

Planning Committee

Thursday 12 November, 2009

PRESENT:

Councillor Lock, in the Chair.

Councillor Mrs. Stephens, Vice-Chair.

Councillors Ball (substitute for Councillor Fox), Delbridge, Mrs. Foster (substitute for Councillor Mrs. Bowyer), Mrs. Nicholson (substitute for Councillor Martin Leaves), Nicholson, Roberts, Stevens, Tuohy, Vincent and Wheeler.

Apologies for absence: Councillors Mrs. Bowyer, Fox and Martin Leaves.

The meeting started at 2.30 p.m. and finished at 6.25 p.m.

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.

52. DECLARATIONS OF INTEREST

The following declarations of interest were made in accordance with the Code of Conduct in relation to items under discussion at this meeting –

Name	Minute No. and Subject	Reason	Interest
Councillor Lock	56.3 – Twin Oaks, Ridge Road, Plympton, Plymouth 09/00562/FUL	Engaged with members of the public and spoken to the press	Prejudicial
	56.4 – Land at Ridge Road, Hardwick, Plymouth 09/00983/FUL	Engaged with members of the public and spoken to the press	Prejudicial
	56.5 – Plympton Cattle Market, Market Road, Plymouth 09/01432/FUL	Worked with the developer and spoken in public	Prejudicial
	56.6 – Phase 6 Site, Tamar Science Park, South of Research Way, Plymouth 09/01379/REM	Held discussions with the applicant	Prejudicial
	56.9 – Embankment Lane, Plymouth 09/01223/FUL	Trustee of Plymouth Charities Trust (owners of Alms Houses at Heles Terrace)	Personal
Councillor Mrs. Stephens	56.9 – Embankment Lane, Plymouth 09/01223/FUL	Trustee of Plymouth Charities Trust (owners of Alms Houses at Heles Terrace)	Personal
Councillor Ball	56.10 – Leaves Yard, Windsor Road, Higher Compton, Plymouth 08/01700/OUT	Ward Councillor	Personal

Name	Minute No. and Subject	Reason	Interest
Councillor Mrs. Foster	56.10 – Leaves Yard, Windsor Road, Higher Compton, Plymouth 08/01700/OUT	Applicant is a ward councillor colleague and personal friend	Personal
Councillor Wheeler	56.12 – Former Baylys Yard, Oreston, Plymouth 09/01060/OUT	Member of the Cattewater Harbour Commission	Prejudicial

53. MINUTES

Resolved that the minutes of the meeting held on 15 October, 2009, be confirmed as a correct record, subject to the voting schedule being amended to reflect the fact that –

- (i) with regard to 6.6 – Land at Ridge Road - the vote against the officer's recommendation to Grant Conditionally was unanimous;
- (ii) with regard to 6.7 – Twin Oaks, Ridge Road - the vote against the officer's recommendation to Grant Conditionally was unanimous.

54. CHAIR'S URGENT BUSINESS

The Chair was pleased to report that the Committee's Code of Good Practice was now in effect and, for the benefit of public speakers, he highlighted the significant differences as follows –

- Speakers now had 5 minutes instead of 3
- Speakers were no longer restricted to only being able to speak once on an application

(In accordance with Section 100(B)(4)(b) of the Local Government Act, 1972, the Chair brought forward the above item of business because of the need to inform members).

55. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

56. 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 Conservation Areas) Act, 1990.

Addendum reports were submitted in respect of minute numbers 56.2, 56.3, 56.4, 56.5, 56.7, 56.8, 56.9, 56.11 and 56.13.

56.1 184 HEMERDON HEIGHTS, PLYMPTON, PLYMOUTH 09/01224/FUL

(Mrs. J. Pomeroy)

Decision:

Application **GRANTED** conditionally.

56.2 29 AYCLIFFE GARDENS, PLYMOUTH 09/00921/FUL

(Mr. and Mrs. G.P. and S.A. Johns)

Decision:

Application **WITHDRAWN** (determined at last meeting and included on agenda in error).

56.3 TWIN OAKS, RIDGE ROAD, PLYMPTON, PLYMOUTH 09/00562/FUL
(Mr. J. Keating)

The officer referred to the addendum report and advised that a further letter of representation had been received from an MP.

Decision:

Application **REFUSED** for the following reasons –

(1) The site is in a relatively isolated location and the Local Planning Authority considers that the proposal would not accord with sustainable development principles as it is remote from adequate services, employment, education, public transport, etc, and the gypsy sites would therefore increase the need for journeys to be made by private vehicles, which is not sustainable. It is therefore considered to be contrary to the aims of policies, CS16 and CS28 of the Core Strategy of Plymouth's Local Development Framework 2007 and to Planning Policy Guidance Note 13 (Transport).

