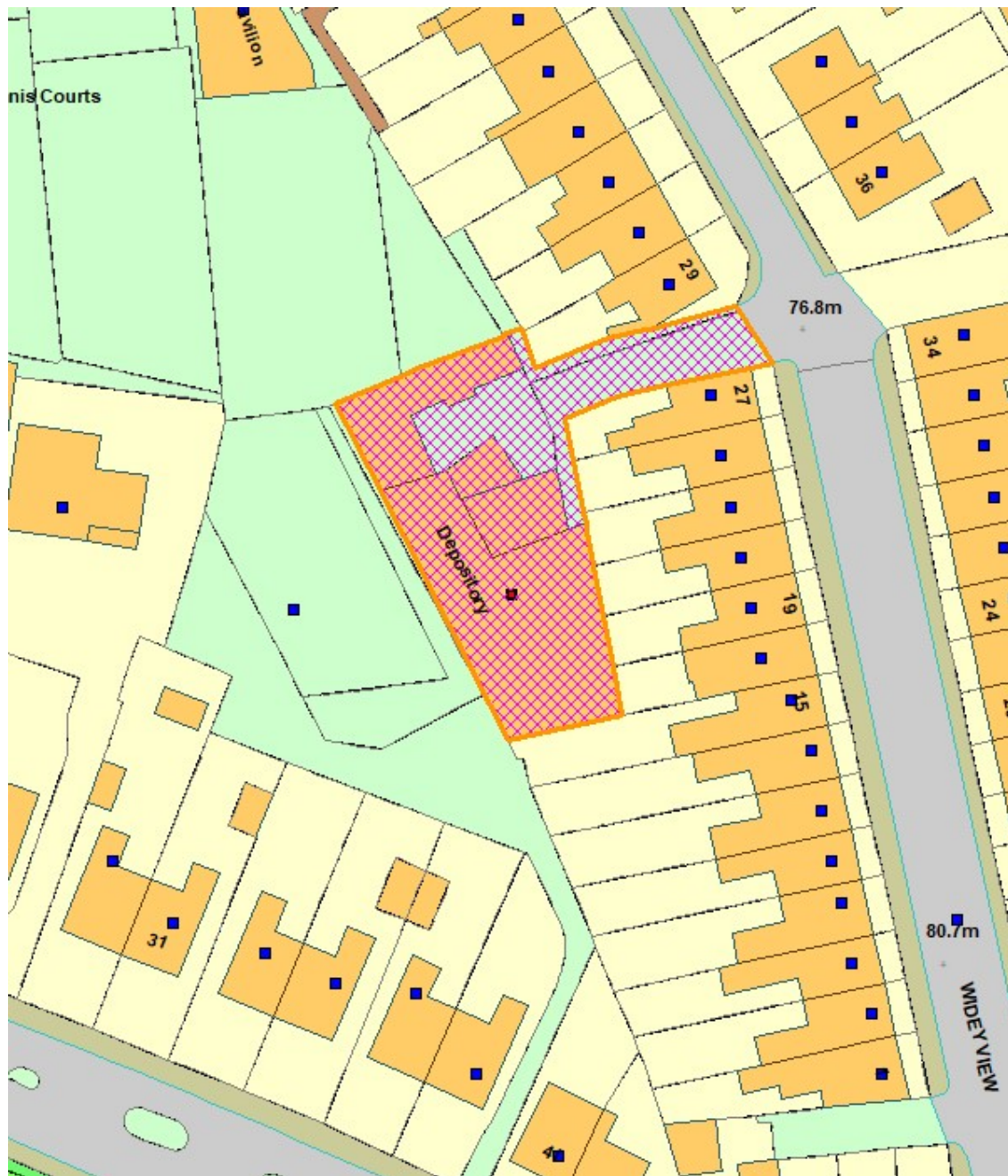


PLANNING APPLICATION OFFICERS REPORT



Application Number	25/00642/FUL	Item	03
Date Valid	07.05.2025	Ward	COMPTON
Site Address	Former Dispensary 29 Widey View Plymouth PL3 5JQ		
Proposal	Change of use of storage (Class B8) buildings and associated land to single dwelling (Class C3) and associated works		
Applicant	Mr Martin Jones		
Application Type	Full Application		
Target Date	02.07.2025	Committee Date	30.10.2025
Extended Target Date	31.10.2025		
Decision Category	Councillor Referral		
Case Officer	Miss Emily Godwin		
Recommendation	Grant Conditionally		



This application has been referred to Planning Committee by Councillor Tippetts.

