

Planning Committee

Thursday 15 October 2009

PRESENT:

Councillor Lock, in the Chair.
Councillor Mrs Stephens, Vice Chair.
Councillors Mrs Bowyer, Delbridge, Fox, Martin Leaves, Mrs Nicholson (substitute for Councillor Nicholson), Roberts, Stevens, Tuohy, Vincent and Wheeler.

Apologies for absence: Councillors Nicholson

The meeting started at 2.30 pm and finished at 6.40 pm.

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

43. DECLARATIONS OF INTEREST

| | Minute | Reason | Interest |
|--------------------|--|--|-------------|
| Councillor Wheeler | 47.1 19 Greenbank Avenue, Plymouth 09/01226/FUL | knows the agent | Personal |
| Councillor Stevens | 47.1 19 Greenbank Avenue, Plymouth 09/01226/FUL | knows the agent | Personal |
| Councillor Wheeler | 47.2 19 Greenbank Avenue, Plymouth 09/00852/FUL | knows the agent | Personal |
| Councillor Stevens | 47.2 19 Greenbank Avenue, Plymouth 09/00852/FUL | knows the agent | Personal |
| Councillor Lock | 47.6 Land at Ridge Road, Hardwick, Plymouth 09/00983/FUL | engaged with members of the public and spoken to the press | Prejudicial |
| Councillor Lock | 47.7 Twin Oaks, Ridge Road, Plymouth 09/00562/FUL | engaged with members of the public and spoken to the press | Prejudicial |
| Councillor Wheeler | 47.8 Tamarside Community College, Trevithick Road, St Budeaux, Plymouth 09/01075/FUL | Governor of Tamarside Community College | Prejudicial |
| Councillor Stevens | 6.9 Woodland terrace Plymouth 09/00832/FUL | employed by the Devon and Cornwall Constabulary | Personal |
| Councillor Wheeler | 47.11 Boundary Service Station, 443 Tavistock Road, Plymouth 09/00941/FUL | member of the Plymouth Local Access Forum | Personal |

44. MINUTES

Resolved that the minutes of the meeting held on 17 September 2009, be confirmed as a correct record.

CHAIR'S URGENT BUSINESS

45. Councillors Lock and Tuohy

The Committee welcomed -

- Councillor Tuohy to her first meeting as a member the Planning Committee;
- Councillor Lock back after his recent operation.

46. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no question's from members of the public.

47. PLANNING APPLICATIONS FOR CONSIDERATION

The Committee considered the following applications, development proposals by local authorities and statutory consultations submitted under the Town and Country Planning Act, 1990, and the Planning (Listed Buildings and Conservations Areas) Act, 1990.

Addendum reports were submitted in respect of minute numbers 47.1, 47.2, 47.6, 47.7, 47.9 and 47.13.

47.1 19 GREENBANK AVENUE, PLYMOUTH 09/01226/FUL

(Piety)

Decision:

Application **granted** conditionally.

Resolved to add an additional condition: No "call to prayer" by loudspeaker or without any amplification. Any proposed call to prayer be the subject of a fresh planning application.

(At the invitation of the Chair, the Committee heard from the Agent).

(Councillors Stevens and Wheeler declared a personal interest in respect of the above item).

47.2 19 GREENBANK AVENUE, PLYMOUTH 09/00852/FUL

(Piety)

Decision:

Application **granted** conditionally.

(At the invitation of the Chair, the Committee heard from the agent).

(Councillors Stevens and Wheeler declared a personal interest in respect of the above item).

47.3 9 FRASER SQUARE, PLYMOUTH 09/01222/FUL

(Mr M Swan)

Decision:

Application **granted** conditionally.

47.4 75 BUDSHEAD ROAD, PLYMOUTH 09/01206/FUL

(Mr C Mitchell)

Decision:

Application **granted** conditionally.

47.5 29 AYCLIFFE GARDENS, PLYMOUTH 09/00921/FUL

(Mr and Mrs GP and SA Johns)

Decision:

Application **refused**.

(At the invitation of the Chair, the Committee heard from an objector).

47.6 LAND AT RIDGE ROAD, HARDWICK, PLYMOUTH 09/00983/FUL

(Mr Alfred and Peter Reilly)

Decision:

Application minded to refuse but given the complicated nature of wording of CS18 Green Space Policy **deferred** for officers to report back to the next meeting regarding the wording of committee generated refusal reasons.

Resolved that the legality of enforcement action be investigated as a matter of urgency and in the absence of any legal barrier, enforcement action be taken at the earliest opportunity.

(The vice-chair took the chair for this item).

(Councillor Fox, having been nominated by Councillor Mrs. Stephens and seconded by Councillor Roberts, was appointed Vice-Chair for this item).

