

PLANNING APPLICATION OFFICERS REPORT



Application Number	25/00717/FUL	Item	02
Date Valid	22.05.2025	Ward	DRAKE
Site Address	49 - 51 North Hill Plymouth PL4 8HB		
Proposal	Change of use of 1st and 2nd floor offices to residential (Class C3) extensions to the rear and additional floor to create 10 dwellings, extension to retained ground floor office, external alterations and associated works.		
Applicant	Mr D Fellows		
Application Type	Full Application		
Target Date	21.08.2025	Committee Date	30.10.2025
Extended Target Date	25.11.2025		
Decision Category	Councillor Referral		
Case Officer	Ms Abbey Edwards		
Recommendation	Grant conditionally subject to S106		



This application has been referred to the Planning Committee by Councillor Ricketts.

1. Description of Site

This application relates to No. 49-51 North Hill. The building is a three-storey office block with a hipped roof. The building sits at the end of a Victorian terrace, on the junction where Skardon Place joins North Hill. The building was constructed in the mid-1980s in a pigmented yellow/sand colour concrete block. The site includes a parking courtyard to the rear and some areas of landscaping.

The building is in office use, albeit a number of the office units are vacant. The building recently received permission to convert the 1st and 2nd floors to flats, but this permission is yet to be implemented.

The surrounding area is mixed-use in character. This includes a range of commercial units along North Hill (offices, shops, cafes, bars and solicitors), student accommodation and residential

dwellings. Residential is the predominant use in the wider area. The site is within walking distance of Mutley Plain and the City Centre, is well served by public transport and is considered a sustainable location.

2. Proposal Description

This full planning application is for the conversion and extensions to the building to create a mixed-use development comprising of offices at ground floor and 10x residential flats on the upper floors.

Site alterations are proposed, including a reconfigured parking courtyard, cycle/refuse store and landscaping.

3. Pre-application Enquiry

None.

4. Relevant Planning History

24/01278/GPD - Change of use of first and second floor from Office (Class E) to 4no. flats (Class C3) - Deemed decision

02/00952/ADV - Externally illuminated projecting sign - Grant conditionally

01/01674/ADV - Erection of internally illuminated projecting sign - Refuse

85/01329/REM - Erection of three storey office block with associated car parking - Grant conditionally

84/000324/OUT - Outline application to redevelop site by the erection of offices (Regulation 5 proposal) - Grant conditionally

5. Consultation Responses

Highway Authority - No objection subject to conditions

Public Protection Service - No objection subject to conditions

Urban Design - Object to the design of the building

Economic Development - No objection

Housing Delivery - No objection

Low Carbon team - Object to the use of gas boilers

Natural Infrastructure - Further information required

South West Water - Applicant to contact SWW direct in relation to surface water drainage

Environment Agency - No objection

Lead Local Flood Authority - No objection subject to conditions

Designing Out Crime - Advice provided in regard to secure by design

Waste - No comments received

Natural England - Site of Special Scientific Interest (SSSI) Impact Risk Zones - Recreational Impacts (Standing Advice)

6. Representations

Letters of representation have been received both in support and objecting to the application. The responses have been summarised below.

Support:

- Converting underused office space into much needed residential is positive, the plans make good use of space whilst contributing to local housing supply

- There is a high demand for good quality accommodation, particularly in well-connected locations and this proposal would provide much needed homes
- Highly attractive for tenants and a valuable addition to the housing stock
- Inclusion and expansion of the ground floor office contributes positively to the local economy
- Thoughtful and practical development that meets local needs and enhances the community
- There are already 25 vacant business premises in the PL4 area which shows there is not a shortage of commercial space. The proposal would bring meaningful use back to these floors without affecting business viability in the area
- Support the reuse and upgrade of existing buildings wherever possible, it's a more environmentally responsible approach which fits with wider sustainability goals
- Extension to the ground floor office space will provide a more modern, efficient working environment for current and future businesses.
- This is a well-balanced, sustainable development that makes practical and positive use of existing urban space
- Clever Lets offer accommodation to people from all different backgrounds and build the community, there are many tenants struggling to find suitable accommodation within Plymouth due to high demand

Object:

- Post-graduates are likely to buy cars and Skardon Place cannot accommodate additional parking
- Additional refuse lorries in this cul-de-sac will exacerbate issues in Skardon Place
- Additional storey is neither attractive nor in keeping with the adjacent building or buildings on the opposite side of the street
- It is disappointing trees have been severely pruned
- Retail office needed to create opportunities
- North Hill is overly populated with student accommodation and student flats

The application was referred to Planning Committee by a local ward Member, objecting to the application on the basis that Drake Ward is at breaking point in relation to its loss of community assets. The community needs employment space and this application is detrimental to social cohesion and community well-being. North Hill is an employment quarter and should remain that way.