1. Description of Site

The application site, Former Dispensary, 29 Widey View comprises of a collection of buildings most recently used for Storage (Class B8). Vehicular access to the site is via Widey View and Briar Road. The site is surrounded by residential properties along Higher Compton Road, Widey View and Briar Road.

The site is located within the Compton Ward of the city.

2. Proposal Description

The proposal is for a change of use of storage (Class B8) buildings and associated land to single dwelling (Class C3) and associated works.

3. Pre-application Enquiry

There was no pre-application enquiry.

4. Relevant Planning History

18/00334/FUL - Demolition of existing buildings and erection of block of four flats and a pair of semi-detached houses (Application Withdrawn).

5. Consultation Responses

Local Highway Authority - No in-principle objections to the development, subject to conditions.

Public Protection Service - No objections subject to conditions.

Economic Development - No objections.

Natural Infrastructure - No objections subject to conditions.

South West Water - No comments.

Environment Agency - No response received.

Residential Waste - No response received.

Lead Local Flood Authority - No objection subject to the submission of a site-specific flood risk assessment.

Natural England - Advise that a HRA assessment should be undertaken to determine the impact on designated sites.

Natural England SSSI IRZ - Standing advice provided.

6. Representations

Letters of objections have been received alongside one ward councillor referral. The following concerns have been raised:

- Location of windows resulting in a loss of privacy and amenity, including into garden space
- A residential dwelling would intensify the use through continuous occupation, noise, light
- Greater infrastructure demands
- Not in-keeping with the character of the area
- Increased noise levels during construction and occupation, there is currently no noise associated with the B8 use.
- Development will worsen existing traffic and parking issues, and impact on safety
- Rear access to Widey View will be blocked by parking associated with the dwelling
- Reduced accessibility for residents, children and emergency services.
- Likelihood of protected species including bats on site
- Insufficient parking on-site for the needs of the property
- Parking demand during the construction phase

The following non-material concerns were raised:

- Reduction in property value
- Civil matters including encroachment of existing guttering

These concerns are non-material in the context of the planning process and therefore have no bearing on this recommendation.

One ward councillor referral was received, raising the following issues:

- Loss of privacy
- Out of character with the neighbourhood
- Conflict with the Joint Local Plan

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

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.

2.The relevant policies are: 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), DEV14 (Maintaining a flexible mix of employment sites), DEV20 (Place shaping and the quality of the built environment), DEV26 (Protecting and enhancing biodiversity and geological conservation), DEV29 (Specific provisions relating to transport), DEV31 (Waste management), DEV32 (Delivering low carbon development), DEV35 (Managing flood risk and water quality impacts), SPT2 (Sustainable linked neighbourhoods and sustainable rural communities) and SPT3 (Provision of new homes).

3.The primary planning considerations in this application are: the principle of development, visual impact, impact on neighbouring amenity, occupant amenity, meeting local housing needs, transport, waste, the impact on protected species, the climate emergency and drainage.

Need for Housing Development

4.The publication of the updated NPPF on 12th December 2024, alongside new guidance, set out a new standard method to calculate local housing needs with the clear aim of increasing housing delivery nationally. Policy SPT3 (Provision for new homes) of the Plymouth and 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.

5.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. 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

6.Policy SPT2 sets out that sustainable linked neighbourhoods should have reasonable access to a vibrant mixed use centre, community services and facilities and are well served by public transport, walking and cycling opportunities.

7.Letters of representation have raised concerns that to change the use of the site to a dwellinghouse to be out of keeping with the established character of the area. Given that the application site sits within a well-established residential area, which is characterised by various styles and sizes of properties, officers do not consider that the conversion of a vacant building to a single residential property is out of keeping with the local area.

8.The site is well located in terms of sustainability, with a number of supporting community facilities in close proximity. In terms of location, officers find this to be acceptable and within reasonable access to services and amenities.

