Coypool Retail Park, Plymouth Road, Plymouth, PL7 4SS – 18/01853/FUL	He is an employee of Babcock International.	Personal interest.

82. Minutes

Agreed the minutes of the meeting held on 18 January 2019 subject to the voting schedule being amended to list Councillors McDonald, Morris, Stevens, Tuffin, Tuohy, Kelly, Nicholson, Mrs Pengelly, Derrick, R.Smith, Mrs Johnson and Dr Mahony being listed as voting in support of the application other than in objection.

83. Chair's Urgent Business

There were no items of Chair's urgent business.

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

There were no questions from members of the public.

85. **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.

86. **Part Of Car Park, Coypool Retail Park, Plymouth Road, Plymouth, PL7 4SS - 18/01853/FUL**

Amsric Ltd

Decision:

Application GRANTED conditionally subject to the inclusion of the following: a pre-occupation condition:

Prior to the occupation of the development hereby approved details of a Site Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall provide details of the procedures in place to deal with any queuing of cars on to Plymouth Road that may occur as a result of the coffee shop drive-thru and how vehicles entering the site will be controlled in these circumstances.

The Management Plan shall include a mechanism for review of the access arrangements 12 months after occupation of the development and measures available to mitigate any harmful impact on the local highway. The development shall be carried out in accordance with the approved details and maintained in perpetuity thereafter.

The Site Management Plan to be agreed in consultation with the Chair, Vice Chair and Planning Committee Shadow Lead.

(Councillor Corvid's proposal to include a pre-occupation condition regarding a site management plan (to include details linked to the potential queuing on the public highway and parking arrangements in the car park) as well as the inclusion of a condition relating to the review of the effectiveness of the traffic management arrangements on the highway 12 months after occupation, to be delegated to officers in consultation with the Chair, Vice Chair and Planning Committee Shadow Lead, seconded by Councillor Nicholson, was put to the vote and declared carried.)

(A Planning Committee site visit was held on 12 February 2019 in respect of this application.)

(The Committee heard from Councillor James, Plympton St Mary Ward Councillor.)

(The Committee heard a representation against this application.)

Order of Business

The Chair agreed to amend the order of business due to technical issues.

87. **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.

88. **Appeal Decisions**

Peter Ford (Head of Development Management, Strategic Planning and Infrastructure) advised Members that of the 3 appeal's recently processed, all 3 had gone in the Council's favour. Two appeals submitted a cost claim against the Council however in both cases the Council was successful in fighting off the cost claim.

89. **Planning Enforcement**

Members discussed the Planning Enforcement item specifically surrounding the numbers of untidy land notices and outstanding cases.

It was agreed that future Planning Enforcement reports would include a cumulative running total detailing untidy sites and outstanding cases from the past 12 months.

(The Committee adjourned briefly at the conclusion of this item)

90. **Kinterbury Point Hmad Bullpoint HMNB Devonport Plymouth PL2 2BG - 18/01947/CDM**

Mr Steffan Shageer
Decision:
Application REFUSED

(The Committee heard from Councillor Haydon, St Budeaux Ward Councillor)

(The Committee heard from Councillor Wheeler, St Budeaux Ward Councillor)

(The Committee heard a representation against this application)

(The Committee heard from Commander Cummings on behalf of the applicant)

91. **Beechfield Grove to Venn Close - Addition of Public Footpath - WCA.012**

Mr Bentley Bennet
Decision:
Application GRANTED.

92. **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 – 14 February 2019

SCHEDULE OF VOTING

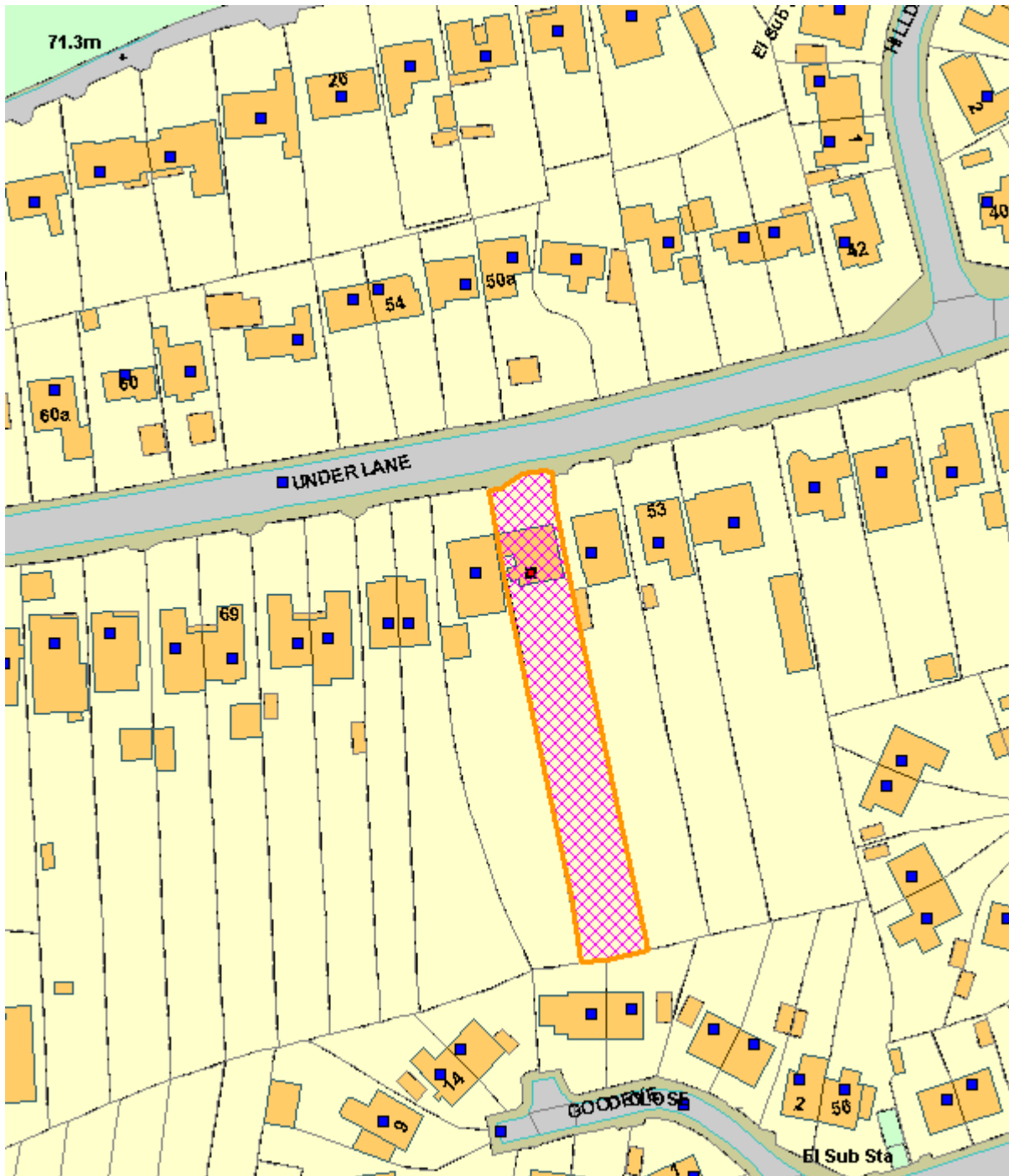
Minute number and Application		Voting for	Voting against	Abstained	Absent due to interest declared	Absent
6.1	Minute 86 Part of Plymouth Car Park, Coypool Retail Park, Plymouth Road, Plymouth, PL7 4SS – 18/01853/FUL Amendment Grant of application including amendment	Unanimous Councillors Stevens, Tuohy, Derrick, Morris, Corvid, Winter and Tuffin.	Councillors Mrs Johnson, Loveridge, Nicholson, R. Smith, Mrs Pengelly and Kelly.			
6.2	Minute 90 Kinterbury Point Hmad Bullpoint HMNB Devonport, Plymouth, PL2 2BG – 18/01947/CDM		Councillors Stevens, Tuohy, Johnson, Loveridge, Nicholson, R. Smith, Mrs Pengelly, Kelly, Derrick, Morris, Corvid, Winter and Tuffin.	Councillors Mrs Johnson and Loveridge.		
6.3	Minute 91 Beechfield Grove to Venn Close – Addition of Public Footpath – WAC.012	Unanimous				

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PLANNING APPLICATION OFFICERS REPORT



Application Number	19/00177/FUL	Item	01
Date Valid	11.02.2019	Ward	PLYMSTOCK RADFORD
Site Address	57 Underlane Plymstock Plymouth PL9 9LA		
Proposal	Two-storey rear extension including a raised balcony		
Applicant	Mr Andrew Kings		
Application Type	Full Application		
Target Date	08.04.2019	Committee Date	15.03.2019
Extended Target Date	N/A		
Decision Category	PCC Employee		
Case Officer	Mrs Alumeci Tuima		
Recommendation	Grant Conditionally		



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

1. Description of Site

57 Underlane is a detached bungalow situated within the Plymstock Radford neighbourhood. The dwelling fronts a classified road with a sloping rear garden south of the site. The site is relatively level to the east and north and recedes slightly to the south.

2. Proposal Description

The proposal seeks to construct a two-storey rear extension including a balcony area at ground floor level.

3. Pre-application enquiry

None requested

4. Relevant planning history

None for this site

5. Consultation responses

None requested

6. Representations

None received.

7. Relevant Policy Framework

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

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

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

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

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

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

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

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

* Development Guidelines Supplementary Planning Document.

8. Analysis

1. This application has been considered in the context of the development plan, the draft JLP, the Framework and other material policy documents as set out in Section 7.

2. The primary planning considerations in this case are the impact on neighbouring amenity, the impact on the character and appearance of the area and the amenity of future occupants. The application has been considered under policies CS02 and 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.

3. Principle of Development

4. The site has an established use as a residential dwelling. It is considered acceptable in principle as it meets the policies and guidance as discussed below.

Design/Streetscene

5. The proposal seeks to construct a two storey rear extension at both ground floor and lower ground floor level. The scheme will allow for living and bedroom space at lower ground floor with balcony and kitchen/dining extension at ground floor level.

6. The proposed depth of the extension is approximately 6 metres at both levels with a balcony depth of 2 metres and 4 metres on the ground floor extension. It includes two side elevation 1.8 metres high screening enclosures to protect neighbouring amenity.

7. The Development Guidelines Supplementary Planning Document makes reference to detached dwellings with flexibility in terms of design which in this instance seeks to incorporate a contemporary design. This is not uncommon for similar ones in close proximity to the site where the adjacent properties are predominantly detached, some of which feature their distinctive designs. The proposed materials include grey aluminium door and window frames with render finish.

8. Given the above assessments, officers are of the view that the extension would not be immediately visible from street scene and that it is not considered to pose significant visual harm to the character of the area and is therefore acceptable.

Amenity

9. Light – The property is detached and the proposed rear extension is set away from the boundary and consequently the adjacent dwellings. Officers note that given its positioning, the impact on loss of light is marginal. The scheme also meets the 45 degree rule.

10. Outlook- For a detached dwelling and as mentioned above, along with the change in topography, officers note that the outlook against the existing boundary treatment is not considered to result in severe loss of outlook.

11. Privacy – The scheme was assessed as having some impact on privacy particularly for the adjacent neighbours to the east and west. Officers noted the views resulting in overlooking would potentially result in adverse harm to neighbours therefore screening options were explored in order to ensure privacy issues are mitigated. A screening condition has also been attached. Amended plans were submitted as a result of further negotiations with the applicant. Officers also note that two new windows are proposed on the side elevations at lower ground floor level and given its positioning at lower level and obscured by the existing boundary treatment, they are not considered to pose significant loss of privacy.

Impact parking and highway safety

12. None that would raise cause for highway concern.

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, CS34 of the Core Strategy and the detailed guidelines set out in the Development Guidelines SPD. Policies DEV1 and DEV20 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 11.02.2019 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

Existing and Proposed Elevations 20022019 -- received 19/02/19
Site Location Plan 08022019 - received 08/02/19
Existing and Proposed Floor Plans 08022019 - received 08/02/19

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: ENCLOSURE AND SCREENING

The extension hereby submitted and approved in writing by the Local Planning Authority requires that all means of enclosures including the east and west side elevations balcony screening are in place prior to first occupation of the entire balcony area and that the screening is maintained in perpetuity.

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, and 130 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	19/00089/FUL	Item	02
Date Valid	23.01.2019	Ward	ST PETER AND THE WATERFRONT
Site Address	4 Holyrood Place Plymouth PL1 2QB		
Proposal	Demolition of coal bunker at basement level in street side light well		
Applicant	Mr & Mrs Carson		
Application Type	Full Application		
Target Date	20.03.2019	Committee Date	15.03.2019
Extended Target Date	N/A		
Decision Category	Service Director of SPI		
Case Officer	Mr Mike Stone		
Recommendation	Grant Conditionally		



This application has been referred to Planning Committee by the Service Director due to probity reasons. The applicant is the father of Councillor Carson.

1. Description of Site

The application site is a large, five storey Victorian mid-terraced property that has been subdivided into flats. The house is in the St Peter and the Waterfront ward, the Hoe Conservation Area and is within the Hoe Neighbourhood Forum Neighbourhood Plan area. The site is opposite 5-9 Holyrood Place, listed grade II. The area is residential in character consisting of similar large, Victorian houses that have converted into flats.