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, national development management policies, local finance and any other material considerations. Section 38(5B) of the 2004 Planning and Compensation Act sets out that the determination of any matter under the Planning Acts must be made in accordance with the development plan and any national development management policies, taken together, unless material considerations strongly indicate otherwise. For the purposes of decision making, the Plymouth & South West Devon Joint Local Plan (JLP) 2014 - 2034 is part of the development plan for Plymouth City Council. The Plymouth & South West Devon Supplementary Planning Document sets out guidance relating to the implementation of the policies of the JLP.

The relevant policies and/or provisions of the following documents also have the potential to be material to the consideration of the application: National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), National Design Guidance, the Plymouth and South West Devon Supplementary Planning Document (SPD) 2020, the Plymouth and South West Devon Climate Emergency Planning Statement (CEPS) 2022, and the Joint Local Plan Five Year Review Report, 2024.

Following adoption of the Joint Local Plan, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG) of their choice to monitor the Housing

Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the Five-Year Housing Land Supply (5YHLS) assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change. On 12 December 2024 the Ministry of Housing, Communities and Local Government published the HDT 2023 measurement. This confirmed the Plymouth, South Hams and West Devon's joint measurement as 113% and there are no policy consequences.

A 5% buffer is required to be applied for the purposes of calculating a five-year housing land supply at the whole plan level. As a result of the new standard method set out in national planning practice guidance, and the housing provisions of the NPPF, the combined authorities are only able to demonstrate a 2.53year housing land supply. This means that the presumption in favour of sustainable development set out in paragraph 11d applies for decision-making purposes, and that planning permission should be granted unless the specific circumstances set out in sub-points (i) or (ii) in paragraph 11d are satisfied.

8. Analysis

8.1 This application has been considered in the context of the development plan, the Framework and other material considerations as set out in Section 7. The most relevant policies of the Joint Local Plan to consider include; SPT1 (Delivering sustainable development), SPT2 (Sustainable linked neighbourhood), SPT3 (Provision for new homes), DEV1 (Protecting health and amenity), DEV2 (Air, water, soil, noise, land and light), DEV7 (Meeting local housing need in the Plymouth Policy Area), DEV9 (Meeting local housing need in the Plan area), DEV10 (Delivering high quality housing), DEV20 (Place shaping and the quality of the built environment), DEV21 (Development affecting the historic environment), DEV26 (Protecting and enhancing biodiversity and geological conservation), DEV28 (Trees, woodlands and hedgerows), DEV29 (Specific provisions relating to transport), DEV31 (Waste management), DEV32 (Delivering low carbon development) and DEV35 (Managing flood risk and water quality impacts).

Need for housing development

8.2 The publication of the updated NPPF on 12th December 2024, alongside new guidance, sets out a new standard method to calculate local housing need with the clear aim of increasing housing delivery nationally. Policy SPT3 (Provision for new homes) of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019) (JLP) sets an overall housing requirement for the JLP Plan Area of 26,700 dwellings (net), which is 1,335 per annum for the Plan Period between 2014 and 2034.

8.3 The new standard method, however, identifies a housing need for the Plan Area of 2,643 dwellings per annum. The LPA therefore accepts that, given the provisions of NPPG (Paragraph: 062, Reference ID: 61-062-20190315, Revision Date: 15/03/2019) and paragraph 34 of the NPPF, that SPT3 is now out of date.

8.4 The extent of the shortfall in relation to the 5YHLS is such that significant weight needs to be given to it in the planning balance.

Principle of Development

8.5 Joint Local Plan Policy DEV7 seeks a mix of housing sizes, types and tenure appropriate to the area. Within the policy, there is a particular need identified within Plymouth for smaller dwellings, most suited to younger and older people.

8.6 This application seeks to create 10 residential flats; 8 of these would be single bedroom flats (1 occupant) and two would provide two double bedroom flats (4 occupants). This would directly address Policy DEV7, providing much needed smaller homes, in a sustainable location.

8.7 For developments involving 11 dwellings or more, Policy DEV9 requires a 30% provision of affordable homes. This proposal is for 10 dwellings and does not trigger the Affordable housing policy requirement. Officers note the scheme seeks to convert and extend the existing building to create primarily smaller dwellings and therefore this is not considered to be a deliberate avoidance of the policy.

8.8 The retention, enlargement and refurbishment of the commercial ground floor is welcomed, and this aligns with Joint Local Plan DEV14 which seeks to maintain a flexible supply of employment land.

8.9 The proposal would result in the loss of office space at first and second floors. However, this was permitted through previous application 24/01278/GPD which was granted deemed consent for the conversion of the upper floors of the building to 4 residential flats. Although this permission is yet to be implemented, it presents a material fall-back position when considering this planning application.

8.10 The Applicant has submitted a marketing report which demonstrates the office space was marketed from October 2022 until June 2024. Within this 20-month period, only three of the seven office units were let and these were let at rates below the current market value. The report considers the underperformance to be driven by broader market conditions, including a decline in demand for small office units in this location, increased operating costs for small businesses' including staffing and business rates and a preference for all-inclusive spaces or hybrid/remote working models over traditional long-term leases.