(At the invitation of the Chair, the Committee heard from the agent).

(At the invitation of the Chair, the Committee heard from an objector).

(At the invitation of the Chair, the Committee heard from Councillor Lock, ward councillor, who having declared a prejudicial interest in respect of the above item then withdrew from the meeting).

47.7 TWIN OAKS RIDGE ROAD PLYMPTON, PLYMOUTH 09/00562/FUL

(Mr J Keating)

Decision:

Application minded to refuse but given the complicated nature of wording of CS18 Green Space Policy **deferred** for officers to report back to the next meeting regarding the wording of committee generated refusal reasons.

The Officer advised that the report should read two touring caravans not one as per the description.

Resolved that the legality of enforcement action be investigated as a matter of urgency and in the absence of any legal barrier, enforcement action be taken at the earliest opportunity.

(The vice-chair took the chair for this item).

(Councillor Fox, having been nominated by Councillor Mrs. Stephens and seconded by Councillor Roberts, was appointed Vice-Chair for this item).

(At the invitation of the Chair, the Committee heard from the agent).

(At the invitation of the Chair, the Committee heard from an objector).

(Councillor Lock, having declared a prejudicial interest in respect of the above item, withdrew from the meeting).

47.8 TAMARSIDE COMMUNITY COLLEGE, TREVITHICK ROAD, ST BUDEAUX, PLYMOUTH 09/01075/FUL

(Tamarside Community College)

Decision:

Application **refused** for the following reasons

contrary to –

- CS18 – Green Space
- CS30 – Sport Recreation and Children’s play
- CS32 – Designing out Crime
- CS34 – Planning Application Considerations

(At the invitation of the Chair, the Committee heard from Councillor Bowie, the ward councillor).

(At the invitation of the Chair, the Committee heard from an objector).

(Councillor Wheeler, having declared a prejudicial interest in respect of the above item, withdrew from the meeting).

47.9 WOODLAND TERRACE, PLYMOUTH 09/00832

(Brook Street Properties Ltd)

Decision:

Application **granted** conditionally.

(Councillor Stevens declared a personal interest in respect of the above item).

47.10 29-30 REGENT STREET, GREENBANK, PLYMOUTH 09/01070/FUL

(Mr & Mrs Crabb)

Decision:

Application **deferred** for further consultation. Application to come back to the earliest Committee conducive to allowing a new report including details of consultation on revised plans.

The case officer informed the committee that the officers recommendation had been amended to “minded to refuse, for refusal reasons 2,3 and 4 only, defer for neighbor consultation on revised drawings, and delegate authority to Assistant Director to determine, having regard to any reps from neighbours.

(At the invitation of the Chair, the Committee heard from the applicant).

(At the invitation of the Chair, the Committee heard from an objector).

47.11 BOUNDARY SERVICE STATION 443 TAVISTOCK ROAD, PLYMOUTH 09/00941/FUL

(Mr D Matthews)

Decision:

Application **granted** conditionally subject to S106 obligation, delegated authority to refuse in the event of S106 not being signed.

Resolved to add an informative stating that permission was awarded without prejudice to any potential public right of way claim.

(Councillor Wheeler declared a personal interest in respect of the above item).

**47.12 LAND TO THE SIDE OF BELLIVER INDUSTRIAL ESTATE, PLYMOUTH
08/02161/OUT**

(Trustees of the Cann estates)

Decision:

Application **granted** conditionally subject to S106 obligation, delegated authority to refuse in event of S106 not signed within 4 months of the date of this committee meeting.

47.13 LAND PARCEL 1A, OFF CLITTAFORD ROAD, SOUTHWAY, PLYMOUTH 09/01081

(Taylor Wimpey (George Wimpey) Ltd)

Decision:

Application **granted** conditionally.

48. PLANNING COMMITTEE CODE OF GOOD PRACTICE

Resolved to recommend to the Portfolio Holder that the amended version of the Code for Members and Officers is approved.

49. PLANNING APPLICATION DECISIONS ISSUED

The Committee received a report from the Assistant Director of Development (Planning Services) on decisions issued for the period 8 September to 5 October, 2009, including –

- Committee decisions
- Delegated decisions, subject to conditions where so indicated
- Applications withdrawn
- Applications returned as invalid

Resolved that the report be noted.

50. EXEMPT BUSINESS

There were no items of exempt business.

51. VOTING SCHEDULE (Pages 1 - 4)

PLEASE NOTE

A SCHEDULE OF VOTING RELATING TO THE MEETING IS ATTACHED AS A SUPPLEMENT TO THESE MINUTES.