2. Proposal Description

Demolition of coal bunker at basement level in street side light well. In common with other properties in the street, there is a basement level flat with a bay front window facing a light well. Roughly 500 mm in front of the window is a concrete coal bunker that runs the full width of the light well and under the steps to the front door. It is just over 6 metres wide, 2 metres high and is 1.5 metres deep and is overgrown with grass on top.

3. Pre-application enquiry

There was no pre-application enquiry.

4. Relevant planning history

89/03160/FUL - Conversion of property in four flats and two bedsits to form five self-contained flats and a maisonette – Granted Conditionally.

89/01338/EXUSE - Six dwellings comprising 4 flats and 2 bed-sit units – Issue Certificate.

5. Consultation responses

Historic Environment Officer – there is no Historic Environment objection to the proposal.

Hoe Neighbourhood Forum – consulted but did not respond within the consultation period.

6. Representations

None received.

7. Relevant Policy Framework

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

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

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

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

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

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

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

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

* Development Guidelines SPD (First Review) (Adopted May 2013).

* The Hoe Conservation Area Appraisal and Management Plan.

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 application turns upon policies CS02 (Design), CS03 (Historic Environment) and CS34 (Planning application considerations) of the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021, policies DEV1 (Protecting health and amenity), DEV20 (Place shaping and the quality of the built environment), DEV21 (Conserving the historic environment) and DEV22 (Development affecting the historic environment) of the JLP, the aims of the Council's Development Guidelines Supplementary Planning Document First Review (2013), and the National Planning Policy Framework (NPPF) 2018. The primary planning considerations in this case are the impact on the character and appearance of the conservation area, the impact on the listed buildings opposite and the impact on neighbour amenity and the amenity of future occupants.

Impact on the character and appearance of the conservation area and the impact on the listed buildings

3. The evidence of neighbouring properties and an examination of historic mapping suggests that the coal store was not part of the original building but was inserted as a later date. In terms of the historic environment, it is not therefore considered to be an original feature. The 'hidden' character of the bunker, which is set slightly below street level, means that there is no current visual impact upon the Listed Buildings opposite. For these reasons, the Historic Environment Officer considers that demolition is therefore a neutral event in terms of impact upon the setting of a listed building. The Historic Environment Officer also feels that the demolition of the store could be considered beneficial in historic environment terms in restoring the original appearance of the frontage area of the basement window.

Impact on neighbour amenity and the amenity of future occupants

4. The bunker is set below the street level and the Officers consider that its removal would have no impact on neighbours in terms of loss of light or privacy and would improve the amenity of future occupiers of the basement flat.

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

Not applicable.

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.

No planning obligations have been sought in respect of 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 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 would not have an adverse impact on neighbour amenity, the character of the conservation area or the setting of listed buildings. The proposal accords with policies CS02, CS03 and CS34 and national guidance and specifically paragraph 11 of the NPPF which states that development proposals that accord with the development plan should be approved without delay. The application is recommended for approval.

14. Recommendation

In respect of the application dated 23.01.2019 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**

Proposed Ground and Basement Plans 2186-003 - received 27/02/19
Location Plan 28022019 - received 27/02/19

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 124, 127, 130 and 131 of the National Planning Policy Framework 2018.

2 **CONDITION: COMMENCE WITHIN 3 YEARS**

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

Reason:

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

INFORMATIVES

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

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

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

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraph 38 of the

National Planning Policy Framework the Council has worked in a positive and pro-active way and has granted planning permission.

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PLANNING APPLICATION OFFICERS REPORT



Application Number	18/01234/FUL	Item	03
Date Valid	17.07.2018	Ward	PLYMPTON ST MARY
Site Address	1 Galileo Close Plymouth PL7 4JW		
Proposal	Demolition of existing buildings and erection of discount foodstore (Class A1) with associated access, car parking & landscaping		
Applicant	ALDI Stores Limited		
Application Type	Full Application		
Target Date	16.10.2018	Committee Date	15.03.2019
Extended Target Date	21.02.2019		
Decision Category	Major - More than 15 Public Comments		
Case Officer	Mr Oliver Gibbins		
Recommendation	Refuse		



1. Description of Site

The application site is a rectangular shaped site that is located to the west of Strode Road and to the south of Galileo Close. The mainline rail line forms the southern boundary of the site and the west is Chaplin's retail store.

The site area measures 0.78 hectares and the topography is broadly level.

The existing use of the site is as ancillary car parking for the Chaplin's store and also has a car garage operating on the site.

The area is characterised by employment and trade counter uses that are generally single storey in height. On the western boundary of the site there are mature and semi mature trees.

The site is not allocated for any development within the existing or emerging development plans.

2. Proposal Description

This application is for full planning permission for a new A1 supermarket which is proposed to be operated by Aldi.

The site layout has been designed so that the car parking is to the front and side of the store with the building itself positioned in the south west corner of the site.

Access into the site will be provide from Galileo Close for both customers and staff as well as delivery vehicles. A pedestrian link will be provided onto Strode Road.

In terms of use the development will provide a Gross External Area of 1,976sqm of floor space. This will comprise of 1,315sqm of A1 net sales area which is split into 263sqm of comparison goods and 1,052sqm of convenience goods.

The design of the storey is single storey in scale and has a contemporary building, with a mono pitched roof and faced with grey metal cladding panels. The height of the building will be 7.5m to eaves at the highest point. The shopfront will be formed of a 3.5m glazed curtain wall which wraps around the north-east of the corner building. A cantilevered canopy will project around the front of the building.

Externally 118 car parking spaces will be provided, four of these will be for disabled parking. The car park will be tarmacadam. Soft landscaping will be used on the perimeter of the site. 4 of the existing trees will be removed with two new trees planted.

A 1.8m high close boarded fence will form the southern boundary against the railway embankment and the western boundary between rear part of the western boundary.

3. Pre-application Enquiry

18/00279/MAJ - Erection of a foodstore (Class A1) with associated access and landscaping – Advised that a Sequential and Retail Impact Test would be required to be submitted to establish the principle of development, as well as demonstrate acceptable highway impacts.

4. Relevant Planning History

07/02076/EXUS - Use of site and all buildings thereon for use within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended), notwithstanding condition (ii) of planning permission 43036/1 dated 13 December 1972 – Approved . This application allows for Chaplin's to operate from the adjoining site. The red line boundary of the above application included the curtilage of just the store and car parking to the front of the store

and did not include the Aldi application site. The site has nonetheless been used for car parking for the Chaplin's Store.

07/00294/FUL - Erection of five small employment units, on part of car park, for uses within Classes B1, B2 and B8 of the Use Classes Order 2006 – Approved .

00/01271/OUT - Outline application to redevelop, with adjoining industrial site, for Class B1, B2, B8 (business, general industrial, storage/distribution) and Class A1 (shop - non-food) uses – Withdrawn.

01/00545/FUL - Extension to premises (renewal of previous permission 0065/95) – Refused.

5. Consultation Responses

Local Highway Authority

Object to the development and recommend planning permission is refuse for two reasons; Insufficient transport modelling; Unacceptable impact on the local highway as a result of parking.

Public Protection Service

No objection.

South West Water

No objections subject to conditions and informatives.

Plymouth Lead Local Flood Authority

Site is located in a Flood Zone 1 (low risk) and in a Critical Drainage Area, details need to be submitted to demonstrate how drainage of the site will be managed.

Designing Out Crime Officer

Devon and Cornwall Police are not opposed to granting planning permission.

Economic Development

The submitted Joint Local Plan should form the basis for considering the application.

Network Rail

No objection in principle, subject to conditions to regulate construction.

Plympton and District Civic Society

Object on the impacts of traffic and the retail hierarchy including Colebrook, Ridgeway and Chaddlewood.

Plympton St Mary Neighbourhood Forum

Contrary to the JLP and emerging Plympton St Mary Neighbourhood Plan, will have an impact on the retail areas of Colebrook and Ridgeway, traffic increases, impact on the parking of the Chaplin's store.

6. Representations

Three site notices were displayed in addition to the proposal being advertised in the local press.

A re-consultation was undertaken in January 2019 as a result of additional information being received.

As a result of this consultation 128 letters of representation have been received. A total of 88 people support the application and 29 people object to the application, with 11 neutral.

The following material planning considerations have been identified as objections:

Highway safety;

Impact of the proposal on other retail centres including the Coop and Post Office at the Ridgeway;

Infrastructure constraints;

Lack of provision of cyclist;

Impact on air quality;

Support employment;

The roundabout proposed would ease congestion;

Improve customer choice;

Increased trading hours;

Reduce need to travel and reduce bottle necks;

Improve the appearance of the empty site;

More jobs;

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

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

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

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

The JLP is at an advanced stage of preparation having 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 were the subject of a public consultation that closed on the 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.

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

Development Guidelines SPD 2013;
Planning Obligations and Affordable Housing Supplementary Planning Document 2012.
Plympton St Mary Neighbourhood Plan.

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8. Analysis

Principle

8.1 This application has been considered in the context of the development plan, the Joint Local Plan (submission version including as amended to reflect proposed main and additional modifications), the Framework and other material policy documents as set out in Section 7.

8.2 The principle issues in relation to this application are considered to be the establishing the retail use of the site, how the development relates to the character and appearance of the area, and the impacts the development will have on the local highway network.

8.3 The key policies to consider with this application are identified below:

Polices CS01 (Development of Sustainable Linked Communities): CS02 (Design): CS05 (Development of Existing Sites):CS07 (Plymouth Retail Hierarchy), CS08 (Retail Development Considerations) CS21 (Flood Risk): CS22 (Pollution): CS28 (Local Transport Considerations)

and CS34 (Planning Application Considerations) of the Local Development Framework Core Strategy.

Policies SPT1 (Delivering sustainable development): SPT2 (Sustainable linked neighbourhoods and sustainable rural communities):SPT5 (Provision of Retail Development) SPT13 (European Protected Sites - mitigation of recreational impacts from development): DEV1 (Protecting health and amenity): DEV2 (Air, water, soil, noise and land):DEV16 (Providing Retail and Town Centre Uses in Appropriate Locations; DEV18 (Protecting Local Shops and Services) DEV19 (Provision for Local Employment and Skills; DEV20 (Place shaping and the quality of the built environment): DEV31 (Specific provisions relating to transport) and DEV37 (Managing flood risk and water quality impacts) of the Plymouth and South West Devon Joint Local Plan.

8.4 A summary of the key policies relating to the retail considerations from the emerging Joint Local Plan and the level of weight that has been applied to each of the relevant policies, is provided below:

Policy SPT5 – Provision of retail development - No substantive objections made to the overall approach to provision of retail development set out in this policy, and no main modifications proposed to the submission version of the JLP. We consider that this policy can be given considerable weight.

Policy SPT6 – Spatial provision of retail and main town centre uses- No substantive objections made to the overall approach to the spatial hierarchy for retail development set out in this policy, and relevant main modifications proposed to the submission version of the JLP. We consider that this policy can be given considerable weight.

Policy DEV16 – Providing retail and town centre uses in appropriate locations – Although there were a small number of objections, including to the thresholds set out in the policy, none challenged the provisions of DEV16.3i in setting a 500 sq.m (gross) impact assessment threshold for the Plymouth Policy Area, and none were considered significant in the context of the matters under consideration in this application. Additionally no relevant main modifications proposed to the submission version of the JLP. We consider that this policy can be given considerable weight.

Retail Considerations

8.5 There are three main areas of retail planning policy. The first is retail strategy, the second sequential test, and the third retail impact test. This section considers each issue in turn.

Spatial Strategy

8.6 The Council has a long established retail spatial strategy in the City which seeks to support a retail hierarchy of City, District and Local Centres across Plymouth. This is achieved through Policy CS08 Retail Development Considerations of the adopted Core Strategy together with Policies SPT5 Provision of retail development; SPT6 Spatial provision of retail and town centre uses, DEV16 Providing retail and town centre uses in appropriate locations of the emerging Plymouth and South West Devon Joint Local Plan.

8.7 These policies seeks to maintain the vitality and viability of existing centres within the hierarchy and to maintain the role and function of the centres to ensure they can continue to provide services to the communities in which they serve. Clearly the provision of new floor space outside the centre could change shopping patterns and therefore reduce the footfall of existing centres and undermine both the vitality and viability of a centre.

8.8 The proposed store will be located in an out of centre location within the Plympton ward of the City, also known as Zone 7 within the Plymouth Retail Study 2017, this is relevant as it identifies as established retail catchment and allows for a understanding of retail shopping patterns to be understood within the evidence base. The Council's emerging Joint Local Plan is informed by the Plymouth Retail Study 2017, which identified that there is not a quantitative need for new convenience floor space (food retail) until much later within the plan period, with a need of just 244sqm in 2026, increasing to 1,923sqm by 2034 across the City as a whole. Therefore there have been no additional floor space allocated for convenience floor space based on a quantitative need. The only provision of new floor space for convenience retailing within the JLP are in Derriford and to the west of the City to meet qualitative need.

8.9 The retail hierarchy within Plympton is formed by the Ridgeway District Centre which is a main food/convenience shopping role, and a series of Local Centres at Chaddlewood, Colebrook, and Stone Barton. In addition (although not part of the Hierarchy) there are a series of smaller out of centre convenience stores such as Tesco Express stores at the junction of Plymouth Road, Glen Road, and Ridgeway and Glen Road and Westfield. As well as larger out of centre supermarkets operated by Sainsbury's at Marshmill's and as a new Lidl store on Plymouth Road which was granted planning permission in 2015 and subsequently began trading.