8.11 The Council's Economic Development Officer agrees with the conclusions of the report. The demand for office space within the city is currently for high quality serviced offices. Demand for smaller scale traditional office space is low in comparison, as approaches to hybrid and remote working increase across many of the professional services. It is considered that the Applicant has advertised the property for a reasonable amount of time and has received an insufficient level of interest. On this basis, Economic Development raise no objection to the loss of office space at 1st and 2nd floors.

8.12 Policy DEV19 requires major development proposals to enter into a site related employment and skills plan to support local employment and skills in the construction industry. This is recommended to be secured via condition.

8.13 Officers consider this proposal would provide much needed smaller dwellings, in a sustainable location of the City, where the current demand for small scale office space appears to be low. The proposal would retain the ground floor commercial use, and this would be both extended and refurbished. The principle of development is therefore acceptable.

Design

8.14 Paragraph 135 of the NPPF states planning decisions should ensure that developments 'are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).'

8.15 The Council's Urban Design team support the principle of optimising development through the building's extensions and conversion to mixed residential and commercial uses. However, Urban Design Officers raise concerns with the proposed design, particularly of the roof extension and therefore object to the development in its current form.

8.16 The SPD states 'On public streets and spaces, developments should have active frontages and building entrances should be easy to find, well-defined and clearly visible from the street.' Officers welcome the improvements to the ground floor commercial frontage which will enhance visual

activity and improve its appearance. The separate pedestrian and commercial entrances on North Hill and Skardon Place are well defined and this is also welcomed.

8.17 Alterations to the rear of the site include a reconfigured parking courtyard, a cycle and bin store and timber fence boundary treatment. Officers consider that cumulatively, the development would remove the sense of openness, however, this would to an extent be mitigated by landscaping and the addition of a sedum roof. This would then be considered acceptable.

Roof extension

8.18 The Plymouth and SW Devon SPD states building heights should respond positively to the scale of adjacent buildings, streets and spaces. The size of individual buildings and their elements should be carefully considered, including in relation to [amongst other things] local character, skylines and vistas and views.

8.19 The roof extension would result in the building being taller than the ridge of the Victorian terrace to which it is attached. An urban design case could be made for this, as it is a corner site where some increase in height may be justified if sensitively designed.

8.20 The proposed roof extension, due to its massing, lack of set back and materiality is considered to appear overbearing and bulky. Urban Design have noted concerns around the junction between the roof extension and the adjoining property as it is considered this would be difficult to build and maintain.

8.21 The Applicant had previously considered a mansard style roof, which Officers consider would overcome the concerns, however, this design was not progressed due to the implications for internal space.

8.22 Urban Design Officers have given significant weight to the context of Skardon Place, which is of particular townscape merit, and its scale and character should be respected. As the application building marks the gateway to Skardon Place, it is considered that a more recessive/alternative roof design, such as a mansard, would link better to 45 North Hill, the other gateway corner building framing the entrance to Skardon Place.

8.23 The Applicant disagrees with this, noting that the roof design was carefully considered in light of recently completed schemes such as The Reservoir, Sherwell House and the Purpose Built Student Accommodation (PBSA) scheme currently under construction at 40-42 North Hill; all of which contain contemporary, similar roof styles on corner plots. Although a change to the design has not been agreed, in light of Officer's concerns, the Applicant has changed the colour of the roof extension from black to a lighter grey, which reduces the dominant appearance to some degree. Officers support this change.

8.24 Urban Design Officers welcome the proposed new windows which have a vertical emphasis, including the full height windows at attic level and those on the rear elevation, but object to the remainder of windows which have a horizontal emphasis. These are considered out of character with the best of local streetscape and this application presents an opportunity to rectify this. A suggestion was made in regard to providing accessible balconies to address this.

8.25 Officers have carefully considered the concerns. It is noted that an alternative roof design such as a mansard, could create a more sympathetic and complementary relationship with the immediate neighbouring properties and the wider terrace. Officers acknowledge that similar roof types are used on more recently constructed buildings within the local area and therefore the proposal would not be completely out of keeping with the street scene. It is regrettable that full height windows with a vertical emphasis are not used everywhere on the building as these are a strong feature in this area

of North Hill. However, the existing building is not of any particular merit and overall, the proposal would enhance the commercial ground floor frontage and bring a contemporary refresh to the building. Furthermore, the proposal would optimise development in this sustainable location, bringing a partially vacant building back into use and providing much needed housing. On balance, Officers consider whilst there would be some conflict with Policy DEV20, giving significant weight to the City's lack of 5 year housing supply, Officers do not consider the design of the building a reason to refuse this application.

Historic Environment

8.26 The building is in proximity to the Grade II listed Reservoir and Grade II* Sherwell Church to the south, to the north is the Grade II listed St Matthias Church.