9.DEV14 of the JLP provides some policy protection for existing employment sites, including vacant sites whose lawful use is for employment purposes, and requires proposals for change of use to meet certain requirements. In respect of this site, DEV14 (1)(iii) requires that there is no reasonable prospect of the site being used for employment use in the future. Correspondence was received from the agent stating that "the property was advertised for sale by a local agent and the only interest in the property was for a residential conversion. The site is surrounded by residential properties and the site is no longer suitable for B8 storage". The Council's Economic Development Team have reviewed this information and consider that given the scale of the site and residential surroundings, sufficient evidence has been provided to comply with DEV14 of the JLP.

10. Officers raise no in-principle objections to residential development at this site, subject to current national and local planning policy as set out below.

Design

11. Officers have assessed the visual impact of the proposed external alterations in accordance with Policy DEV20 and consider them to be acceptable.

12. External alterations to the property are limited to the installation and alteration of windows and other minor works. Officers consider that these works would not be an out-of-character addition to the property and would not result in visual harm to the wider streetscene. To this end, the scheme accords with DEV20 of the JLP.

Occupant Amenity

13. Officers have assessed the proposed floor plans and note that all bedrooms and habitable rooms will be served by windows providing sufficient access to natural light.

Outlook

14. However, officers note that due to the internal floor levels, the windows as existing and those proposed within the southern building conversion will have a cill height of approximately 1.9m above floor level, resulting in minimal opportunities for outlook. During the course of the application, officers have raised concerns that the level of outlook would be constrained, amended plans were subsequently received which include the provision of an additional window to the north elevation.

15. Whilst it is regrettable that further outlook opportunities could not be secured at the site, officers appreciate that due to the dense pattern of development this would be difficult to achieve whilst also maintaining sufficient privacy for surrounding properties. Furthermore, officers consider that the conversion of the western portion of the site would provide an adequate level of outlook, and some outlook will be provided within the lounge/kitchen/diner.

Space Standards

16. The Nationally Described Space Standards (NDSS) outline the minimum internal floor areas for new dwellings and conversions. The proposal comprises of a 4-bedroom dwelling, containing one double and three single bedrooms. The minimum internal floor space requirement for a 4 bedroom 5 person two-storey dwelling is 97 square metres which the proposed development far exceeds.

Internal Layout

17. The existing built form of the application site has two distinct, but attached, sections of the building which would make up the habitable space of the dwelling. Officers note from the proposed plans that the property would be served by two kitchens and two living areas. Although it is not uncommon for properties of this size to be served by multiple shared facilities, correspondence from the agent has confirmed that the property is intended to be used as a single dwelling. Officers are satisfied that there is internal access to the entire property, and have set out a condition ensuring that the space shall not be severed, and no portion of the building shall function independently to the main dwelling without consent from the Local Planning Authority.

18. In addition, officers note that by virtue of their size, other spaces within the dwelling would not be acceptable to be used as bedrooms such as the office room and pantry/utility room. The application has been assessed on the basis of providing a four-bedroom dwelling and as such officers have conditioned to restrict the bedrooms to those only as shown on the approved plans.

Outdoor Amenity Space

19. Table 11 of the SPD set out the minimum recommended standard of outdoor amenity space for a detached dwelling is 100 square metres. The proposed dwelling would be served by a large hardstanding area to the front of the property that exceeds these requirements, and is intended to be used as an external amenity area, alongside providing access to the garage. Officers are confident that given the size of the hardstand, it could comfortably accommodate vehicle movements associated with the dwelling and retain sufficient useable areas for amenity. In addition, the application site is located within five minutes walking distance to Hartley Park, providing additional outdoor amenity space that is easily accessible from the application site.

20. Overall, officers appreciate the level of outlook is limited in some areas of the property. However, taking into account the property's large internal area and outdoor amenity space officers are satisfied that the proposal would provide an adequate level of occupant amenity. Subject to conditions as outlined above, the application is considered to be in line with DEV10 of the JLP.

Neighbouring Amenity

21. The site and surrounding area are characterised by residential properties. Public comments raise concerns that the dwelling would intensify the use of the property, leading to continuous noise and light compared to the existing storage use of the site. Officers acknowledge that a residential property would create a level of noise and light by way of the occupancy, however it is not considered that the impacts of one dwellinghouse would be of a level which would result in a significant level of disruption, particularly when compared to a storage use which typically may be associated with increased comings and goings and on-site vehicle manoeuvres. Officers also consider that the storage and distribution is a long-established historic use, not subject to planning controls. Therefore, the hours of opening and any delivery timings are not restricted by planning conditions and so operations at the site could cause disruption early in the morning and later in the evening. With this in mind, Officers are satisfied that the conversion to create one dwelling within an established residential area would not result in an unacceptable level of noise or disturbance, or light pollution, particularly when considering the B8 use of the site.