8.10 The Ridgeway District Centre is at the top of the retail hierarchy within this part of the City and given the lack of evidence for quantitative or qualitative need and the provision of convenience floor space within Plympton no allocations for new convenience floor space have been allocated within the JLP in this catchment, the focus therefore within this part of the city is focused upon the strengthening of the existing centres as set out in Policy SPT6 of the JLP. There have also been significant changes in the retail catchment of Plympton since the evidence base for the JLP was compiled, notably the opening of the Lidl Store on Plymouth Road. This application was approved under reference number 15/01777/FUL and provided 2,745sqm (gross) of new retail floor space.

8.11 Paragraph 86 of the NPPF identifies that Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

8.12 Paragraph 89 of the NPPF identifies that when assessing applications for retail and leisure development outside town centre, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold. If there is no locally set threshold, the default threshold is 2,500sqm of gross floor space. This should include an assessment of: the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme). The JLP has set a locally set floorspace threshold of 500sqm, this will be discussed further in a subsequent section of this report.

8.13 Paragraph 90 of the NPPF identifies that: "Where an application fails to satisfy the sequential test or is likely to have significant adverse impact it should be refused".

8.14 At a local level Policies CS06, CS07, CS08 and CS11 of the adopted Core Strategy, together with Policies SPT6, DEV16, DEV17 and DEV18 of the emerging Plymouth and South West Devon Joint Local Plan are the principle policies that consider proposals for new retail floor space. As this proposal is for an out of centre supermarket the key policies are CS08 (Retail Development Considerations) and DEV 16 (Providing retail and town centre uses in appropriate locations), as well as Policies SPT5 (Provision for retail development) and SPT6 (Spatial provision of retail and town centre uses).

8.15 The above Policies set the framework for how planning decisions are taken when considering proposals for new retail development. The hierarchy in the Plymouth Policy Area is built around district and local centres. The primary purpose of a district centre is to provide a range of shopping needs to a district of the City, with provision especially for weekly shopping trips. The objective of local planning policy is to enhance consumer choice and strengthen the vitality and viability of district and local centres.

8.16 Policy CS08 of the Core Strategy identifies that the Council will enable the enhancement of consult choice and strengthening of the vitality, viability, and accessibility of the District/Local centres by supporting new retail development, this includes requiring a sequential test and ensuring that development will not have a unacceptable adverse impact on the vitality and viability of the City, District or Local centres.

8.17 Policy DEV16 (2) of the emerging JLP requires that proposals for main town centre uses in out of centre locations, such as this, should be supported by a sequential test that demonstrates that there are no sequentially preferable suitable and available sites within or on the edge of an appropriate centre.

8.18 In addition Policy DEV16 (3) requires retail proposals in edge or out of centre locations to be supported by an impact assessment where more than 500sqm (gross) of retail floor space is provided in the Plymouth Policy Area. Any proposal which would have a significant adverse impact on the investment in and/or the vitality of an existing centre or prejudice the deliverability or investment in a proposed centre will not be permitted.

8.19 It is therefore clear that as this is an out of centre location the application is required by both national and local policy to be supported by a sequential test. As 1976sqm of gross floor space is proposed this is beneath the default threshold of paragraph 89 of the NPPF 2018 that requires a RIA. However through Policy DEV16 of the emerging JLP a local threshold of 500sqm has been set. Therefore the application has been submitted within a RIA. It is noted that although the JLP is not adopted based on the lack of relevant objections to this threshold and the advanced stage of plan preparation this policy can hold very significant weight. Additionally the Local Validation Requirement's published by the LPA requires a RIA for a development of this scale and therefore the application would have not been validated without this being submitted.

8.20 Before reaching a conclusion on where the proposal accords with the Retail strategy set out in the Core Strategy and JLP, it is first important to consider both the sequential test and impact assessments as these form a key component of how the proposal does or does not fit with the wider strategy.

Sequential Test

8.21 The first planning policy tool for guiding retail developments is the sequential test.

8.22 As already identified paragraph 86 of the NPPF identifies that main town centre uses should be located in town centre locations, then edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

8.23 Policy DEV16 (2) requires that all proposals in edge and out of centre locations are supported by a sequential test which demonstrates that there are no sequentially preferable sites that are suitable and available. The Policy requires that the applicant demonstrates flexibility in assessment of sites.

8.24 Policy CS8 (6) of the Core Strategy identifies that new retail development will not have an unacceptable adverse impact, including cumulative impact, on the vitality and viability of District and Local Centres.

8.25 Case law is also important to consider when considering availability and suitability. The Mansfield (Aldergate Properties Limited and Mansfield District Council and Regal Sherwood Oaks Limited) set out principles to consider.

8.26 In applying the sequential test the first stage is to set the Primary Catchment Area. This is important as it defines the area in which to search for other sites in a in or edge of centre location.

8.27 The applicants have identified that the Primary Catchment Area (PCA) for this proposed store will be Plympton and that this is an out of centre location. In the Plymouth Retail Study 2017 this is known as Zone 7. Given the alignment with Zone 7 study officers have accepted this PCA.

8.28 As discussed above within the PCA there are the following Centres within the Council's retail hierarchy as defined by Policy CS08 of the Core Strategy and the Shopping Centres SPD, and Policy SPT6 of the emerging JLP: Ridgeway District Centre, Stone Barton Local Centre, Colebrook Local Centre, and Chaddlewood Local Centre.

8.29 The applicants have identified the retail requirements in terms of net sales area, no specialist counters or ancillary services, car parking, and site area. Flexibility has also been applied in terms of site area, which is 30% smaller than required. Officers have accepted this degree of flexibility and this has shaped the review of relevant sequential sites.

8.30 Section 5.19 to 5.35 of the submitted Planning and Retail Statement has reviewed sites within the PCA. The conclusions were that the majority of the assessed sites were either not available or be available within an appropriate timeframe. Some of the site were existing car parks for the centres and these were considered to have an unacceptable impact on the role and function of the town centres, and the sites had significant sites had land ownership, access, and surrounding land uses which resulted in the sites being undeliverable.

8.31 The submitted sequential test has been assessed by officers together with the degree of flexibility. Officers have accepted the degree of flexibility and also accepted that there are no sequentially preferable suitable or available sites within or on the edge of a centre within the PCA. It is therefore concluded that both the requirements of paragraph 86 of the NPPF, Policy CS08 of the Core Strategy and Policy DEV16 (2) of the emerging JLP have been met and the development accords with these policies.

Retail Impact

8.32 A key consideration in delivering the spatial strategy for retail development, as set out in both the Core Strategy and the JLP is the need to ensure out of centre development does not harm existing centres. The retail impact of a new supermarket of this scale therefore clearly needs to be carefully considered and the assessment of impact based upon robust evidence.

8.33 The provision of a new supermarket of this scale therefore needs to be carefully considered in relation to shopping patterns within this part of Plympton which forms the primary catchment area for the proposal and the impact this will have on both the vitality and viability and investment in nearby 'town centres'.

8.34 The significance of shopping patterns and town centre health is particularly important in this part of Plymouth given the new Lidl store on Plymouth Road which has recently opened and has the potential to have materially changed shopping patterns in the area. The Lidl store opened after the Plymouth Retail Study 2017 was undertaken and the actual impacts of this store on shopping patterns and town centre health are therefore not fully understood.

8.35 The applicant's own impact assessment suggests that the individual impact of the proposed ALDI on convenience goods turnover will be as follows:

Co-op, Plympton Ridgeway: -3.3%

Iceland, Plympton Ridgeway: -3.4%

Overall impact on the convenience goods sector in Plympton Ridgeway district centre: -3.0%

Chaddlewood local centre: -2.2%

Sainsburys, Marsh Mills: -5.6%

Morrisons, Plymstock: -1.0%

ALDI, Greenbank Road: -1.0%

Morrisons, Outland Road: -1.3%

Lidl, Plymouth Road, Plympton: -32.6%

8.36 The applicant's impact analysis also predicts that a small amount of trade will be diverted from Estover, the city centre Union Street (ALDI), Plymstock Broadway, along with around one fifth of the proposal's turnover being diverted from stores outside of Plymouth (primarily the Tesco Extra at Lee Mill).

8.37 Given that the applicant's analysis is based upon a survey of shopping patterns undertaken in 2015, prior to the opening of the Lidl store on Plymouth Road, the applicant has needed to provide a cumulative impact assessment to adjust store/centre turnover levels. The applicant's cumulative impact assessment predicts the following impact levels:

Co-op, Plympton Ridgeway: -3.3%

Iceland, Plympton Ridgeway: -3.4%

Overall impact on the convenience goods sector in Plympton Ridgeway district centre: -3.0%

Chaddlewood local centre: -2.2%

Sainsburys, Marsh Mills: -5.6%

Morrisons, Plymstock: -1.0%

ALDI, Greenbank Road: -1.0%

Morrisons, Outland Road: -1.3%

8.38 Whilst the applicant's retail impact assessment has provided an assessment of cumulative impact, officers are not satisfied that the applicant's assessment is sufficient in robustness to demonstrate that their proposal will not have a harmful impact on the centre-first strategy, and in particular the Ridgeway District Centre.

8.39 A key factor here is the available evidence base on shopping patterns for convenience goods. The applicant has used the results of a 2015 household survey which has been subsequently adopted by the City Council's 2017 Retail Study. The 2015 household survey has been used by the City Council as part of the evidence base for the new development plan although, in order to properly assess this planning application, there is a need for a more detailed set of information on local shopping patterns in this part of Plymouth.

8.40 In order to assess the likely impact of the proposal the Council has sought specialist advice from GVA /Avison Young ('AY').

8.41 AY have advised the City Council that robust evidence base information is required in order to provide a reasonable and robust assessment of the likely impact of the proposal on defined 'town centres'. AY have advised that rather than rely on forecasts as the likely impact of the new Lidl store on local shopping patterns, and how this new store has impacted upon the health of Plympton Ridgeway district centre, the commissioning of a new household survey of shopping patterns is required in order to assess the actual impact of this new store.

8.42 As a result, the Council, in September 2018, invited the applicants to undertake a new household survey in order to fully assess the likely impacts of the new store as well as the cumulative impacts of the Lidl Store on the Plympton Ridgeway.

8.43 The applicants reviewed the request and responded as follows:

1. A major material consideration is the LPA's December 2015 decision to permit an out-of-centre Lidl store, when an out-of-centre Morrisons was already consented in Plympton (15/01777/FUL). This provides a clear benchmark for an acceptable (i.e. not significantly adverse) impact on the main retail centre in the neighbourhood.
2. It is clear, from both secondary evidence and first hand survey visits that the major out-of-centre superstores, Sainsbury's Marsh Mills and Tesco Lee Mills, are dominant and are overtrading. These stores offer very wide ranges of products and services under one roof. Maintaining the status quo, is only likely to strengthen the position of these superstores. ALDI's more limited offer is likely to compete with these locations on bulk weekly shopping trips and spin off trade towards the nearby neighbourhood shopping centres, which offer a greater variety of services.
3. The applicant considers that it is very unusual to ask an applicant to undertake a new household survey and it is perfectly acceptable to use the 2015 household survey from the Council's 2017 retail study.
4. The proposed ALDI store, like the recently opened Lidl store, is focused upon main food shopping whereas the Co-op store in Plympton's district centre is focused upon top-up shopping.
5. To supplement the 2015 survey, the applicant has undertaken a postal survey and an in-street survey in Plympton Ridgeway district centre. The applicant considers that these surveys support its forecast impact of the Lidl store on the district centre and current shopping patterns.

8.44 The Council strongly refute these points made by the applicant above.

1. Whilst the level of impact accepted when planning permission was granted for the development at Eril Retail Park under planning application 13/00147/FUL is acknowledged, this needs to be considered in context. As GVA Grimley/Avision Young have advised: "It must be remembered that there were special circumstances associated with that proposal. In particular, Eril Retail Park has an open A1 planning permission and the consequences associated with that fall back position were clearly

material considerations for Plymouth City Council when deciding to remove that A1 position in favour of providing a controlled supermarket use at that site". Indeed, it should also be noted that the JLP allocates the site of Erill Retail Park for housing development (Policy PLY60.8) which if implemented will bring to a close its history as a retail site.

2. Whilst the 2015 household survey does indeed show the popularity of the Sainsbury's store at Marsh Mills and the Tesco at Lee Mill, the applicant has not provided any robust evidence to show:
 - (A) how the popularity of these stores has changed in recent years following the opening of the Lidl store
 - (B) exactly how popular the Lidl store has become and;
 - (C) how any such changes in shopping patterns have affected shopping patterns associated with the Ridgeway district centre. This information is required in order to make a robust assessment of the likely impact of the proposed ALDI store on the health of the Ridgeway district centre.
3. It is simply not correct to suggest that it is 'very unusual' to ask an applicant to undertake a new household survey. Applicants commonly undertake their own surveys to support planning applications in order to ensure that they can present a local authority with the best available evidence base information to support their case.
4. The available evidence suggests that the Co-op store at the Ridgeway district centre has become more popular in terms of main food shopping in recent years and this suggests a greater degree of trading overlap with the proposed ALDI store and thus raising concerns that the applicant's impact assessment has under-estimated the likely impact on the district centre. This information comes from the 2015 household survey which the applicant is keen to suggest is robust in terms of market share levels yet the applicant is also keen to suggest that the survey is wrong in terms of the main food shopping market share of the Co-op store.
5. Whilst the applicant's postal and in-street surveys provide additional useful information they are no substitute for a new survey of household shopping patterns which is the only recognised way of properly understanding shopping patterns in a chosen geographic area.
6. Paragraph: 015 Reference ID: 2b-015-20140306 of the National Planning Practice Guidance notes that:

It is for the applicant to demonstrate compliance with the impact test in support of relevant applications" Furthermore the failure of the applicant to address this requirement is not considered reasonable.
7. The Council's retail planning consultants advises that the applicant has not provided sufficient information on current shopping habits in order for the City Council to make a robust decision on this planning application and the proposal has not been justified on its own merits. It is therefore entirely reasonable for the Council to request this

information to ensure that there are not going to be any significant adverse impacts on the District Centre and the anchoring role of convenience goods stores within the centre, thereby harming the adopted and emerging retail strategy.