8.27 The proposed development will be a more prominent feature than the existing building when looking northwards or southwards along North Hill, due to its roof design. However, it would predominantly be viewed in the context of The Reservoir PBSA scheme and once completed, 40-42 North Hill PBSA scheme, which are similar in design but larger in scale/ more prominent. Taking this into consideration together with the scale and location of the proposed development, Officers consider the proposal would result in minimal impact on the listed buildings and their setting.

8.28 The building, together with 45 North Hill, marks the entrance to Skardon Place. Officers therefore consider any development on this site would have an impact on properties within Skardon Place, a surviving cul-de-sac constructed circa 1742. Although not listed, many of the properties in Skardon Place are likely to form non-designated heritage assets. Paragraph 216 of the National Planning Policy Framework states a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset. As noted above, whilst it is acknowledged that Urban Design have raised concerns in regard to roof form, this is weighed up against the public benefits of bringing the partially vacant building back into use and providing much needed housing at a time when the City currently can not demonstrate a 5 year land supply. Officers therefore do not consider the impact on the properties within Skardon Place a reason to refuse this application. Nevertheless, it is important that high quality materials are used and these have therefore been conditioned.

Amenity

8.29 All flats meet the minimum floor space standards as set out within the Nationally Described Space Standards. All habitable rooms are served by windows.

8.30 The Plymouth and SW Devon SPD states single aspect flats should generally be avoided. Flats 2 and 6 are single aspect, however, due to their southerly orientation these flats would receive acceptable levels of natural daylight. Daylight and outlook received by the bedrooms within flats 8 and 4 would be poor, but Officers appreciate this is a constrained site and the occupants of these flats would receive good levels of natural daylight and outlook through the full height Juliette balconies serving the main living areas and this is therefore considered acceptable.

8.31 Policy DEV9 requires 20% of the units to meet Building Regulations M4(2) accessibility standard where practicable, however, in the absence of a lift, this is not possible in this case. Officers acknowledge the cost of providing a lift would be prohibitive and therefore whilst unfortunate, giving weight to the lack of 5 year land supply, alongside the positive retention of the office space, Officers do not consider this a reason to refuse.

8.32 No external amenity space is proposed, as the external courtyard would provide parking, refuse and cycle storage. Whilst the SPD requires 75sqm for a development of this size, the guidance accepts this standard can be relaxed where the site is located within an older and more densely developed neighbourhood and where the site is located within proximity to local parks and public

open spaces. The site is adjacent to Drakes Reservoir which provides accessible open space and seating areas. The site is also located within 10 minutes walking distance to Beaumont Park and 25 minutes walking distance to Central Park.

8.33 In terms of impact on neighbouring amenity, this would be greatest on 1 Skardon Place with the introduction of habitable windows on the southern elevation of the application building. The SPD requires a minimum distance of 15m between facing habitable windows for new development. However, given the constraints of the site, it would not be possible to meet this. Officers acknowledge this is a densely developed urban neighbourhood and the separation distances would be consistent with those existing within Skardon Place. Officers therefore consider this acceptable.

8.34 Overall, the proposal provides an acceptable level of amenity and complies with Policy DEV20 of the Joint Local Plan.

Highways

8.35 The Local Highway Authority were consulted on the application and raise no objection. The site is within a sustainable area of the city with good access to public transport links. No. 49-51 North Hill does not fall within a permit scheme boundary, it sits just outside of Zone D which is in operation from Monday to Saturday between the hours of 9am to 7pm. Residents would be unable to obtain resident and visitor parking permits and would therefore not be able to park on-street within the vicinity of the property.

8.36 The residential flats are proposed to be car free development and the existing parking area, accommodating 6 vehicle parking spaces, would serve the retained commercial use.

8.37 The Highway Authority recommend a car parking management plan is conditioned and consider this should allow for flexible use of the parking spaces for residents in the evenings and on weekends, when the office is closed.

8.38 The application proposes 12 cycle spaces and this meets the requirements of the SPD.

8.39 Overall, the proposal is considered to comply with Policy DEV29 of the Joint Local Plan.

Ecology and Biodiversity Net Gain

8.40 A Preliminary Ecological Appraisal and an Ecological Impact Assessment (EclA) were submitted. An assessment of site value and impact to habitats was undertaken and mitigation and compensation measures are recommended within the reports.

8.41 The EclA identifies breeding bird habitat in shrubs and individual trees. Although no further surveys are required, timing restrictions around bird nesting season are recommended.

8.42 Precautionary measures are also recommended for hedgehogs, although the site provides limited potential for these species.

8.43 Site wide mitigation measures are proposed to ensure construction works do not lead to adverse impacts on habitats.

8.44 Ecology enhancements include on site landscaping, which will include native species. Three integrated swift boxes are also proposed to be fitted to the western elevation of the building.