22. Letters of representation have also raised concerns that the proposed windows would result in a harmful level of overlooking into neighbouring windows and gardens, and would lead to a loss of privacy for neighbours.

23. The windows proposed on the east elevation would be located opposite the rear elevation windows of residential properties along Widey View, given the street layout the separation distances between windows varies between 10.9m and 18.3m. The agent submitted amended plans which included details of the floor height in relation to the cill levels, and also introduced obscure glazing to some windows within the east elevation of the southern building. East and south elevation windows' cill height would be approximately 1.9m above the floor level. By virtue of their high-level siting, and the obscure glazing applied to some windows officers do not raise concerns that these windows would result in harmful levels of overlooking to neighbouring properties' habitable windows nor garden space.

24. Window alterations are also proposed within the east elevation of the western section of the site. Here, the window separation distances to the closest windows of properties opposite on Widey View is between 15.4m-16.6m. Guidance in the SPD requires that habitable windows facing directly opposite one another should be a minimum of 21m apart. Whilst this distance is not met by the proposal, officers note the dense pattern of development that characterises the site and surrounding area where it is not uncommon for the proximity between habitable room windows to be below the distance outlined in the SPD. Officers also note that the windows will provide some opportunities for overlooking to the gardens of properties along Widey View, however given the established density, officers consider that mutual overlooking into gardens already exists for these properties. As such, whilst a loss of privacy would occur, officers take an on-balance view that this would not be so harmful as to warrant the refusal of the application.

25. An additional window is proposed in the north elevation of the property. Officers do not raise privacy concerns with this window, considering that views would be directed to the outdoor space of the property and the rear gardens of properties on Briar Road approximately 19m away. Amended plans also show the intention to incorporate a controlled view louvre to the west elevation window to limit overlooking to the dwelling to the west. Officers are satisfied that the louvre provides a solution to improve privacy whilst retaining a level of outlook for future occupants. All other windows on the west elevation are proposed to be obscured, with clear opening windows proposed at high level. Officers raise no concerns with these windows from an amenity perspective and have secured the relevant window treatments via planning condition.

26. Officers do not envisage the proposal will result in a loss of daylight or outlook to neighbouring properties. No extensions are proposed, so the scale and massing of the property will remain the same. Permitted development rights have been restricted to prevent any unreasonable impact from taking place in the future.

27. A phase I contaminated land assessment has been submitted which concludes that no further contamination investigations are required. The Council's Public Protection Service (PPS) have been consulted on the application and raise no concerns, subject to a condition to report unexpected contamination.

28. Public comments also highlight that there is likely to be increased levels of noise during construction, and disruption due to increased parking demand for construction. Officers have included an informative outlining the Council's Code of Practice.

29. To this end, officers consider that the impact of the proposed development on neighbouring amenity would not be so harmful as to warrant the refusal of the application and subject to recommended conditions is considered to accord with DEVI of the JLP.

Highways Considerations

30. The Local Highway Authority (LHA) have provided comments on the application and raise no in-principle objections.

31. Representations received note that there does not appear to be a significant level of on-site parking for the demands of the property. The proposed dwelling would be provided with four bedrooms, giving rise to an associated parking demand of three spaces in line with the indicative parking standards as outlined in the SPD. The LHA find there to be sufficient space to the front of the dwelling and the large garage to accommodate the required levels of car and cycle parking.

32. Officers note concerns that the proposal would result in additional pressure on the highway network, lead to issues of highway safety and would reduce accessibility for residents, children and emergency services. The LHA note that there are no changes proposed to the access arrangement which is currently provided for by the driveway. The former B8 use is considered to have generated a higher level of trips than that expected of a single dwelling and so there would be a reduction in the number of vehicle movements in to and out of the site.

33. Public comments have also raised concerns that vehicles would block the rear access to Briar Road. Officers understand that the access to the site is via a private drive/road, and therefore any concerns arising from parking along this road are a civil matter, falling outside the planning process. The parking provision on site is considered to be sufficient for the expected parking demand for the property.