8.45 Without fully understanding the impact the new Lidl has had on the Ridgeway District Centre it is not considered possible to accurately identify as to whether the trade diversion created by this proposal on the District Centre is significant or not. It is considered a new household survey would be the way to remove uncertainty and give the Council the critical assurance that new store would not result in a significant adverse impact on the District Centre, as required by both national and local policy. Despite this request having been made to the applicant, back in September when the issue was first raised and again in January 2019, this information has not been provided.

Neighbourhood Plan

8.46 The site is located within the Plympton St Mary Neighbourhood Plan Area. This plan has reached an advanced stage towards being adopted and on the 8th February 2019 the Examiners Final Report was published. This concluded that subject to the recommendations in the report being accepted the Plan would meet the basic conditions defined by Localism Act 2011, Schedule 10 and 4B, 8 (2) of the Town and Country Planning Act 1990. As a result the can be submitted to a referendum.

8.47 The Plympton St Mary Neighbourhood Plan recognises the importance of the Ridgeway as an important shopping area. Policy PSM6 Primary Shopping Areas seeks to support A1 and A2 uses within District and Local Centres.

8.48 The Plympton St Mary Neighbourhood Forum Committee have objected to this application, amongst other objections, this includes the impact on both Local and District Centres.

8.49 This objection reinforces the Council's concern that without sufficient information to assess the impact of the development on the retail hierarchy there is insufficient information to assess the impacts of this development.

Conclusion of Retail Policy considerations

8.50 This area of Plympton has seen considerable and significant changes within the convenience goods market in recent years, notably through the opening of 2,745 sq.m (gross) of new floor space at the Lidl on Plymouth Road. It is important that the impact of this new floor space on the role and function of the retail hierarchy is fully understood so that the current health of Plympton Ridgeway district centre, and the actual effect of the new Lidl store, can be properly and robustly assessed. The provision of an updated Household Survey would provide this level of certainty but without this evidence there is insufficient information to assess whether this development is likely to result in a significant adverse impact on the health of District and Local Centres within the retail catchment.

8.51 It is entirely appropriate, and consistent with national policy and local planning policy, that the full impacts of this development on the retail hierarchy are fully understood and

accepted prior to a decision being issued. Despite requesting this information consistently from the applicant this has not been received. Unfortunately, this results in insufficient information to allow a robust decision to be made.

Existing land use

8.52 The existing land use is for overflow car parking for the adjoining Chaplin's store as well as an additional car servicing/sales use.

8.53 The adjoining Chaplin's store is an A1 use. This was confirmed through a 2007 application for a Certificate of Lawful Development (application 07/02076/EXUS) with a red line site boundary just around the Chaplin's Store and not the application site.

8.54 A legal view has been sought on application 07/02076/EXUS and this has confirmed that unless there has been a material change to take the use outside of the classification of A1 land use then the Chaplin's site as described in application 07/02076/EXUS is for an open A1 use.

8.55 This is significant as the Chaplin's store provides 4,736 sq.m of floor space, and there are no restrictions on the range of goods that could be sold.

Highways and Parking

Trip Generation

8.56 In order to provide a more robust assessment of the traffic impacts of the proposed Aldi store, a traffic survey was carried out at the Aldi store which recently opened at Southway. The results of this survey highlighted a two-way pm (1700-1800) peak hour trip rate of 11.292 trips per 100sqm. Whilst it is accepted that food retail stores do generate some trips during the am peak hour, the greatest level of impact is during the pm peak and consequently much of the focus is on this time period.

8.57 On the basis of the above-mentioned trip rate, the proposed Aldi store at Plympton would generate 224 two-way movements during the pm peak. The distribution of these trips were assigned to the network on the basis of the Retail Impact Assessment and various assumptions made regarding the % of trips that were already on the network (this is often the case with food stores as they generate very few 'new' trips and instead result in a redistribution of existing trips through pass-by/diverted etc).

On the basis of the agreed assignment of trips the food store will lead to an additional 117 two-way movements on Glen Road and 70 on Plymouth Road. The impact of the additional trips upon Glen Road are of particular concern as this corridor does suffer from congestion and queuing traffic during the pm peak hour, with vehicles often stacking-back from the St Marys Bridge junction as back as far as Strode Road.

8.58 Unfortunately no detailed traffic modelling has been undertaken to understand the potential traffic impacts that these extra trips will have upon the operation of the local road network (including junctions which are known to be over-capacity such as St Marys Bridge)

and whether or not it will lead to increased queuing and congestion. Without such data the Highway Authority cannot determine whether or not the development will be acceptable in transport terms or alternatively lead to an adverse highway impact.

Car Parking

8.59 With the proposed food store being located on an existing overflow car park which serves the adjoining Chaplins retail unit, car parking is a key issue in respect of the determination of this application.

Chaplins Parking

8.60 At present Chaplins is served by 204 off-street car parking spaces with around 40 spaces provided in the area immediately in front of the existing building and a further 160+ spaces located within the adjoining overflow parking area.

8.61 On the basis of the current retail floor area of Chaplins (4,736 sqm. of A1), a total of 201 off-street car parking spaces would be required to serve it by applying the maximum car parking standards as outlined within the Development Guidelines SPD and a PT accessibility score of 35%.

8.62 Car parking surveys have been undertaken by the applicant's traffic consultant both in April 2018 and over 2 weekends on the lead-up to Christmas (this traditionally being one of the busiest periods of the year for retailers). The average of the results of these surveys indicated that Chaplins generated demand for around 75 spaces, with the highest number of parked vehicles recorded being 89 which occurred at 11am during the survey undertaken on the 24th April 2018. It was noted that due to the relatively poor layout of the area at the front of the store, most of the car parking occurred on the overflow area.

8.63 In order to address the loss of the use of the overflow car parking area it is proposed to make better use of the existing car parking area in front of Chaplins by re-marking the bays and altering the layout. These changes would result in creating a car parking area of 75 spaces which would address the average car parking demand generated by Chaplins.

8.64 As clearly indicated by the result of the car parking surveys, there will be times when Chaplins will require more than 75 spaces proposed at the front of the store. During the survey undertaken in April 2018 only once between the hours of 11am and 4pm were there less than 75 spaces recorded; the remainder of the time there were more than 75 cars that were parked on-site.

8.65 Whilst the applicant's traffic consultant has rightly stated that there would be a linking of trips between Chaplins and Aldi (and therefore customers visiting Chaplins could park in Aldi's car park and vice-versa) it is likely that peak periods of activity at each of the retail units would coincide (Easter, Christmas etc) so both car parks would be busy at similar times, thereby reducing car parking availability.

8.66 Of greater concern to the Highway Authority is the possibility of an alternative retailer moving into the Chaplins site which would generate a greater demand for car parking over

and above the 75 spaces identified. This could lead to customers parking on-street along Galileo Close and Strode Road giving rise to highway safety concerns. Chaplins have confirmed that as a result of a gradual decrease in sales over the past 10 years that they consider the total of 75 car parking spaces sufficient to meet their needs moving forwards.

8.67 At present Chaplins is operating from their premises on the basis of an open A1 consent. Therefore it would be possible for an alternative A1 retailer to move onto this site (if it were to be vacated by Chaplins) at some point in the future who may require more than the 75 spaces provided based upon the overall amount of retail floor space provided (4,736 sq.m). The Highway Officer has advised that "I would reiterate the point that the policy position is that a total of 201 spaces to serve Chaplins based upon the amount of retail floor space. The 75 proposed spaces represent just 37% of the number of spaces required to serve this use based upon existing retail floor area".

Aldi Parking

8.68 Based upon application of the maximum car parking standards and a PT accessibility score of 35%, a total of 103 spaces would be required to serve Aldi. Therefore the 118 spaces which are proposed as part of the scheme to are considered to be sufficient.

8.69 On the basis of trip data derived from traffic surveys carried out at the Aldi store at Southway, a car parking accumulation assessment has been undertaken which suggests that the maximum parking demand at the proposed store would be 86 vehicles and this occurs at midday. If this number of parked vehicles were to be combined with the demand arising from Chaplins (and assuming 5% linked trips), this would result in there being just 21 residual spaces during the busiest period of the day (172 parked vehicles compared to 193 spaces). The Highway Officer has advised that: "I would reiterate the point that this is based solely on the car parking demands associated with Chaplins".

8.70 In view of the above-mentioned comments the Highways Officer's advice is that: "the application would be recommended for refusal on the basis of the loss of the existing overflow car park serving Chaplins". However a review of planning history of the site reveals that the adjoining overflow car park, whilst owned by Chaplins does not form part of the valid planning consent for the operation of the retail unit. As such the overflow car park could be closed and Chaplins could continue to trade without it. On this basis it would not be able to object to its' potential removal as a result of the proposed Aldi store , although it must be noted that the Highway Officer has advised: "even though I still have reservations regarding the loss of car parking that would arise from its' removal".

8.71 However the lack of any detailed traffic modelling undertaken to technically assess the impact of the development-related trips upon the operation of the Local Road Network means the Highway Authority cannot determine whether or not the impacts of the redistribution of vehicular trips will not lead to an adverse impact upon the operation of the local road network and associated junctions (including St Marys Bridge).

Amenity

8.72 The site is located in an area that is characterised by employment and retail uses. There are a number of residential properties located to the north of the site. However given the existing character of the area it is not considered that this development will result in any significant loss of residential amenity.

8.73 A number of letters of representation have raised issues of air quality that could be impacted upon by this development. The site is not located in an Air Quality Management Area.

Design

8.74 The area is typically characterised by single storey commercial development and the site is screened from Strode Road by some mature trees.

8.75 The layout of the proposed store will see it positioned in the south west corner of the site with access provided to the north from Galileo Close.

8.76 The position of the store will see the building adjoin roughly the position of the adjoining Chaplin's store, this establishes a building line that is compatible with the character and appearance of the area.

8.77 To the front and side of the store will be surface level car parking and signage on the corner of Strode Road and Galileo Close.

8.78 The application was discussed with the Council's Urban Design Officer who supports the design approach to the proposal given the character and appearance of the area, subject to detail of materials being submitted.

8.79 The building will be constructed from a contemporary materials with metal cladding and a mono pitched roof. A 3.5m glass curtain wall shopfront to provide an active frontage. The glazing will wrap around the north-west corner of the building which is the most prominent corner.

8.80 The Designing out Crime Officer has reviewed the plans and not identified any areas of concern.

8.81 The proposed development will provide an attractive building which is compatible with the character and appearance of the area. The development will therefore comply with Policy CS02 of the Core Strategy and Policy DEV20 of the emerging JLP.

Natural Infrastructure

8.82 The submitted Ecological Mitigation and Enhancement Strategy has provided sufficient survey information to ensure no protected species or habitats on the site will be adversely impacted upon by this development.

8.83 Two new trees are proposed to help provide a net gain in bio-diversity. One of these trees is outside the application site boundary and the applicant would need to ensure this is

provided in any agreement with the Council to provide off site highway works. This would be incorporated if planning permission was to be granted.

8.84 A hard and soft landscaping plan together with a maintenance schedule has been submitted. Although it provides some good landscaping the types of the plants proposed do not relate well to the location of the site. As a result should planning permission be approved some limited further details will be required.

Other Issues

8.85 The site is located in a critical drainage area and the application has been submitted with a Drainage Strategy. This has been reviewed by the Lead Local Flood Authority and the principles accepted. Although some further details of maintenance arrangements will be required.

8.86 Network Rail have advised that the development would need to be carefully constructed as to not impact on the main line railway, this would ensure that during construction no construction works would impact on the operation of the railway. Furthermore the building has been positioned away from the embankment not to adversely impact on the railway.

Planning Benefits

8.87 The provision of a new store will contribute to additional jobs being provided during construction which will have some benefit in the short term to the local economy. Should planning permission be granted there could be some commitment to local employment and skills training.

8.88 In the longer term the store will provide 40 full time equivalent jobs. This would provide some valuable employment opportunities in the local area.

8.89 The development would also be liable for the Community Infrastructure Levy. Based on the 2019 rate of £140.63 per sqm this equates to £277.8k which would contribute towards local infrastructure on the Regulation 123 List. This includes City Centre Public Realm, Mitigation from increased recreational use of the European Marine Site, Central Library, and North Prospect Community Infrastructure.

8.90 In addition the applicants have indicated that they would be able to commit a financial contribution of £17,289 towards the Eastern Corridor Transport Scheme, in addition to meeting the full costs of providing a new mini roundabout and associated works on Strode Road.

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

This development would be chargeable development for the Community Infrastructure Levy. The development would also provide a rateable value.

As already discussed in the report there are also contributions to local infrastructure proposed.

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 would be required to consider:

Contribution to Eastern Corridor Transport Scheme; Strode Road Improvements.

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 a supermarket in this location would not prejudice any member of the community from using the facilities. Particular consideration has been given to people with mobility difficulties in as far as a good level of level access is provided and disabled car parking facilities are provided.

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 does not accord with policy and national guidance.

The application has failed to provide information to fully understand how shopping patterns in the catchment have impacted upon the Council's retail hierarchy and whether the development will have a significant adverse impact on vitality and viability of the District or Local Centres within Plympton.