8.45 It is noted that two small trees have been removed. Officers raise no objection to this on the basis that these trees were not subject to a tree preservation order and their loss will be mitigated through the biodiversity net gain requirement.

8.46 With the addition of conditions, the proposal complies with Policy DEV26 and DEV28.

Biodiversity Net Gain

8.47 The proposed works would affect existing on-site habitats. The proposal is therefore subject to the biodiversity net gain requirement.

8.48 Proposed planting includes wildflower planting along the southern site boundary and planting beds adjacent to the cycle store and within the site frontage. A sedum roof is proposed for the cycle/bin store. Due to the constrained urban nature of the site it is unlikely that it would be possible to achieve a 10% net gain and satisfy trading rules on site, particularly given the recent removal of two small trees. As such, off site credits will likely need to be purchased. The final BNG details will need to be submitted and assessed through the statutory biodiversity net gain pre-commencement condition.

8.49 Full landscaping details and a Landscape ecology management plan are recommended to be secured via condition.

Low Carbon

8.50 The application has been assessed against Policy DEV32 (Delivering low carbon development) and the Climate Emergency Planning Statement.

8.51 The application seeks to reuse the existing building rather than demolish and rebuild and this approach is supported in regard to carbon savings.

8.52 The development responds to the energy hierarchy by reducing the energy load and maximising the efficiency of building fabric. This would be achieved through externally and internally insulating the building, providing double glazed windows and a new roof, all of which would enhance thermal efficiency beyond building regulation requirements. Additional measures include air permeability testing of each dwelling and implementing a mechanical ventilation with heat recovery system.

8.53 In line with DEV32.5 solar PV panels are proposed within the roof space and a dedicated battery storage area will be provided. This would achieve a greater than 20% carbon savings than that required by Building Regulations Part L for the dwellings within the additional storey.

8.54 Existing gas boilers would be replaced with modulating boilers distributing heat via a central community loop. These will be designed in accordance with the CIBSE/ADE Code of Practice so it is capable of future integration with the district energy network to meet DEV32.6. Air source heat pumps have been ruled out due to cost.

8.55 The Council's Low Carbon Officer welcomes the solar PV panels and battery storage but objects to the use of gas boilers. It is unknown how long the gas-powered system would remain operational and the emissions impact of this could therefore be significant. This reduces the degree to which the proposal could be considered compliant with the adopted carbon reduction target written into Policy DEV32. This would also fail to comply with M3 of the Climate Emergency Planning Statement which states 'all minor and major development proposals should be served by low or zero carbon space and water heating and where relevant cooling systems, with an emphasis on ground, air and water source heat pumps.'

8.56 Officers consider the proposal would provide measurable benefits in terms of energy efficiency and low carbon development but agree with the Low Carbon team that the use of gas boilers fundamentally goes against the aims of Policy DEV32 which seeks to minimise the use of natural resources. Notwithstanding this, the proposal relates to an existing building, and the scale of

development is relatively modest. On balance, and as the City currently can not demonstrate a 5 year housing land supply, Officers do not consider the continued use of gas boilers within the building a reason to refuse this application.

Drainage and Flooding

8.57 The site is located in Flood Zone I and considered to be at a low risk from fluvial and tidal flooding. Surface water flood risk mapping indicates the site is at a low risk from a 1 in 1000 year return period event. Unmanaged surface water run off from this site has the potential to increase flood risk downstream.

8.58 The site is located in a Critical Drainage Area where the Environment Agency considers the existing drainage system to be at or close to capacity increasing the risk of pollution from combined sewer overflows.

8.59 There will be no increase in impermeable area as a result of the development.

8.60 The applicant has submitted a surface water drainage strategy that proposes to discharge surface water to the SWW combined sewer in Skardon Place at an attenuated rate of 1l/s. Attenuation storage is provided using a 7m x 5m x 0.8m deep tank located beneath the parking area. Supporting calculations have been submitted for a 1 in 100 year return period design standard with a 50% allowance in climate change.

8.61 Following review of the submitted information the LLFA have no objection subject to the submission of written approval from SWW for the proposed surface water connection and sufficient capacity within the network for the increase in residential dwellings.

8.62 Other details recommended to be conditioned include a construction environment management plan and details of maintenance and management of the drainage system. Overall, it is considered that the proposal complies with Policy DEV35 of the Joint Local Plan.

HRA

8.63 The site underwent a Habitats Regulation Assessment by the Natural Infrastructure Team, which concluded that the application would have significant effect, without any avoidance or mitigation measures, on European and Internationally Protected sites. However, the effects are within those detailed in the Tamar Estuaries Management Plan and the Yealm Estuary Environment Management Plan and there is no significant impact on the protected sites.