(2) The Local Planning Authority considers that the site is not well located on the highway network and the proposals fail to provide safe and convenient vehicular and pedestrian access to the site as well as safe and convenient access to schools and local facilities. For these reasons the Local Planning Authority considers that the proposed gypsy site is not adequately integrated into the local community and is therefore contrary to policy CS17 of the Core Strategy of Plymouth's Local Development Framework 2007.

(3) The Local Planning Authority considers that the proposal would result in isolated development on a strategically important greenspace area beyond the limits of any existing urban/suburban area. It would be detrimental to the character and appearance of this part of the greenspace and set an unwelcome precedent for further sporadic development. The proposal is therefore considered to be contrary to policy CS18 of the Core Strategy of Plymouth's Local Development Framework 2007.

(4) The site falls within the area identified for designation as a countryside park in the Area Action Plan for North Plymstock. The Local Planning Authority considers that the proposal would be detrimental to the character and function of this area of greenspace and therefore be contrary to the aims of proposal NP11 of the Area Action Plan for North Plymstock and policy CS18 of the Core Strategy of Plymouth's Local Development Framework 2007.

(5) There is a potential for contamination to be present at the site as a preliminary risk assessment including an adequate desk study, conceptual model and initial assessment of risk has not been submitted with the application. The Local Planning Authority considers that this risk is unacceptable because there is no evidence to indicate otherwise. The proposals are therefore contrary to policy CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

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

(Councillor Mrs. Stephens took the Chair).

(Councillor Delbridge, having been proposed by Councillor Mrs. Stephens and seconded by Councillor Ball, took the Vice-Chair).

(At the invitation of the Chair, the Committee heard from Councillor Beer, Ward Member, speaking against the application).

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

(At the invitation of the Chair, the Committee heard representations against the application).

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

(Mr. Alfred and Peter Reilly)

Decision:

Application **REFUSED** for the following reasons -

(1) The site is in a relatively isolated location and the Local Planning Authority considers that the proposal would not accord with sustainable development principles as it is remote from adequate services, employment, education, public transport, etc, and the gypsy sites would therefore increase the need for journeys to be made by private vehicles, which is not sustainable. It is therefore considered to be contrary to the aims of policies, CS16 and CS28 of the Core Strategy of Plymouth's Local Development Framework 2007 and to Planning Policy Guidance Note 13 (Transport).

(2) The Local Planning Authority considers that the site is not well located on the highway network and the proposals fail to provide safe and convenient vehicular and pedestrian access to the site as well as safe and convenient access to schools and local facilities. For these reasons the Local Planning Authority considers that the proposed gypsy site is not adequately integrated into the local community and is therefore contrary to policy CS17 of the Core Strategy of Plymouth's Local Development Framework 2007.

(3) The Local Planning Authority considers that the proposal would result in isolated development on a strategically important greenspace area beyond the limits of any existing urban/suburban area. It would be detrimental to the character and appearance of this part of the greenspace and set an unwelcome precedent for further sporadic development. The proposal is therefore considered to be contrary to policy CS18 of the Core Strategy of Plymouth's Local Development Framework 2007.

(4) The site falls within the area identified for designation as a countryside park in the Area Action Plan for North Plymstock. The Local Planning Authority considers that the proposal would be detrimental to the character and function of this area of greenspace and therefore be contrary to the aims of proposal NP11 of the Area Action Plan for North Plymstock and policy CS18 of the Core Strategy of Plymouth's Local Development Framework 2007.

(5) There is a potential for contamination to be present at the site as a preliminary risk assessment including an adequate desk study, conceptual model and initial assessment of risk has not been submitted with the application. The Local Planning Authority considers that this risk is unacceptable because there is no evidence to indicate otherwise. The proposals are therefore contrary to policy CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

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

(At the invitation of the Chair, the Committee heard representations in support of the application).

(At the invitation of the Chair, the Committee heard representations against the application).

56.5 PLYMPTON CATTLE MARKET, MARKET ROAD, PLYMOUTH 09/01432/FUL

(BDW Trading Ltd.)

Decision:

Application **GRANTED** conditionally, as amended by the addendum report, subject to S106 Obligation, delegated authority to refuse by 23 December, 2009, should S106 not be completed by that date.

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

(At the invitation of the Chair, the Committee heard from Councillor Lock, Ward Member, speaking in support of the application).

(At the invitation of the Chair, the Committee heard from Councillor Beer, Ward Member, speaking in support of the application).

(At the invitation of the Chair, the Committee heard representations against the application).

56.6 PHASE 6 SITE, TAMAR SCIENCE PARK, SOUTH OF RESEARCH WAY, PLYMOUTH 09/01379/REM

(Resound Health Ltd.)