The development has also failed to provide sufficient information to demonstrate that the development will not have an unacceptable impact on the local highway or result in damage to amenity, prejudice highway safety, and interfere with the free flow of traffic as a result of insufficient car parking being provided for the existing Chaplin's store as a result of this development.

Whilst the development will provide some local employment opportunities, provide a new building that is compatible with the character and appearance of the area, and result in a significant investment in the local economy whilst making a valuable contribution to local

and community infrastructure this does not outweigh the impact this development could have on the Council's retail hierarchy.

It is therefore recommended that planning permission is refused for the following reasons:

The proposed development by virtue of failing to provide sufficient up to date and robust information to understand how the provision of new floor space cumulatively will impact on the retail hierarchy within Plympton, the development has therefore failed to demonstrate that the development will not have significant adverse impact on the vitality and viability on the Plympton Ridgeway District Centre and retail hierarchy and the wider retail strategy of both the Core Strategy and JLP. The development is therefore contrary to the requirement of paragraph 89 and 90 of National Planning Policy Framework 2019, and the requirements of Policy CS08 of the adopted Core Strategy 2007 and Policies SPT5, SPT6 and DEV16 of the emerging Plymouth and South West Devon Joint Local Plan.

The submitted Transport Statement contains insufficient detail and no detailed traffic modelling in order to determine the impacts of the development-related trips upon the local road network and in particular Glen Road and Plymouth Road and associated junctions. On the basis of the lack of information provided the Highway Authority cannot determine whether or not the development would lead to an adverse impact on the operation of the local road network and thereby lead to increased queuing and congestion which would be contrary to Policies CS28 and 34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007, Policy DEV31 of the emerging Plymouth and South West Devon JLP March 2017 and Paragraphs 102 and 108-111 of the National Planning Policy Framework.

14. Recommendation

In respect of the application dated 17.07.2018 it is recommended to Refuse.

15. Reasons

1 REFUSAL: INSUFFICIENT INFORMATION ON RETAIL IMPACT

The proposed development by virtue of failing to provide up to date and robust information to understand how the provision of new floor space cumulatively will impact on the retail hierarchy within Plympton, the development has therefore failed to demonstrate that the development will not have significant adverse impact on the vitality and viability on the Plympton Ridgeway District Centre and retail hierarchy. The development is therefore contrary to paragraph 89 and 90 of National Planning Policy Framework 2019, and Policy CS08 of the adopted Core Strategy 2007 and Policies SPT5, SPT6 and DEV16 of the emerging Plymouth and South West Devon Joint Local Plan.

2 REFUSAL: INSUFFICIENT INFORMATION ON TRANSPORT IMPACT

The submitted Transport Statement contains insufficient detail and no detailed traffic modelling in order to determine the impacts of the development-related trips upon the local road network and in particular Glen Road and Plymouth Road and associated junctions. On the basis of the lack of information provided the Highway Authority cannot determine whether or not the development would lead to an adverse impact on the operation of the local road network and thereby lead to increased queuing and congestion which would be contrary to Policies CS28 and 34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007, Policy DEV31 of the emerging Plymouth and South West Devon JLP March 2017 and paragraphs 102 and 108-111 of the National Planning Policy Framework 2019.

INFORMATIVES

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

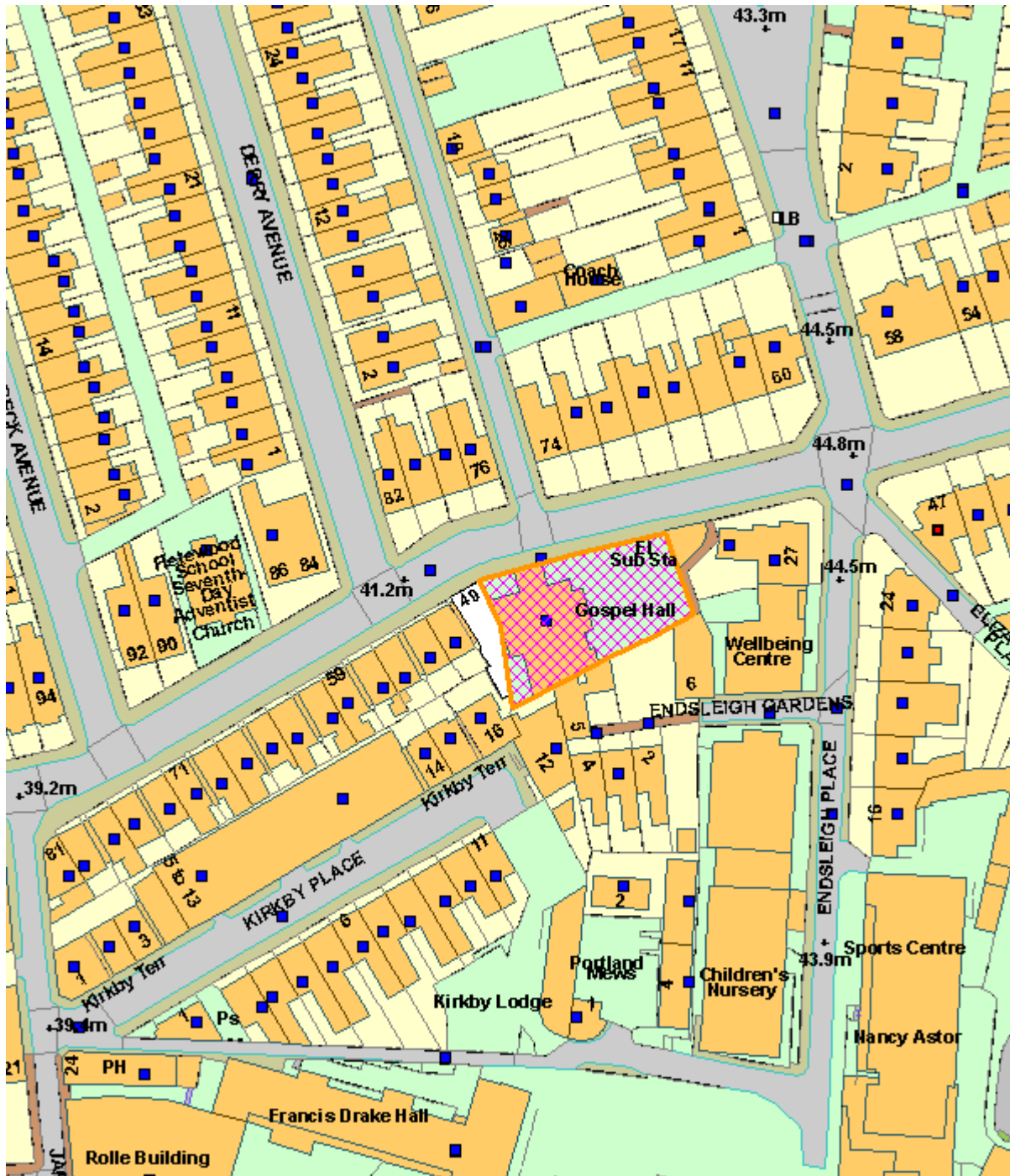
The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at www.plymouth.gov.uk/CIL. You can contact the Local Planning Authority 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.

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PLANNING APPLICATION OFFICERS REPORT



Application Number	18/02105/S73	Item	04
Date Valid	20.12.2018	Ward	DRAKE
Site Address	47A North Road East Plymouth PL4 6AY		
Proposal	Variation of Condition 2 (Approved Plans) of Planning Permission 15/01251/FUL to provide a separate means of escape and external and internal alterations		
Applicant	Hermes Great Estate Ltd		
Application Type	Removal or variation of a condition		
Target Date	21.03.2019	Committee Date	15.03.2019
Extended Target Date	N/A		
Decision Category	Major - More than 15 Public Comments		
Case Officer	Mr Chris King		
Recommendation	Grant Conditionally		



1. Description of Site

Known as 'Reservoir Court', the application site is located on the southern side of North Road East, on the northern fringe of the City Centre and University Area Action Plan boundary. Until recently the site was occupied by a small, low quality single storey building with associated parking for an insurance company (A2 Use Class) however this has now been removed. The site has a Plymouth limestone wall running along all boundaries meaning the site is almost entirely obscured from the street view. The site is relatively level, with no specific amenity value to the area.

The adjacent and surrounding buildings demonstrate a mix of uses including residential, University and Education and specialist care facilities. These buildings demonstrate a mix of 2 and 3 storey contemporary, early 20th century and Victorian buildings. North Road East

contains some grade 2 listed buildings, although none are directly adjacent or opposite the application site.

2. Proposal Description

Variation of Condition 2 (Approved Plans) of Planning Permission 15/01251/FUL to provide a separate means of escape and external and internal alterations.

3. Pre-application Enquiry

A formal pre-application enquiry was not submitted, however officers reviewed the proposal prior to submission to determine if the proposal could be considered as a Non-Material Amendment. Officers confirmed that a S73 application would be required and at this time provided some design advice.

4. Relevant Planning History

18/00023/11 - Demolition of existing building to facilitate implementation of approved planning permission (15/01251/FUL) – Prior Approval not required

APP/N1160/W/15/3138482 – Appeal relates to planning application 15/01251/FUL which applied for the Demolition of existing office building to be replaced with student accommodation (39 apartments) – Appeal Allowed

15/02337/FUL - New development containing 37 student bedspaces (demolition of existing building) – Refused

15/01251/FUL - Demolition of existing building and replace with student accommodation (39 apartments) – Refused

In addition to the planning history outlined above, members are advised that numerous Condition Discharge Applications have been submitted to the Local Planning Authority with respect to 15/01251/FUL.

5. Consultation Responses

Plymouth City Council Building Control - The addition of the escape stair would appear to improve the means of escape in terms of travel distances.

Further information regarding smoke ventilation would be required however this is not a planning matter.

6. Representations

The Local Planning Authority has received 21 letters of representation, all of which object to the planning application. The letters are summarised as follows:

- * The building is too big and the changes make it even bigger and out of character
- * The changes to an already hideous proposal seem to have been put through as an afterthought, hoping that nobody would notice.
- * The fire escape which is now planned to the east elevation will prove an ugly addition
- * The floor plan changes and additional windows clearly go against all the concerns previously raised by local residence

- * Communal area looks small for the number of residents
- * External materials on the building are poor
- * All north facing windows should also have view control film applied to them
- * The development will result in a loss of amenity for residents worsening parking and causing refuse in the streets
- * The appeal decision should have taken account of the need for the additional fire escape
- * The changes will result in further loss of light
- * The internal changes will result in a loss of amenity and quality of life for future residents
- * The additional windows go against the concerns of residents raised during the initial planning application process.

The following comments do not specifically relate to the changes sought by this S73 application:

- * The building is unnecessary as there is too much student accommodation
- * Lack of public consultation by the developers
- * Concern of hazardous material on site following demolition of the building and what was originally used to fill the site historically
- * Flats are too small
- * Insufficient bin stores
- * The developer should be made to re-apply for full planning permission

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). In the case of this application, it also comprises the 'City Centre and University Area Action Plan'.

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

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

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

The JLP is at an advanced stage of preparation having 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. 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:

* Sustainable Design Supplementary Planning Document

* Development Guidelines Supplementary Planning Document

8. Analysis

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

2. This application turns on policies CS01 (Creation of Sustainable Linked Communities), CS02 (Design), CS22 (Pollution) and CS34 (Planning Application Considerations) of the Local Development Framework Core Strategy. In addition, the application has been considered against policies DEV1, DEV2 and DEV20 of the Plymouth and South West Devon Joint Local Plan.

3. The principle issues are considered to be the impact of the staircase to the design and appearance of the building, and the impact this could have on residential amenity.

4. Development Context

5. Planning permission was sought in 2015 of the redevelopment of the site to provide 39 self-contained student flats. The Local Planning Authority refused planning permission for a number of reasons and the applicant subsequently made an appeal to the Planning Inspectorate.

6. The appeal was allowed by the Planning Inspectorate and as such, planning permission for the development was granted. The principle of student accommodation in this location has therefore been established and cannot be revisited in the assessment of this S73 application. Furthermore, the general design and scale of the building has also been accepted by the Inspector, so main considerations of this S73 relate to the impact of the detailing.

7. Since the appeal was allowed various applications have been made to discharge the pre-commencement planning conditions attached by the Planning Inspector.

8. Members are advised that at the time of considering this Section 73 application all pre-commencement conditions have been agreed by the Local Planning Authority and as a result, this development could be implemented.

9. The applicant has advised that some works have started, as follows:

- Completed the demolition of the site
- Capped all services
- Broken up the concrete surfacing over the whole of the site.

10. Such works could constitute a material start on site however the applicant advises that on the week commencing 6th May 2019 a local, Plymouth based contractor has now confirmed a commencement for the trenching for foundations and implementation of the drainage scheme.

The Proposal: External Stair Case

11. This Section 73 application is seeking to vary condition 2 of planning permission 15/01251/FUL. Members are advised that condition 2 relates to the Approved Plans.

12. The applicant has advised officers in their letter, dated 4th March 2019, that "the approved scheme does not comply with Part B (fire) of the Building Regulations" and whilst the approved scheme is capable of being constructed it is not able to be occupied until a suitable solution has been reached to comply with fire regulations". For clarity, should this S73 application be refused then the developer could still build the approved scheme as the scheme is acceptable in planning terms and the associated conditions have been discharged.