Planning balance

8.64 Paragraph 11 d) and Footnote 8 of the Framework state that, where the policies which are most important for determining the application are out-of-date (including where the Local Planning Authority cannot demonstrate a five-year supply of housing land, or where the Housing Delivery Test ("HDT") indicates that the delivery of housing was substantially below the housing requirement over the previous three years) planning permission should be granted unless at least one of two exceptions set out in sub paras (i) and (ii) are met. Given the significant shortfall in the JLP's 5YHLS assessment, it is considered that the most important policies are out-of-date and therefore, unless either of the exceptions apply, the NPPF says that planning permission should be granted.

8.65 Exception (i) relates to whether the application of NPPF policies that protect a pre-specified list of assets of particular importance provide a strong reason for refusal. These are set out in footnote 7.

8.66 Exception two relates to whether any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Footnote 9 sets out the NPPF policies that this particularly relates to.

8.67 It is acknowledged that the LPA do not currently have a five-year housing land supply. In this instance the proposal would conflict (in part) with Policies DEV20, DEV32 and the Climate Emergency Planning Statement. The design of the building raises concern in respect of the scale and massing of the roof extension and the proposal seeks to utilise gas boilers. Both of these aspects are attributed a level of moderate harm. The benefits of the scheme are that it would provide 10 dwellings in a sustainable area of the city, close to services and facilities, and would bring a partially vacant building back into use. The proposal would improve the energy efficiency of the building and there would be clear visual improvements to the site's frontage, in particular at ground floor level. The delivery of housing would likely include employment generation during construction and a biodiversity net gain would be achieved. In this instance, Officers consider the harm is outweighed by the benefits when assessed against the framework as a whole. The application is therefore considered acceptable and is being recommended for approval.

9. Human Rights

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

10. Local Finance Considerations

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

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations in respect of green infrastructure have been sought due to the scheme putting pressure on existing green spaces. The sum of £8,051.64 is being sought in respect of playing pitches and this will be secured through the S106 agreement.

Planning obligations in respect of the City's health infrastructure have been sought due to the scheme putting pressure on existing health services including primary care such as general practice, community pharmacy, dental and optometry services and secondary care through hospitals and specialists. The sum of £3,676 is being sought and this will be secured through the S106 agreement.

A management fee of £2,398 has been secured for the administration, monitoring and management of the planning obligations.

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. Officers consider that this application will not cause discrimination based on gender, age or disability.

13. Conclusions and Reasons for Decision

Section 38(6) of the Planning & Compulsory Purchase Act 1990 and the Framework state that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. In this case, the Frameworks' presumption in favour of sustainable development is a material consideration which outweighs the moderate conflict with the development plan, and a decision should thus be taken otherwise than in accordance with it. The application is therefore recommended for conditional approval subject to the signing of a S106 agreement.

14. Recommendation

In respect of the application dated 22.05.2025 it is recommended to Grant conditionally subject to S106.

15. Conditions / Reasons

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

1 CONDITION: APPROVED PLANS

Location Plan I4052025 received 14/05/25
Existing and Proposed Elevations PL006 Rev P2 received 08/09/25
Existing and Proposed Elevations PL007 Rev P2 received 08/09/25
Existing and Proposed Elevations
PL008 Rev P2 received 08/09/25
Proposed Floor Plans PL003 Rev P2 received 08/09/25
Proposed Floor Plans PL004 Rev P2 received 08/09/25
Proposed Roof Plan/Drainage/Site Plan PL005 Rev P2 received 08/09/25

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

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: PROVISION OF DRAINAGE WORKS

PRE-COMMENCEMENT

No development shall take place until the following details have been submitted to and approved in writing by the LPA:

Written confirmation from SWW for connection to the combined sewer, including agreed surface water discharge rates.

A construction environment management plan incorporating method statements should be submitted to demonstrate how the new drainage system and water environment is protected during the construction and demolition phases.

Details should be submitted of how and when the system is to be managed and maintained, and who is responsible for maintenance.

The development shall be constructed, completed and retained in strict accordance with the approved details including the submitted Surface Water Drainage Statement (re J-3770-01) and plan PL005 REV 02.

Reason:

To safeguard occupant safety and mitigate flood risk in accordance with policies DEV1, DEV2 and DEV35 of the adopted Plymouth & South West Devon Joint Local Plan 2014-2034 and paragraphs 181 and 182 of the National Planning Policy Framework 2024.

Justification: Necessary because of the essential need to ensure the drainage provisions within the development can be adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure and water environment or increase flood risk elsewhere.

4 CONDITION: EMPLOYMENT AND SKILLS PLAN

PRE-COMMENCEMENT

The development hereby permitted shall not commence until an Employment and Skills Plan has been submitted to and approved in writing by the Local Planning Authority.

The Employment and Skills Plan should demonstrate:

How local people and local businesses will benefit from the development in terms of job opportunities, apprenticeship placements, work experience opportunities, business supply chain opportunities and other employment and skills priorities.

The Employment and Skills Plan should cover the groundworks phases as well as the construction phase of the development.

The development shall be carried out in accordance with the approved Employment and Skills Plan.