34. The LHA consider the site to be self-sufficient in its parking needs and secure, covered cycle storage could be provided within the garage. The proposed development is not considered to give rise to any additional traffic and transport impacts over and above that previously established by the former use and for these reasons, the LHA would not wish to raise any in-principle objections to the proposed development.

35. In line with section 8 of the SPD, the LHA highlight that one EV charging point should be provided to serve the dwelling, with the provision of such being secured via planning condition. In addition, officers have conditioned that the garages shall remain ancillary to the residential dwellinghouse.

Natural Infrastructure

36. Letters of representation had raised concerns that the proposal would impact upon protected species. During the course of the application, the Council's Natural Infrastructure (NI) team requested the submission of a nest and roost assessment due to the presence of protected trees in the surrounding area, and that the building has been vacant.

37. A covering letter from a qualified ecologist was submitted which detailed the survey of the main barn. Whilst a bat dropping was recorded within the main barn, the letter details that there is poor availability on site to offer suitable crevice roosting opportunities within the timber structure and so the proposed works would have a negligible impact on suitable roosting locations. The letter recommends the works taking place under a precautionary method of works, this approach is supported by the NI team, and has been secured via condition alongside mitigation and enhancements in line with the recommendations of the ecologist's letter.

38. The authority has concluded that the adverse effects from the proposal are wholly consistent with and inclusive of the effects detailed in the Tamar Estuary Estuaries Management Plan and the Yealm Estuary Environmental Management Plan. The authority's assessment is that the application complies with this strategy and that it can therefore be concluded that there will be no adverse effect on the integrity of the designated sites identified above.

39. Subject to conditions, officers are satisfied the proposal is in accordance with DEV26 of the JLP.

Refuse

40. Details of the location of bin storage demonstrate an ample bin storage solution located within the curtilage of the dwellinghouse. Officers have recommended a condition that space for refuse storage is provided on site, where bins shall be stored at all times except for collection days to ensure compliance with DEV31 of the JLP.

Drainage

41. The application site is located within Flood Zone 1 and is considered to be at low risk from fluvial and tidal flooding. Flood Map for Planning indicates that the site is at risk from surface water flooding at a 1 in 100 year return period event.

42. 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.

43. Initial comments were received from the Lead Local Flood Authority (LLFA), raising no objections. However, the LLFA note that a new door on the east side of the property would be installed at a lower threshold which has the potential to expose the property to a risk of surface water flooding. The LLFA therefore requested a Flood Risk Assessment including the scale and depth of anticipated surface water flooding. Amended plans were submitted increasing the door threshold and finished floor levels on the east elevation. Upon review of this information, the LLFA raise no objections. Officers have included an informative relating to the risk of surface water flooding that may affect the proposed site.

44. Overall, the scheme is in accordance with DEV35 of the JLP.

Climate Emergency

45. Officers have assessed the details as submitted within the Climate Emergency Compliance Form. It is regrettable that the proposal does not seek to change the existing heating system, nor incorporate low or zero carbon energy generation. However, given that the proposal would re-use an existing building which is far superior in terms of carbon emissions, and that electric vehicle

charging provision has been conditioned; officers consider the scheme to be in line with DEV32 of the JLP and the CEPS (2022).

Biodiversity Net Gain

46. The application is exempt from the mandatory requirement to deliver 10% biodiversity net gain under the 'de minimis' exemption as it is a proposed change of use with minimal alterations that would impact on habitat.

Planning balance

47. 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.

48. 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.

49. Exception (ii) 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.

50. It is acknowledged that the LPA do not currently have a five-year housing land supply, however, in this instance no conflict has been identified against the development plan. The proposal is considered sustainable development, providing a new dwelling in an accessible location, close to services and facilities, providing a good standard of accommodation whilst not prejudicing the amenity of existing residents or the wider area. 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

None.

11. Planning Obligations

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

Planning obligations are not sought due to the nature and size of proposal.

12. Equalities and Diversities

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

13. Conclusions and Reasons for Decision

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance. The proposal is considered sustainable development, providing a new dwelling in a sustainable location, close to services and facilities, and providing an acceptable standard of accommodation whilst, on balance, not prejudicing the amenity of existing residents. The application is therefore considered acceptable and is being recommended for approval.