13. The current internal layout of the building provides a single internal staircase serving all floors. Due to the internal configuration of the flats it would not be possible to add a secondary means of escape on the rear of the building without losing a unit or significantly reducing the size of one. Therefore the only suitable location to serve all floors is the east elevation as the western part of the building is one storey lower. The plans show that the staircase will be centrally located on the east elevation of the building.

14. Paragraph 2.5.39 of the Development Guidelines SPD states that:

15. "External staircases can cause problems for neighbours' amenity in relation to noise and privacy and often look unsightly. They can also compromise the safety of occupiers as they may be poorly lit and become slippery in wet and cold weather conditions. For these reasons they will rarely be acceptable. The presumption is that staircases should be accommodated internally."

16. In this case the spiral staircase would be shrouded by an aluminium louvre system which does not propose any new windows within its curved façade. Whilst it is not wholly enclosed it is not likely to be prominent within the street scene. It does not include any additional windows and its use is not intended to provide another general access to the building, purely

required in the event of an emergency. Therefore officers consider that its design does not conflict with SPD.

17. Clearly it would have been preferable for this to have been included within the original proposals and it is unfortunate that the original design did not fully take account of building regulations.

18. Officers have reviewed the Planning Inspector report, specifically paragraphs 3 to 10 and are of the view that the amendment to the east elevation does not cause conflict with the Appeal decision, specifically the following extract:

19. "The proposed block would be well related in terms of its scale, bulk, design and appearance to the surrounding built development, including the adjacent Victorian terraces and Nos 5 and 6 to the rear and it would enhance the street scene. The proposal would therefore accord with Policy CS02 of the Council's adopted Local Development Framework Core Strategy as it has been designed to respect the character, identity and context of Plymouth's historic townscape. It would contribute positively to the area's identity and heritage in terms of scale, density and layout and it would protect important and longer distance views."

20. In addition to not conflicting with the Inspector's comments, officers consider that the curved design lightens that the staircases appearance thus reducing its overall impact when viewed within the context of the street scene. When compared to the scale of the building itself, the staircase alteration is minor and not demonstrably harmful to the overall design. Officers consider that it will not result in any significant overshadowing towards neighbouring properties and will not result in any additional loss of outlook. Furthermore, officers do not consider that by virtue of its intended use that there will be impact on residential amenity, privacy or outlook. The proposal is therefore considered to accord with policies CS02 and CS34 of the Core Strategy and Policy DEV20 of the Joint Local Plan. A restrictive use condition is proposed to prevent the stair case from becoming a general access.

Other Amendments

21. In addition to the substantive amendment to the building outlined above, some further minor alterations have also been proposed and are set out as follows:

North Elevation

22. The design of the principle elevation has been refined with slightly widened bay projections on the eastern half of the building. Six additional windows have been included on the western block of the building, 2 per floor increasing the level of light into these south facing units. This change is not considered substantial and in officers' view improves the visual appearance and overall balance of this elevation. It will also not result in a further loss of amenity to properties on the opposite side of North Road East as the windows are small and recessed in between the projecting bays. The windows serve existing flats not new ones so they do not intensify overlooking.

23. At ground floor level, the vents serving the refuse area within the undercroft garage has doubled from 2 to 4, however they are now smaller in size so the impact is minimal. In addition, an improved door design has been proposed into the centre of this elevation at ground floor level to provide direct access into the reception area.

24. The materials palette shown on the plans approved by the inspector has now changed with full details having been provided. Members are advised that the Inspector imposed a materials condition and these have already been submitted to and agreed by the Local Planning Authority, and the schedule shown on the proposed plans reflects these conversations.

South Elevation

25. At ground floor level there is a reduction in windows serving the south facing units. Sufficient levels of light would still be afforded to these particular units.

26. The application originally proposed an increase in the number of windows at 3rd floor level, showing 6 new openings. However, and given the concerns the potential impact this could have on Trevi House officers have negotiated the removal of these to protect amenity and overlooking. The number of south facing windows at 3rd floor level is now the same as the approved scheme.

West Elevation

27. Two bathroom windows at ground floor level have been removed. The level of light afforded to these units previously served by these windows is still considered acceptable, thus retaining adequate levels of amenity.

East Elevation

28. Due to the installation of the staircase, windows previously serving the corridor have been removed and have been turned into doors to access the staircase in the event of an emergency. In addition, small bathroom windows serving the north east corner units on the 1st, 2nd and 3rd floors have been removed. The window serving the south east units on each floor is retained. In addition, the ground floor vents serving the garage have been removed.

Internal Alterations

29. The overall number and mix of units has not changed, and there has been no reduction in the size of the units. At ground floor however there have been some slight adjustments and reconfiguration including:

- * Switching one accessible room with two studios to the opposite side of the corridor. This means both accessible units are south facing, and the two studios will be north facing. Officers have queried this change and have been advised, in the letter dated 4th March 2019 that 'the reconfiguration ensures the structural loads are properly transferred to the foundations';
- * Reduction in size of communal area by 20m²;
- * Enlarged internal staircase and large ground floor internal lobby which have been provided to add protection to the escape route and reduce, to an acceptable level, the escape distance to a place of safety.

* Introduction of communal laundry

30. In addition, mini lobbies are provide at 1st, 2nd and 3rd level serving the new means of escape to provide separation between the internal areas and the external stair case. The parking and refuse has not changed.

Summary of changes

31. The building itself retains its main form, mass and scale with no increase in height or footprint and the same number of units (of the same size). The treatment of main elevation has in officers' view been improved and the windows alterations to the east, west and south elevation would not give officers cause for concerns in terms of amenity impact. In total there is a net loss in the number of windows serving the development.

32. Officers consider that the proposed internal alterations will have a negligible impact on the quality of the accommodation in terms of layout, movement and amenity. Officers are of the view that had these plans been submitted as part of the original proposal they would likely have been considered acceptable in light of the Inspectors appeal decision.

33. The proposed changes outlined above do not conflict with the Inspector's decision and therefore accord with the Core Strategy, the Joint Local Plan and the National Planning Policy Framework 2019.

Other Matters

34. Members are advised that the applicant has already provided detailed drainage and land contamination information which has been reviewed by the Local Planning Authority. The submitted drainage details have been approved the Lead Local Flood Authority and adequately deal with surface water.

35. The Public Protection Service has reviewed relevant land contamination reports. The findings of the Phase 2 land contamination report indicated no risk or requirement for remediation.

36. With regards to external materials, the Inspector approved the principle of a mix of render, brick and cladding however under the advice of the Local Planning Authority imposed a condition requiring further details to be submitted. These details have already been submitted and reviewed by the Local Planning Authority and following some negotiation are considered acceptable in the context of the Inspectors assessment.

37. Finally, the applicant has submitted a contractor's access details, an accommodation management plan and a travel plan which has been reviewed by the Local Highways Authority and Public Protection Service respectfully. The details submitted were acceptable and the relevant planning conditions discharged.

38. Therefore, and due to the progress that has been made on discharging planning conditions officers have had to amend a number of the conditions on the original notice to take account of already approved details.

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

Planning obligations not required as the Inspector did not seek financial contributions through a S106 agreement when assessing the previous planning application (15/01251/FUL).

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. Officers have considered the impact of the proposed changes to the previously approved scheme in the context of vulnerable members of the community and consider that the impact does not cause harm. Officers are also of the view that the proposal does not prejudice the education received by students at the adjacent Language School or the wellbeing of nearby residents.

13. Conclusions and Reasons for Decision

The proposed changes to the building do not adversely impact the design and appearance, and are considered to remain in accordance with the view of the Planning Inspectors Appeal Decision. The proposed changes do not result in a loss of amenity in officer's view, and adequate mitigation has already been secured to protect surrounding residents. The addition of the staircase creates a safer building for its future occupants without adversely impacting the surrounding area. Therefore, and having 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 20.12.2018 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

Proposed First Floor Plan NRE BPC XX 01 DR A 061 002 Rev P1 received 18/12/18
Proposed Second Floor Plan NRE BPC XX 02 DR A 061 003 Rev P1 received 18/12/18
Proposed Site Layout & Roof Plan Proposed Street Elevation NRE BPC XX 03 DR A 061 005
Rev P1 received 18/12/18
Site Location Plan 914-300 - received 18/12/18
Proposed Ground Floor Plan NRE BPC XX 00 DR A 061001 Rev P3 received 05/03/19
Proposed Third Floor Plan NRE BPC XX 03 DR A 061004 Rev P3 received 05/03/19
Proposed Elevations NRE BPC XX XX DR A 062 001 Rev P3 received 05/03/19

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 Appeal Decision APP/N1160/W/15/3138482. For the avoidance of doubt the appeal was allowed on 26th May 2016.

Reason:

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

3 CONDITION: CAR PARKING PROVISION

PRE-OCCUPATION

The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and that area 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 Plymouth and South West Devon Joint Local Plan and Section 9 of the National Planning Policy Framework 2019.

4 CONDITION: LUMISTY VIEW CONTROL FILM

PRE-OCCUPATION

Prior to the occupation the building hereby approved, the Local Planning Authority shall visit the development to ensure that the approved Lumisty MFW View Control Film has been installed satisfactorily. The View Control Films application shall ensure that:

- (a) The angle of view control is not detrimental to future occupiers so that they are provided with sufficient light into the rooms and are also provided with reasonable outlook;
- (b) Residents to the south of the approved buildings do not suffer from overlooking or loss of privacy.

Reason:

To ensure future occupiers amenity is not demonstrably impacted, and in order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV1 of the Plymouth and South West Devon Joint Local Plan and Section 12 of the National Planning Policy Framework 2019

5 CONDITION: ENERGY

PRE-OCCUPATION

Unless otherwise agreed previously in writing with the Local Planning Authority, the development shall be completed in accordance with the CS20 Energy Statement prepared by Energy Compliance Ltd (26-06-2015). This identifies and proposes the use of Photovoltaic Cells as the preferred method of incorporating onsite renewable energy production.. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

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

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to offset at least 15% of predicted carbon emissions for the period 2010-2016 in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV34 of the Plymouth and South West Devon Joint Local Plan and Section 14 of the National Planning Policy Framework 2019

6 CONDITION: CYCLE PROVISION

PRE-OCCUPATION

The building shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 39 bicycles to be securely parked in a secure and covered location. 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, Policy DEV31 of the Plymouth and South West Devon Joint Local Plan and Section 9 of the National Planning Policy Framework 2019

7 CONDITION: DRAINAGE

The development shall be carried out in strict accordance with the submitted Drainage and Surface Water details, as set out below, and as previously agreed by way of Condition Discharge Application 18/02104/CDM:

Statement to Discharge Condition 3 - 11071

Reason:

To ensure that satisfactory infrastructure works are provided in accordance with Policies and CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV37 of the Plymouth and South West Devon Joint Local Plan and Section 14 of the National Planning Policy Framework 2019

8 CONDITION: ACCESS (CONTRACTORS)

Contractors Access relating to the construction of the development hereby approved shall be implemented and maintained in strict accordance with the 'Access Statement 141217' previously agreed by way of Condition Discharge Application 17/02429/CDM.

Reason:

To ensure an adequate road access at an early stage in the development 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, Policies DEV1 and DEV31 of the Plymouth and South West Devon Joint Local Plan and Sections 9 and 12 of the National Planning Policy Framework 2019

9 CONDITION: UNEXPECTED CONTAMINATION

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

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

(ii) an assessment of the potential risks to:

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

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

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

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

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV2 of the Plymouth and South West Devon Joint Local Plan and Section 15 of the National Planning Policy Framework 2019

10 **CONDITION: CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN**

The development shall be carried out in strict accordance with the 'Construction Environment Management Plan REV A (January 2019) as previously agreed by way of Condition Discharge Application 18/02104/CDM

Reason:

To ensure the environment is protected during construction in accordance with Policies CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV37 of the Plymouth and South West Devon Joint Local Plan and Sections 14 and 15 of the National Planning Policy Framework 2019

11 CONDITION: LANDSCAPE DESIGN PROPOSALS

The development shall be completed in strict accordance with the following Hard and Soft Landscaping details previously agreed by way of Condition Discharge Application 17/02429/CDM:

- Planting Plan Rev-, July17
- Outline Planting Specification Rev-, July17
- Landscape Maintenance Schedule Rev-, July17

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies DEV20 and DEV28 of the Plymouth and South West Devon Joint Local Plan and Section 12 and 15 of the National Planning Policy Framework 2019

12 CONDITION: EXTERNAL MATERIALS

The building hereby approved shall be constructed in strict accordance with the 'External Finishes Schedule' set out on plan NRE BPC XX XX DR A 062 001 REV P2 - PROPOSED ELEVATIONS' as previously agreed by way of Condition Discharge Application 18/02104/CDM.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV20 of the Plymouth and South West Devon Joint Local Plan and Section 12 of the National Planning Policy Framework 2019

13 CONDITION: ACCOMMODATION MANAGEMENT

The development hereby permitted shall be managed in accordance with the submitted Student Accommodation Management Plan at first occupation. Thereafter, the property shall continue to be managed permanently in accordance with the approved management arrangements, unless the Local Planning Authority gives written approval to any variation of the arrangements. The management plan for the operation of the accommodation hereby approved, includes contact details (including postal address, email address and telephone number) of the person to be contacted regarding any issues arising from the use of the

building or its curtilage and shall include a commitment to keep this information up to date. The management plan shall be adhered to strictly at all times.

Reason:

To assist in protecting the residential amenities of the area, in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV1 of the Plymouth and South West Devon Joint Local Plan and Section 12 of the National Planning Policy Framework 2019

14 **CONDITION: NOISE**

(17) The noise emanating from any plant (LAeqT) should not exceed the background noise level (LA90) at any time as measured at the façade of the nearest adjacent residential properties.