Reason:

To ensure that local people and businesses benefit economically and to create job opportunities to comply with Policy DEV19 of the Plymouth and South West Devon Joint Local Plan 2014-2034 and paragraphs 8 and 87 of the National Planning Policy Framework 2024.

Justification: To ensure that a plan is in place for local people and businesses to have the opportunity to partake in development from its outset.

5 CONDITION: LANDSCAPE ECOLOGICAL MANAGEMENT PLAN

PRE-DPC LEVEL

The development hereby permitted shall not proceed beyond DPC level until full details of the landscape works together with a Landscape Ecological Management Plan have been submitted to and approved in writing by the Local Planning Authority.

The landscape works shall include:

- i. Soft landscape details:
 - a. Full soft landscape specification; plant species and size (to HTA standards), soil details, planting spec and establishment care.
 - b. The arrangement of proposed soft landscape elements and soil layouts/elevations (min 1:200 scale). Plans should include a planting schedule for reference.
 - c. Planting details (1:20 scale or as appropriate)
- ii. Hard Landscape Details: to provide:
 - a. Drawings identifying the arrangement of proposed hard landscape elements including (but not limited to) paving materials, street furniture and boundary treatment materials (min 1:200 scale)
 - b. Plans should include a specification of the hard landscape materials (e.g. paving materials), street furniture and any boundary treatments.
 - c. Boundary treatment details (1:20 scale or as appropriate) e.g. mesh surrounding car park

All landscape works shall thereafter be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development. Any dead or defective planting shall thereafter be replaced within a period of 5 years.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with JLP policies DEV20, DEV23, DEV26 and DEV28 of the adopted Plymouth & South West Devon Joint Local Plan 2014-2034 and paragraphs 135 and 187 of the National Planning Policy Framework 2024.

6 CONDITION: EXTERNAL DESIGN AND MATERIALS

PRE-EXTERNAL WORKS

Notwithstanding the submitted information, no works to the exterior of the building shall take place until details of all final cladding and elevation design and materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

Reason:

To ensure that the materials specified are robust, attractive and in keeping with the character of the area and that the building's cladding in particular will be specified to minimise the risk of staining and algae growth in accordance with Policy DEV20 of the Plymouth & South West Devon Joint Local Plan 2014-2034 and paragraph 135 of the National Planning Policy Framework 2024.

7 CONDITION: MATERIALS MAINTENANCE SCHEDULE

PRE OCCUPATION

The development hereby permitted shall not be occupied until the applicant has submitted to the Local Planning Authority for approval a management plan for the external maintenance of the building. The said maintenance plan will provide details relating to how all external materials shall be maintained in a good, clean condition and appearance as long as the building remains on the site and how any problems with corrosion, discolouration, weathering or other defects will be rectified promptly. The development shall be maintained thereafter in accordance with the approved management plan.

Reason:

To ensure that the appearance of the buildings remains satisfactory throughout their lifetime and that the buildings are in keeping with the standards of the vicinity in accordance with Policy DEV20 of the Plymouth & South West Devon Joint Local Plan (2014-2034) and paragraph 135 of the National Planning Policy Framework.

8 CONDITION: DISTRICT ENERGY

PRE-INSTALLATION

Prior to the installation of the heating and cooling system, the following details shall be submitted to and approved in writing by the Local Planning Authority:

1. A report identifying how the development has been designed to be compatible with and allow future connection to a local district energy network in line with current best practice.
2. Details of the technical specification of the heating and cooling system for the building which is capable of connection to district heating and cooling network including, compliance with the relevant standards including CIBSE CPI.2 and PCC technical connection packs, space for ancillary plant in the plant room.
3. Location of the future connection point at the edge of the site or publicly accessible area, including interconnecting and valved pipework to this point from the building, including a plan showing detail of valved pipework and connection roots from the edge of the building to the plant room.

Once approved the development shall be completed and implemented in full accordance with the approved details and be permanently retained thereafter.

Reason:

To ensure that the development is in accordance with Policy DEV32 of the Plymouth and South West Devon Joint Local Plan 2014-2034 and paragraph 166 of the National Planning Policy Framework 2024.

9 CONDITION: CAR PARKING MANAGEMENT STRATEGY

PRE-OCCUPATION

The dwellings hereby permitted shall not be occupied until a Car Parking Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The said Strategy will provide details relating to the allocation of parking, measures relating to the control/use of all spaces to allow the sharing of spaces and the associated method of enforcement. Details shall also include the number of EV charging points proposed and where they will be positioned.

From the date of the first occupation of any unit within the development the applicant shall operate the approved Car Parking Management Strategy in perpetuity.

Reason:

To ensure that the use of all car parking spaces within the development are properly managed and thereby ensure that each of the uses within the building are adequately served in terms of off-street car parking provision in accordance with Policy DEV29 of the adopted Plymouth & South West Devon Joint Local Plan 2014-2034 and paragraphs 115 and 117 of the National Planning Policy Framework 2024.