14. Recommendation

In respect of the application dated 07.05.2025 it is recommended to Grant Conditionally.

15. Conditions / Reasons

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

I CONDITION: APPROVED PLANS

Site Location Plan and Proposed Site Block Plan PL.01 received 28/04/25
Proposed Ground Floor Plan PL.02 received 28/04/25
Proposed and Existing West Elevation PL.09 Rev B received 22/07/25
Proposed and Existing Garage Elevations PL.10 received 07/05/25
Proposed and Existing East Elevation PL.07 Rev B received 17/06/25
Planning Consultation Confirmations Drawing PL.10 received 17/06/25
Typical External Louvre Detail PL.10 received 15/09/25
Proposed First Floor Plan PL.03 Rev A received 22/07/25
Proposed and Existing North Elevation PL.06 Rev A received 22/07/25
Proposed and Existing South Elevation PL.08 Rev A received 22/07/25

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: CAR PARKING PROVISION

PRE-OCCUPATION

The dwelling hereby permitted shall not be occupied until space has been laid out within the site in accordance with the approved plan for a minimum of 3 cars to be parked 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 and enter and leave the site safely, so as to avoid damage to amenity and interference with the free flow of traffic on the highway 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.

4 CONDITION: EV CHARGING

PRE-OCCUPATION

The dwelling hereby permitted shall not be occupied until 1 no. electrical vehicle charging point has been installed and is connected and in working order. The electrical vehicle charging point shall thereafter remain available in perpetuity for its intended purpose and shall not be used for any other purpose.

Reason:

To assist in the lowering the carbon footprint of the development 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.

5 CONDITION: ECOLOGICAL ENHANCEMENT MEASURES

PRE-OCCUPATION

The dwelling hereby permitted shall not be occupied until the ecological enhancement measures as detailed in the letter "Ecology Assessment of 29 Widey View", prepared by Halpin Robbins Ecological and Environmental Services, namely; 2no. Bird boxes and 1no. Bat box have been installed within the fabric of the building. 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.

6 CONDITION: BIN STORAGE

PRE-OCCUPATION

The dwelling hereby permitted shall not be occupied until space has been laid out within the site for refuse storage. 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 paragraph 135 of the National Planning Policy Framework 2024.

7 CONDITION: LAND QUALITY- REPORTING OF UNEXPECTED CONTAMINATION

COMPLIANCE

In the event that contamination is found at any time when carrying out the approved development that was not previously identified; it must be reported in writing immediately to the Local Planning Authority.

Development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination.

An investigation and risk assessment shall be undertaken subject to the approval in writing of the Local Planning Authority, and where remediation is necessary a remediation scheme shall be prepared subject to the approval in writing of the Local Planning Authority.

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

Reason:

To ensure that risks from land contamination to the environment, future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors; and to avoid conflict with Policies DEV1 and DEV2 of the Plymouth & South West Devon Joint Local Plan 2014-2034 and Paragraphs 125, 187, 196 and 197 of the National Planning Policy Framework 2024.

8 CONDITION: ECOLOGY

COMPLIANCE

The development hereby permitted shall be carried at all times under a precautionary method of works as set out within sections "Precautionary method of works for bats" and "precautionary method of works for birds" as detailed in the letter "Ecology Assessment of 29 Widey View", prepared by Halpin Robbins Ecological and Environmental Services.

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.

9 CONDITION: SINGLE DWELLING USE

COMPLIANCE

The dwelling hereby permitted shall only be occupied as a single dwelling. No parts of the development shall be severed to operate independently.

Reason:

The independent use of different parts of the premises would be likely to produce conditions unacceptable to the Local Planning Authority; this condition is in accordance with policies DEV1, DEV10 and DEV20 of the Plymouth and South West Devon Joint Local Plan 2014-2034 and paragraphs 135 and 198 of the National Planning Policy Framework 2024.

10 CONDITION: BEDROOMS

COMPLIANCE

Only the rooms indicated as bedrooms on the approved plans shall be used as bedrooms, unless the Local Planning Authority gives written approval to any variation of this requirement.