Reason: To protect the amenity of future residents and to avoid conflict with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV1 of the Plymouth and South West Devon Joint Local Plan and Section 12 and 15 of the National Planning Policy Framework 2019

15 **CONDITION: BIODIVERSITY**

Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy (Green Ecology, July 2015) 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, Policy DEV28 of the Plymouth and South West Devon Joint Local Plan and Section 15 of the National Planning Policy Framework 2019

16 **CONDITION: STUDENT ACCOMMODATION**

The occupation of the accommodation hereby approved shall be limited to students in full-time education only.

Reason:

The accommodation is considered to be suitable for students in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV1

and DEV10 of the Plymouth and South West Devon Joint Local Plan and Section 5, 8 and 12 of the National Planning Policy Framework 2019

17 CONDITION: STONE

The stone removed from the front wall as part of the approved plans shall be retained and neatly stored onsite until construction begins. The retained stone shall be used in the construction of the building hereby approved unless otherwise agreed in writing by the local planning authority.

Reason:

To ensure that the materials used are in keeping with the appearance and character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006- 2021) 2007, Policy DEV20 of the Plymouth and South West Devon Joint Local Plan and Section 12 of the National Planning Policy Framework 2019

18 CONDITION: BOUNDARY WALL

The stone boundary wall separating the development hereby approved and Trevi House to the south shall not be altered, lowered or removed.

Reason:

To ensure future occupiers amenity is not demonstrably impacted, and in order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV20 of the Plymouth and South West Devon Joint Local Plan and Section 12 of the National Planning Policy Framework 2019

19 CONDITION: TRAVEL PLAN

The Student Accommodation hereby approved shall always be operated in strict accordance with the Student Accommodation Travel Plan, North Road East, Plymouth - 661468 as previously agreed by way of Condition Discharge Application 17/02429/CDM.

Reason:

The Local Planning Authority considers that such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV31 of the Plymouth and South West Devon Joint Local Plan and Section 9 of the National Planning Policy Framework 2019

20 **CONDITION: FIRE ESCAPE - USE RESTRCITION**

The proposed Secondary Means of Escape (Fire Escape) shown on the east elevation of the approved plans shall only be used in the event of an emergency or planned fire drill and at no time shall it be used as a general means of access or egress to the 1st, 2nd and 3rd Floors of the building hereby approved.

Reason:

To ensure future occupiers amenity is not demonstrably impacted, and in order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV1 of the Plymouth and South West Devon Joint Local Plan and Section 12 of the National Planning Policy Framework 2019

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 WITH 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.

Plymouth City Council
 Planning Compliance Summary – to end of February 2019

Cases outstanding	317
Cases received this month	22
Cases closed this month	12
(No breach identified)	(7)
(Informal/formal action taken)	(5)
Planning Contravention Notices Issued	1
Planning Contravention Notices <u>Live</u>	1
Planning Enforcement Notices Issued	0
Enforcement Notices <u>Live</u>	2
Temporary Stop Notices (TSN) issued	0
Temporary Stop Notices (TSN) Live	0
Untidy Land Notices Issued	0
Untidy Land Notices Live	21
Prosecutions Initiated	0
Prosecutions Live	0

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Planning Applications Determined Since Last Committee

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
04/02/2019	Granted Subject to S106	17/02505/FUL	Cartfield Ltd	Change of use and alterations of vacant unit to provide 2no. units inc a clinic (Class A1-A3 & Class D1), public house (Class A4) & gym (Class D2)	59 The Broadway Plymouth PL9 7AF	Mr Simon Osborne
04/02/2019	Granted Conditionally	18/01913/FUL	Mr Marcin Slowik	Alterations and two storey side extension	27 Roberts Road Plymouth PL5 1DL	Mr Macauley Potter
04/02/2019	Agreed	18/01951/CDM	Mr Jon Back	Condition Discharge: Condition 15 of application 17/01684/OUT	Home Park Football Ground Outland Road Plymouth PL2 3DQ	Mr Chris King
04/02/2019	Granted Conditionally	18/02034/FUL	Mr Dale Mullen	Two storey front extension.	37 Smallack Drive Plymouth PL6 5EB	Mr Macauley Potter
05/02/2019	Granted Conditionally	18/01834/FUL	Eat Work Art	New office building (B1) along western boundary and refurbishment of existing buildings with new external stairs and windows.	Alma Yard St Johns Bridge Road Plymouth PL4 0JJ	Mr Oliver Gibbins
05/02/2019	Granted Conditionally	18/01840/FUL	Mr Dudley	Construction of 2x semi detached houses with associated landscaping and car parking	Land To The Rear Of Greenbank Cottages Greenbank Road Plymouth PL4 7JW	Miss Amy Thompson
05/02/2019	Granted Conditionally	18/01991/TPO	Mr Alan Street	Ash - Reduce lower branches growing over adjacent garage and towards no.4 by up to 4 to 5 metres back to previous pruning points.	4 Horswell Close Plymouth PL7 2NG	Mrs Jane Turner
05/02/2019	Agreed	18/02025/CDM	Mr John Henley	Condition Discharge: Condition 8 & 9 of application 18/00234/S73	Land North Of Cliff Road (Formerly Quality Hotel) Leigham Street Plymouth PL1 3BE	Mr Tim Midwood

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
05/02/2019	Agreed	18/02066/CDM	Taylor Wimpey (Exeter)	Condition Discharge: Conditions 4 (Final Surface Water Drainage), 5 (Watercourse) & 7 (Surface Strips and Sub-Surface Services) of application 15/01858/REM	"Sherford New Community" Land South/Southwest Of A38 Elburton Plymouth	Mr Tom French
05/02/2019	Agreed	18/02068/CDM	Taylor Wimpey (Exeter)	Condition Discharge: Conditions 4 (Final Surface Water Drainage), 5 (Watercourse) & 7 (Service Strips and Sub-Surface Services) of application 16/00287/REM	"Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Haye Road Elburton Plymouth	Mr Tom French
05/02/2019	Agreed	18/02069/CDM	Taylor Wimpey (Exeter)	Condition Discharge: Conditions 4 (Final Surface Water Drainage), 5 (Watercourse) & 7 (Service Strips and Sub-Surface Services) of application 18/00011/REM	Parcel M, Phase 1.1, "Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Haye Road	Mr Tom French
05/02/2019	Refused	19/00034/AMD	Mr & Mrs Whitman	Non-material Amendment: New FF window in kitchen, removal of external staircase, change of GF external finish from timber to painted render and composite cladding for application 18/00567/FUL	Land To The Rear Of 41 Higher Compton Road Plymouth PL3 5HZ	Mr Chris King
06/02/2019	Granted Subject to S106	18/01425/S73	Mr Mike Cotter	Variation of condition 1 (Approved Plans) and 41 (Restrictions the Sale of Goods) of application 17/01288/FUL	Land On Seaton Hill (East Of Future Inn) William Prance Road Plymouth PL6 5ZD	Mr Alistair Wagstaff
06/02/2019	Granted Conditionally	18/01893/TPO	Mr Shaun Gilbert	Common Beech: crown raise over road and neighbours to 5.5m above ground level, crown thin by 15% and reduce lower lateral branches extending over neighbours boundary to the north by 1-2m to natural growth points.	1 Woodford Road Plymouth PL6 7HX	Mrs Jane Turner
06/02/2019	Granted Conditionally	18/02052/TPO	Mrs Jord	Yew (T1) - remove deadwood and reduce remaining crown by 3-4m	4 Old Mill Court Plymouth PL7 2AJ	Mrs Jane Turner
06/02/2019	Granted Conditionally	18/02081/FUL	Mr Andrew Cotterell	Single storey rear extension	9 Pentillie Road Plymouth PL4 6QL	Mr Mike Stone

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
06/02/2019	Granted Conditionally	19/00013/FUL	Mrs Victoria Mowatt	Single storey rear extension	12 De La Hay Villas De La Hay Avenue Plymouth PL3 4HU	Mrs Alumeci Tuima
06/02/2019	Refused	19/00054/AMD	Mr Mark Munn	Non-material Amendment: Combine French doors and windows of ground floor to a Bi-fold Door for application 17/01384/FUL	68 Sherford Road Plymouth PL9 8BW	Mr Chris King
07/02/2019	Agreed	18/01664/CDM	Mr Trow	Condition Discharge: Conditions 3, 4, 5 & 11 of application 17/01701/FUL	North Prospect Phase 5 Cookworthy Road, Foliot Road, Woodville Road And Briardale Road Plymouth	Mr Chris King
07/02/2019	Refused	19/00069/AMD	Mrs Krista McCarthy	Non-material Amendment: Correct error with plan so roof lines match for application 17/02414/FUL	9 Poole Park Road Plymouth PL5 1JH	Mr Macauley Potter
08/02/2019	Granted Conditionally	18/01979/FUL	Mr Michael Fowler	Erection of bungalow	5 Trentham Close Plymouth PL6 6BR	Miss Amy Thompson
08/02/2019	Granted Conditionally	18/02130/FUL	Plymouth City Council	Temporary change of use of vacant Community Centre (Class D2) to winter night shelter for homeless people (1 October - 31 March)	Stonehouse Community Centre Kings Road Devonport Plymouth PL1 3SF	Mr Chris King
08/02/2019	Agreed	19/00012/CDM	Mr T Wills	Condition Discharge: Condition 3 of application 18/01844/S73	Plymouth Mail Centre 29 Central Park Avenue Plymouth PL1 1AA	Mr Tim Midwood
08/02/2019	Agreed	19/00142/CDM	Plymouth City Council	Condition Discharge: Condition 15 of application 16/00393/FUL	City Museum & Art Gallery Drake Circus Plymouth PL4 8AJ	Mr Tim Midwood

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
11/02/2019	Granted Conditionally	18/02014/FUL	Mr Colin McBride	Ground floor level extension to create a dental decontamination unit	Peninsula School Of Medicine And Dentistry 16 Research Way Plymouth PL6 8BU	Mr Tim Midwood
11/02/2019	Granted Conditionally	18/02030/FUL	Mr Phillip Chown	Hardstanding	29 Castleton Close Plymouth PL3 5AE	Mrs Alumeci Tuima
11/02/2019	Granted Conditionally	18/02125/FUL	Mr Philip Bath	Replacement loft conversion and internal alterations (re-submission of 17/02500/FUL)	52 Albert Road Plymouth PL2 1AE	Mr Mike Stone
11/02/2019	Granted Conditionally	19/00004/ADV	CDS Superstores International Ltd	1no. set of non-illuminated fret cut flat aluminium letters, and 1no. vinyl logo	15 William Prance Road Plymouth PL6 5ZD	Mr Macauley Potter
12/02/2019	Granted Subject to S106	18/01759/S73	Mr Russell Hooper	Variation of condition 1 (Approved Plans) of application 17/01911/S73	Tamar House St Andrews Cross Plymouth PL1 1DN	Mrs Karen Gallacher
12/02/2019	Refused	18/01825/FUL	Mr Milan Patel	Change of use from dwelling (Class C3) to 5-bed HMO (Class C4) (retrospective)	47 Ford Park Road Plymouth PL4 6NU	Mr Chris Cummings
12/02/2019	Granted Conditionally	18/01837/FUL	Mr Richard Wate	Extension and alterations to existing building with revised parking and landscaping	The Hyperbaric Medical Centre 8 Research Way Plymouth PL6 8BU	Miss Amy Thompson
12/02/2019	Granted Conditionally	18/02071/FUL	Steven Keogh	Ground floor and part first floor rear extension.	67 Hooe Road Plymouth PL9 9QR	Mr Macauley Potter
12/02/2019	Granted Conditionally	18/02092/FUL	Mr & Mrs Mark Ackrell	Alterations to provide rooms in the roof.	1 Hill Top Crest Plymouth PL5 2DY	Mr Macauley Potter

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
12/02/2019	Granted Conditionally	18/02134/FUL	Mr D Brown	Single storey rear extension	12 Wellington Street Stoke Plymouth PL1 5RT	Mrs Alumeci Tuima
13/02/2019	Granted Conditionally	18/01814/FUL	Mr Ian Harrison	Detached dwelling with associated landscaping works	Land Adjacent To Elizabeth Cottage Riverford Estover Close Plymouth PL6 7LJ	Mr Chris Cummings
13/02/2019	Agreed	18/02035/CDM	Miss Rebecca Millman	Condition Discharge: Condition 14 of application 15/01520/FUL	Downham Special School Horn Lane Plymouth PL9 9BR	Mrs Rebecca Boyde
13/02/2019	Refused	18/02131/FUL	Mrs Hipkiss	Erection of two storey building at rear consisting of 1-bed dwelling at first floor with shared garage below (demolition of existing garage)	64 Beaumont Road Plymouth PL4 9BP	Mr Chris Cummings
13/02/2019	Granted Conditionally	18/02135/LBC	Mr D Brown	Single storey rear extension	12 Wellington Street Stoke Plymouth PL1 5RT	Mrs Alumeci Tuima
13/02/2019	Refused	18/02141/FUL	Mr & Mrs Neil Rodger	Part ground floor and part first floor front extensions	24 Rowland Close Plymouth PL9 9TH	Mrs Alumeci Tuima
13/02/2019	Granted Conditionally	19/00010/TCO	Anna Kivell	Magnolia tree in front garden which requires pruning annually as it gets too big.We wish to prune it by approx metre.	15 Thorn Park Plymouth PL3 4TG	Ms Joanne Gilvear
14/02/2019	Refused	18/00793/FUL	Mr Tom Porter	Demolition of existing building and erection of new build comprising of 8 residential apartments (Class C3) and associated works	Seawings, 101 Lawrence Road Plymouth PL9 9SJ	Mr Chris King