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PLANNING COMMITTEE

DATE OF MEETING – 15 October 2009

SCHEDULE OF VOTING

| Minute No. | Voting For | Voting Against | Abstained | Excluded from voting due to Interests Declared | Absent |
|---|---|---|------------------|---|---------------|
| 6.1.19 Greenbank Ave, Plymouth 09/01226/FUL Officer recommendation | Unanimous. | | | | |
| 6.2.19 Greenbank Ave. Plymouth 09/00852/FUL Officer recommendation | Unanimous. | | | | |
| 6.3.9 Fraser Square, Plymouth 09/01222/FUL Officer recommendation | Unanimous. | | | | |
| 6.4.75 Budshead Road, Plymouth 09/01206/FUL Officer recommendation | Unanimous. | | | | |
| 6.5.29 Aycliffe Gardens, Plymouth 09/00921/FUL Officer recommendation | Unanimous. | | | | |
| 6.6 Land at Ridge Road, Hardwicke, Plymouth 09/00983/FUL Refusal Enforcement action | Councillors Fox, Martin Leaves, Mrs Nicholson, Mrs Stephens, Stevens, Tuohy, Vincent and Wheeler. Councillors Fox, Mrs Bowyer, Delbridge, Martin Leaves, Mrs Nicholson, Roberts, Mrs Stephens, Stevens, Vincent and Wheeler. | Councillors Mrs Bowyer, Delbridge and Roberts. Councillor Tuohy. | | Councillor Lock. Councillor Lock. | |

| Minute No. | Voting For | Voting Against | Abstained | Excluded from voting due to Interests Declared | Absent |
|--|---|--|---------------------------|---|---------------------------|
| 6.7 Twin Oaks Ridge Road, Hardwick, Plymouth 09/00562/FUL Refusal Enforcement | Councillors Fox, Martin Leaves, Mrs Nicholson, Mrs Stephens, Stevens, Tuohy, Vincent and Wheeler. Councillors Fox, Mrs Bowyer, Delbridge, Martin Leaves, Mrs Nicholson, Roberts, Mrs Stephens, Stevens, Vincent and Wheeler. | Councillors Mrs Bowyer, Delbridge and Roberts. Councillor Tuohy. | | Councillor Lock. Councillor Lock. | |
| 6.8 Tamarside Community College, Trevithick Road, St Budeaux, Plymouth 09/01075/FUL Officer recommendation | | Councillors Fox, Mrs Bowyer, Delbridge, Martin Leaves, Lock, Mrs Nicholson, Roberts, Mrs Stephens, Stevens, Tuohy and Vincent. | | Councillor Wheeler. | |
| 6.9 Woodland Terrace, Plymouth 09/00832/FUL Officer recommendation | Councillors Fox, Mrs Bowyer, Delbridge, Lock, Roberts, Mrs Stephens, Stevens, Tuohy, Vincent and Wheeler. | | Councillor Mrs Nicholson. | | Councillor Martin Leaves. |
| 6.10 29-30 Regent Street, Greenbank, Plymouth 09/01070/FUL Officer recommendation | Councillors Fox, Mrs Bowyer, Delbridge, Lock, Mrs Nicholson, Roberts, Mrs Stephens, Stevens, Tuohy, Vincent and Wheeler | | | | Councillor Martin Leaves. |
| 6.11 Boundary Service Station 443 Tavistock Road, Plymouth 09/00941/FUL Officer recommendation | Councillors Fox, Mrs Bowyer, Delbridge, Lock, Mrs Nicholson, Mrs Stephens, Stevens, Tuohy, Vincent and Wheeler. | Councillor Roberts. | | | Councillor Martin Leaves. |

| Minute No. | Voting For | Voting Against | Abstained | Excluded from voting due to Interests Declared | Absent |
|--|---|-----------------------|------------------|---|--------------------------|
| 6.12 Land to side of Belliver Industrial Estate, Plymouth 08/02161/OUT Officer recommendation | Councillors Fox, Mrs Bowyer, Delbridge, Lock, Mrs Nicholson, Roberts, Mrs Stephens, Stevens, Tuohy, Vincent and Wheeler | | | | Councillor Martin Leaves |
| 6.13 Land Parcel 1A off Clittaford Road, Southway, Plymouth 09/01081 Officer recommendation | Councillors Fox, Mrs Bowyer, Delbridge, Lock, Mrs Nicholson, Roberts, Mrs Stephens, Stevens, Tuohy, Vincent and Wheeler | | | | Councillor Martin Leaves |
| 7. Planning Committee Code of Good Practice for Members and Officers Defer for advice | Councillors Fox, Mrs Bowyer, Delbridge, Lock, Mrs Nicholson, Roberts, Mrs Stephens, Stevens, Tuohy, Vincent and Wheeler | | | | Councillor Martin Leaves |