10 CONDITION: LOW CARBON MITIGATION

PRE-OCCUPATION

Prior to the installation of Solar PV panels, details of their location and design shall be submitted to and approved in writing by the Local Planning Authority. The panels shall be provided prior to first use of the development hereby approved and shall then remain in situ in perpetuity, replacing or repairing them when necessary.

Moreover, the development shall be carried out and completed in accordance with the submitted Energy Statement submitted 16th Sep 2025.

Reason:

In order to promote on-site renewable energy systems and ensure a reduction in carbon emissions in line with policy DEV32 of the Plymouth & South West Devon Joint Local Plan 2014-2034, paragraph 7.3 of the Plymouth and South West Devon Climate Emergency Planning Statement (2022) and paragraph 163 of the National Planning Policy Framework 2024.

11 CONDITION: AS-BUILT SAP ASSESSMENT

PRE-OCCUPATION

The development hereby permitted shall not be occupied until an as-built SAP Assessment has been submitted to and approved in writing by the Local Planning Authority. The SAP assessment shall demonstrate that the scheme has achieved regulated carbon emissions levels of 20% less than that required by Building Regulations Part L.

Reason:

To ensure that the scheme provides sustainable and low carbon development in line with policy DEV32 of the Plymouth and South West Devon Joint Local Plan 2014-2034, the Plymouth and South West Devon Climate Emergency Planning Statement (2022) and paragraph 163 of the National Planning Policy Framework 2024.

12 CONDITION: CYCLE PROVISION

PRE-OCCUPATION

The dwellings hereby permitted shall not be occupied until Cycle storage provision for 12no. bicycles has been laid out within the site in accordance with approved plan PL003 REV 02.

The secure area for storing bicycles shall thereafter be maintained in accordance with the approved details and remain available for its intended purpose in perpetuity and shall not be used for any other purpose.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy DEV29 of the Plymouth & South West Devon Joint Local Plan 2014-2034 and paragraphs 115 and 117 of the National Planning Policy Framework 2024.

13 CONDITION: BIN STORAGE

PRE-OCCUPATION

The development hereby approved shall not be occupied until the bin storage area shown on the approved plan PL003 REV 02 has been made available for use. This area shall remain available for its intended purpose and shall not be used for any other purpose. Bins shall be stored in this area at all times except for collection day.

Reason:

To prevent street clutter and polluting effects from refuse storage in accordance with policies DEV1, DEV2, and DEV31 of the Plymouth & South West Devon Joint Local Plan 2014-2034 (2019) and Section 12 and 15 of the National Planning Policy Framework

14 CONDITION: ECOLOGICAL ENHANCEMENTS

The development shall be undertaken and completed in strict accordance with the mitigation measures and enhancements as set out in Chapter 5 of the submitted Ecological Impact Assessment dated 2025-32.

The enhancement measures, including three swift boxes to be fitted to the western elevation, shall be installed prior to first occupation of any of the dwellings hereby approved and these measures shall be thereafter retained.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Policies SPT12, DEV26 and DEV28 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and paragraphs 125, 135, 187 and 193 the National Planning Policy Framework 2024.

15 CONDITION: TREE RETENTION

COMPLIANCE

No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be pruned other than in accordance with the approved plans [Proposed Floor Plans PL003 REV 02]. Any pruning approved shall be carried out in accordance with BS 3998: 2010 Tree Work Recommendations.

Any trees or hedgerow which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars.

Reason:

To ensure that trees or hedgerows are retained and not adversely effected by construction including in the longer term, in accordance with Policies DEV26 and DEV28 of the Plymouth & South West Devon Joint Local Plan 2014-2034 and paragraphs 135, 136, 187 and 193 of the National Planning Policy Framework 2024.

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.

Further information on CIL can be found on our website here:

<https://www.plymouth.gov.uk/planninganddevelopment/planningapplications/communityinfrastructurelevy>

More information and CIL Forms can be accessed via the Planning Portal:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5

More detailed information on CIL including process flow charts, published by the Ministry of Housing, Local Communities and Government can also be found here:

<https://www.gov.uk/guidance/community-infrastructure-levy>

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 the National Planning Policy Framework, the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

3 INFORMATIVE: BIODIVERSITY GAIN PLAN REQUIRED

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Plymouth City Council.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

4 INFORMATIVE: PARKING PERMITS

The application building is not listed as an address that can apply to have a parking permit to park. Therefore, attention should be drawn to the fact that residents will be unable to obtain resident and visitor parking permits for surrounding resident parking zones.

5 INFORMATIVE: COUNCIL CODE OF PRACTICE

The applicant is directed to the Council's Code of Practice by the Public Protection Service (Control of Pollution and Noise from Demolition and Construction Sites):
<https://www.plymouth.gov.uk/sites/default/files/ConstructionCodeOfPractice.pdf>

6 INFORMATIVE: PROPERTY RIGHTS

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