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
14/02/2019	Split Decision	18/01394/CDM	Mr Simon Wagemakers	Condition Discharge: Conditions 22 & 23 of application 07/01094/OUT	Plymstock Quarry, The Ride Plymstock Plymouth	Mr Alan Hartridge
14/02/2019	Split Decision	18/02075/CDM	Provenn Ltd	Condition Discharge: Condition 13 (partial) and 14 of application 15/01940/OUT	Old Mays Nursery, Vinery Lane Plymouth PL9 8DE	Mr Alan Hartridge
14/02/2019	Granted Conditionally	18/02086/FUL	Mr David Smith	Temporary single-storey office building for 5 years (Retrospective).	Plymouth Marine Laboratory Prospect Place Plymouth PL1 3DH	Mr Mike Stone
15/02/2019	Agreed	18/01531/CDM	Mr Steve Flaxton	Discharge of conditions 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 of 18/00307/REM	Land At Seaton Neighbourhood And Derriford Community Park, Between Forder Valley Rd, Novorossiysk Road, Blunts Lane	Mr Alistair Wagstaff
15/02/2019	Agreed	19/00001/CDM	Mr Steven Flaxton	Condition Discharge: Conditions, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 57, 58, 59, 61, 68, 69, 70 & 72 of application 12/02027/OUT	Land At Seaton Neighbourhood Plymouth	Mr Alistair Wagstaff
15/02/2019	Agreed	19/00002/CDM	Mr Steven Flaxton	Condition Discharge: Conditions 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 & 33 of application 18/00306/FUL	Land South Of The Forder Valley Road/Novorossiysk Road Junction And Include Forder Valley Road To The South And West Of The	Mr Alistair Wagstaff
15/02/2019	Agreed	19/00182/CDM	Mr Chris Lennan	Condition Discharge: Conditions 7 of application 16/00150/FUL (amendment to details approved under 16/02417/CDM)	Land At Redwood Drive And Poplar Close Plymouth PL7 2FS	Mr Simon Osborne
15/02/2019	Agreed	19/00198/CDM	Steve Heathcote	Condition Discharge: Condition 3 of application 17/02448/FUL	32 Mutley Plain Plymouth PL4 6LD	Mr Mike Stone

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
18/02/2019	Agreed	17/02450/CDM	Theatre Royal Plymouth	Condition Discharge: Conditions 3 & 7 of application 16/02248/FUL	Theatre Royal Royal Parade Plymouth PL1 2TR	Mr Mike Stone
18/02/2019	Granted Conditionally	18/02053/LBC	National Trust	Works to upgrade existing door on ground floor	Saltram House Saltram Merafield Road Plymouth PL7 1UH	Mr Macauley Potter
18/02/2019	Granted Conditionally	18/02098/FUL	Mr Ronald Parker	Single storey side extension (resubmission of application 18/00690/FUL). Retrospective alterations to front window.	1 Lang Grove Plymouth PL9 8NP	Mrs Alumeci Tuima
19/02/2019	Agreed	17/02204/CDM	Mr Richard Cox	Condition Discharge: Conditions 4, 7, 9, 10, 11, 12, 13 & 15 of application 16/01396/FUL	98 Vauxhall Street Plymouth PL4 ODD	Miss Amy Thompson
19/02/2019	Granted Conditionally	18/01601/FUL	SWM & Waste Recycling Ltd	Proposed change of use, alterations to existing warehouse building & erection of new de-pollution building	Unit C, Wallsend Industrial Estate Cattedown Road Plymouth PL4 ORW	Mr Oliver Gibbins
19/02/2019	Granted Conditionally	18/01855/FUL	Mr Jim Woodley	Conversion of existing church building to create 10x dwellings (Class C3) with associated parking, bike and bin storage	Ford Baptist Church Alfred Road Plymouth	Mr Oliver Gibbins
19/02/2019	Granted Conditionally	19/00026/FUL	Mrs Julie Boyes	Rear extension	24 Gower Ridge Road Plymouth PL9 9DR	Mr Chris Cummings
19/02/2019	Granted Conditionally	19/00041/FUL	Mr And Mrs McSweeney	Single storey rear extension	111 Plymstock Road Plymouth PL9 7PH	Mr Chris Cummings
19/02/2019	Granted Conditionally	19/00047/ADV	Mr Peter Robinson	Internally illuminated projecting and fascia sign	Unit 3, Drake Circus Shopping Mall 1 Charles Street Plymouth PL1 1EA	Mrs Alumeci Tuima

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
20/02/2019	Granted Conditionally	18/02108/FUL	Mr & Mrs Barbour	Rear extension	54 Rashleigh Avenue Plymouth PL7 4DA	Mrs Alumeci Tuima
20/02/2019	Granted Conditionally	18/02138/FUL	Mr Andrew Thompson	New shopfront and awnings	133 Armada Way Plymouth PL1 1HX	Mrs Alumeci Tuima
22/02/2019	Granted Conditionally	18/02101/TPO	Mr Pete Ritchards	Mature Beech closest to property - reduce side near house by 2-3m and top by a maximum of 2m (no work on other side necessary agreed with owner 12/2/19). Semi-mature Beech - reduce branch over adjacent conifer by 2-3m (no further reduction necessary agreed with owner 12/2/19)	44 Reservoir Road Plymstock Plymouth PL9 8NA	Mrs Jane Turner
22/02/2019	Refused	18/02103/FUL	Mr Stephen Barber	Porch extension	3 Penrith Close Plymouth PL6 8UY	Mrs Alumeci Tuima
22/02/2019	Granted Conditionally	19/00006/TPO	Mr Alan Hunt	Beech tree: reduce side of crown closest to house by up to 3m to natural growth points, thin crown by 10-15% and selectively thin part of canopy over lamppost and cables. (Amendments agreed with owner Mr Hunt 16/1/19).	93 Looseleigh Lane Plymouth PL6 5HH	Mrs Jane Turner
22/02/2019	Refused	19/00014/FUL	Mr Whitton	Rear dormer and roof terrace (resubmission of 18/01636/FUL)	101 Beaumont Street Plymouth PL2 3AQ	Mrs Alumeci Tuima
22/02/2019	Granted Conditionally	19/00025/FUL	Ms Mandy Whitby And Mr John Binsley	Front extension (resubmission of 18/00655/FUL)	105 Wembury Road Plymouth PL9 8HE	Mrs Alumeci Tuima

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
22/02/2019	Granted Conditionally	19/00071/FUL	Mrs J Kennaugh	Proposed single storey side and rear extension	8 Mount Batten Way Plymouth PL9 9EH	Mr Mike Stone
25/02/2019	Granted Conditionally	18/02060/FUL	Mr Adrian Montague	Replacement of the Cooling Towers and ventilation pipes	CFCS Building, Devonport Naval Dockyard Tamar Street Plymouth PL1 4FN	Mr Macauley Potter
26/02/2019	Granted Conditionally	18/01853/FUL	Amsric Ltd	Erection of Coffee Shop (Class A1/A3/Sui Generis) with drive-thru facility and associated car parking, access, landscaping and servicing	Part Of Car Park, Coypool Retail Park Plymouth Road Plymouth PL7 4SS	Mr Oliver Gibbins
26/02/2019	Agreed	18/02041/CDM	Mr Douglas Friend	Conditon Discharge: Conditions 3, 4 & 5 of application 16/02212/FUL	Admiralty House Mount Wise Crescent Plymouth PL1 4HZ	Miss Katherine Graham
26/02/2019	Granted Conditionally	18/02146/FUL	Mr & Mrs Phillip Jailler	Hip to gable roof conversion and raising of roof height, front porch, two-storey rear extension with balcony and raised decking.	77 Underlane Plymstock Plymouth PL9 9LA	Mr Mike Stone
26/02/2019	Granted Conditionally	19/00032/ADV	Mrs Stephens	Coffee shop signage.	Commercial Unit To Rivage Apartments Hoe Road Plymouth PL1 3DE	Mr Mike Stone
26/02/2019	Granted Conditionally	19/00046/FUL	Mr Ben Stanbury	Front extension to existing garage, single storey rear extension connecting garage to dwelling and replacement garage roof	34 Trent Close Plymouth PL3 6PB	Mr Chris Cummings
26/02/2019	Granted Conditionally	19/00091/FUL	Mr Phillip Abbott	Single storey rear extension and conversion of existing detached garage into games room	6 Lockington Avenue Plymouth PL3 5QP	Mr Chris Cummings

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
27/02/2019	Agreed	18/00628/CDMLB	Mr Stephen Vitali	Condition Discharge: Conditions 5, 6 & 9 of application 15/02112/LBC	26 Longbrook Street Plymouth PL7 1NJ	Mr Ben Wilcox
28/02/2019	Agreed	18/01524/CDM	Mr Lee Cawse	Condition Discharge: Conditions 18 & 27 of application 14/00152/OUT	Land Off Aberdeen Avenue Plymouth	Mrs Katie Saunders
28/02/2019	Refused	18/02074/AMD	Ms Claire Newcombe	Non-material Amendment: Revision of bin storage strategy for plots 58 - 64 including the addition of a communal bin store for plots 60 - 64. Revision of landscaping scheme to reflect previous NMA application for application 16/01128/FUL	Former Southway Primary School Bampfylde Way Plymouth PL6 6SR	Mrs Katie Saunders
28/02/2019	Granted Conditionally	18/02126/FUL	Mr & Mrs Martin	Single and first floor rear extension	15 Lansdowne Road Plymouth PL6 5ED	Mr Macauley Potter
28/02/2019	Granted Conditionally	18/02139/FUL	Mr Matthew Rider	Single storey rear extension.	36 Dudley Road Plymouth PL7 1RX	Mr Macauley Potter
28/02/2019	Granted Conditionally	19/00007/TPO	Mr Robin Walker	Griselina (T1) tree: reduce the height by 3m and shape.	131 Looseleigh Lane Plymouth PL6 5HW	Mrs Jane Turner
28/02/2019	Granted Conditionally	19/00008/FUL	Mr Anthony Keith	First floor side extension, single storey side extension, and garage	201 Beverston Way Plymouth PL6 7EQ	Mr Macauley Potter
28/02/2019	Granted Conditionally	19/00081/TCO	Mr Colin Rowland	4x Beech (in quadrant) - crown lift to height of 4m and carry out a 1m crown reduction.	99-103A Vauxhall Street And 35-37 Stillman Court Plymouth	Ms Joanne Gilvear

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
28/02/2019	Granted Conditionally	19/00082/FUL	Vodafone Limited (on Behalf Of CTIL)	Replacement of the existing 3no. antennas with 6no. new antennas on a new headframe, the replacement / addition of equipment within the existing equipment cabin, along with ancillary works.	Telecommunications Mast 1 Oakfield Terrace Road Plymouth	Mr Mike Stone
01/03/2019	Granted Conditionally	18/01972/FUL	Mr Nick Smith	2 new-build dwelling houses and associated works	2 Marine Road Plymouth PL9 7NL	Mr Chris King
01/03/2019	Granted Conditionally	18/02091/FUL	Mr John Pitcher	Part retrospective: proposed balcony & rooflights.	8 Glade Close Plymouth PL6 5JB	Mr Macauley Potter
01/03/2019	Refused	18/02095/AMD	Woodside Animal Welfare Trust	Non-material Amendment: Beneficial to usable floor space in unit 2 (no stairwell better kitchen area/layout) Better construction (omits adaptive works to existing floor structure integrity) it has become necessary to maintain access to the side store building for application 17/00457/FUL	Tom Willcocks Pet & Equestrian Store Colebrook Road Plympton Plymouth PL7 4AA	Mr Jon Fox
04/03/2019	Granted Conditionally	18/02080/FUL	Mr Adrian Cottenham	Erection of 6no. 2 bedroom apartments	Land Parcel Adjacent To 110 Kenmare Drive Plymouth PL7 2YJ	Mr Chris King
04/03/2019	Granted Conditionally	19/00059/FUL	Mr John Netting	Front extension	6 William Evans Close Plymouth PL6 6SD	Mr Peter Lambert

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Appeal Decisions between 04/02/2019 and 04/03/2019

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
28/02/2019	18/00796/FUL	2018/0027	Appeal Allowed with Conditions	APP/N1160/D/18/3215270
Ward				
Plympton St Mary				
Address				
24 Waddon Close Plymouth PL7 4BY				
Application Description				
Single storey front extension				
Appeal Process		Officers Name		
Householder Fast Track		Mr Macauley Potter		
Synopsis				
<p>Planning permission was refused for a single storey front extension, as it was considered contrary to Local Development Framework Core Strategy Policies CS34 and CS02. It was also considered contrary to guidance contained in the Councils Development Guidelines Supplementary Planning Document First Review, the National Planning Policy Framework (2018) and emerging South West Devon Joint Local Plan policy DEV20. Having reviewed the application, and visited the site, the Inspector disagreed with the Councils view that the development results in an adverse impact on the character and appearance of the host dwelling and surrounding area. The inspector felt that the front elevations of neighbouring dwellings are sufficiently varied and front extensions, albeit modest in size, are already a feature of the street. As a result this proposal would not harm the character and appearance of the host dwelling and surrounding area and subsequently complies with policies CS34 and CS02, DEV20, the National Planning Policy Framework (2018) and the Councils Development Guidelines. No applications were made for costs by either side and no costs were awarded by the Inspector.</p>				

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