Reason:

The number of bedrooms proposed in the application is considered to be the maximum that can reasonably be accommodated at the site. The proposed layout, together with the use of the remaining rooms for communal facilities, has been assessed and considered acceptable in planning terms and any other arrangement would need to be assessed on its merits. This condition is in accordance with policies DEV1 and DEV10 of the Plymouth and South West Devon Joint Local Plan (2014-2034) 2019 and paragraphs 135 and 198 the National Planning Policy Framework 2024.

11 CONDITION: OBSCURE GLAZING AND WINDOW LOUVRE

COMPLIANCE

For the avoidance of doubt, notwithstanding the provisions of Article 3 and Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the window/s labelled as obscured glazed on the approved plans, shall at all times be obscured (with an obscurity rating of not less than level 4).

In addition, the proposed window louvre to the Lounge/Kitchen/Diner window on the west elevation as shown on approved plan "Proposed and existing west elevations" (PL.09 REV B) shall be installed in accordance with the submitted details "Typical External Louvre Detail" (PL.10), prior to first occupation and shall be retained in perpetuity.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy DEV1 of the adopted Plymouth and South West Devon Joint Local Plan 2014-2034 and paragraph 135 of the National Planning Policy Framework 2024.

12 **CONDITION: RESTRICTIONS ON PERMITTED DEVELOPMENT**

COMPLIANCE

Notwithstanding the provisions of Article 3 and Classes A, AA, B, C, D, E and F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no enlargements, improvements or other alterations shall be carried out to the dwelling hereby approved without the express consent in writing of the Local Planning Authority. This includes alterations to or insertion of windows and any alterations to the roof.

Reason:

The Local Planning Authority considers that in order to protect neighbouring amenity and the quality of the built environment such changes would need to be made the subject of a separate application to be considered on its merits in accordance with Policies DEVI, DEV10 and DEV20 of the Plymouth & South West Devon Joint Local Plan 2014-2034 and paragraphs 135 and 198 of the National Planning Policy Framework 2024.

13 **CONDITION: ANCILLARY USE**

COMPLIANCE

The proposed garages within the dwelling hereby permitted shall only be used for purposes incidental or ancillary to the primary residential use of the property, 29 Widey View, PL3 5JQ.

Reason:

Whilst the proposal for such ancillary use is acceptable to the Local Planning Authority, the independent use of different parts of the premises would be likely to produce conditions unacceptable to the Local Planning Authority; this condition is in accordance with policies DEVI, DEV10 and DEV29 of the Plymouth and South West Devon Joint Local Plan 2014-2034 and paragraphs 135 and 198 of the National Planning Policy Framework 2024.

14 **CONDITION: FINISHED FLOOR LEVELS**

COMPLIANCE

The first floor finished floor level of the southern element (main barn) of the dwelling hereby permitted shall be of a height that ensures the clear windows on the south and east elevations remain at least 1.7m above floor level. This floor level shall be retained for the lifetime of the development.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy DEVI of the adopted Plymouth and South West Devon Joint Local Plan 2014-2034 and paragraph 135 of the National Planning Policy Framework 2024.

INFORMATIVES

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

The Local Planning Authority has assessed that this development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to its size or nature, under our current charging schedule. The Levy is subject to change and you should check the current rates at the time planning permission first permits development (if applicable) see www.plymouth.gov.uk/cil for guidance.

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: 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.

4 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>

5 INFORMATIVE: BATS AND BIRDS

Bats and birds are protected under the Wildlife & Countryside Act 1981 and the Countryside and Rights of Way Act 2000, it is an offence to deliberately or recklessly disturb them or damage their roosts or habitat. Therefore, close inspection of the buildings should be undertaken prior to the commencement of works to determine if any bats or birds reside in the roofspaces. No works should occur while birds are nesting which may be at any time between the month of March to September inclusive; if bats are present works should cease until the applicant has obtained further advice from Natural England on 0845 601 4523 or email wildlife@naturalengland.org.uk. Further advice on bats is available from The Bat Conservation Trust 0845 1300 228.

6 INFORMATIVE: BIODIVERSITY NET GAIN EXEMPTION DE MINIMIS

In accordance with The Biodiversity Gain Requirements (Exemptions) Regulations 2024, this application is exempt from mandatory BNG as the development is subject to the de minimis exemption (development that does not impact a priority habitat and impacts less than 25sqm of habitat).