Decision:

Application **GRANTED** conditionally.

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

56.7 LEAVES YARD, WINDSOR ROAD, HIGHER COMPTON, PLYMOUTH 08/01700/OUT

(Messrs K.A. and M. Leaves)

Decision:

Application **DEFERRED** to allow finalisation of S016 Obligation, delegated authority to refuse by 10 December, 2009, should S106 not be completed by that date.

(Councillor Lock returned to the Chair).

(Councillors Ball and Mrs. Foster declared personal interests in respect of the above item).

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

(This item was moved up the agenda in order to facilitate better management of the meeting).

56.8 FORMER CARDINAL SERVICE STATION, WOLSELEY ROAD, SEGRAVE ROAD, PLYMOUTH 09/01375/FUL

(Brook Street Properties Ltd.)

Decision:

Application **DEFERRED** for further consideration of the car park management proposals.

(Councillor Mrs. Stephens returned to the Vice-Chair).

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

(Councillor Mrs. Nicholson's proposal to defer, having been seconded by Councillor Mrs. Foster, was put to the vote and declared carried).

(This item was moved up the agenda in order to facilitate better management of the meeting).

56.9 LAND BOUNDED BY PLYMBRIDGE LANE, DERRIFORD ROAD AND HOWESON LANE, DERRIFORD, PLYMOUTH 09/01400/FUL

(Pillar Land Securities)

Decision:

Application **REFUSED** for the following reasons –

HARM TO VISUAL AMENITY

(1) The proposed development by reason of its height, scale and massing

represents overdevelopment of the site which would be out of keeping with its surroundings and harmful to the visual amenity of the area contrary to policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

HARM TO RESIDENTIAL AMENITY

(2) The proposed number of students of 123 that would occupy the proposed development on a site of 0.17 hectares close to dwellings would be out of character with the area and would be likely to give rise to unacceptable noise and disturbance to nearby properties harmful to the residential amenity of the area contrary to policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LACK OF ON-SITE PARKING

(3) Notwithstanding the applicant's offer to provide a car club the under-provision of on-site parking is likely to cause additional on-street parking on the surrounding streets that would be likely to cause increased danger on the highway and conditions prejudicial to the free flow of traffic contrary to policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

(At the invitation of the Chair, the Committee heard representations against the application).

56.10 EMBANKMENT LANE, PLYMOUTH 09/01223/FUL

(Plymouth City Council)

Decision:

Application **GRANTED** conditionally, as amended by the addendum report.

(Councillors Lock and Mrs. Stephens declared personal interests in respect of the above item).

56.11 CHRISTIAN MILL, TAMERTON FOLIOT ROAD, PLYMOUTH 09/01227/FUL

(Hydon Developments)

Decision:

Application **GRANTED** conditionally, as amended by the addendum report, subject to S106 Obligation, delegated authority to refuse by 23 December, 2009, should S106 not be completed by that date.

56.12 FORMER BAYLYS YARD, BAYLYS ROAD, ORESTON, PLYMOUTH 09/01060/OUT

(Geosa Ltd.)

Decision:

Application **REFUSED**.

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

(At the invitation of the Chair, the Committee heard from Councillor Michael Leaves, Ward Member, speaking against the application).

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

(At the invitation of the Chair, the Committee heard representations against the application).

(Councillor Stevens' proposal to defer for a site visit, having been seconded by Councillor Vincent, was put to the vote and declared lost).

56.13 29-30 REGENT STREET, GREENBANK, PLYMOUTH 09/01070/FUL

(Mr. and Mrs. Ian Crabb)

Decision:

Application **DEFERRED** for publicity and consideration of the amended plans.

(At the invitation of the Chair, the Committee heard representations against the application).

57. PLANNING APPLICATION DECISIONS ISSUED

The Committee received a report of the Assistant Director of Development (Planning Services) on decisions issued for the period 5 October to 2 November, 2009, including –

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

Resolved that the report be noted.

58. APPEAL DECISIONS

The Committee received a schedule of decisions made by the Planning Inspectorate on appeals arising from the decisions of the City Council.

Resolved that the report be noted.

59. EXEMPT BUSINESS

There were no items of exempt business.

VOTING SCHEDULE (Pages 1 - 2)

PLEASE NOTE

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

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Minute Annex

PLANNING COMMITTEE

DATE OF MEETING – 12 November, 2009

SCHEDULE OF MEETING

Minute No.	Voting For	Voting Against	Abstained	Excluded from voting due to Interests Declared	Absent
6.1 184 Hemerdon Heights, Plympton, Plymouth 09/01224/FUL	Unanimous				
6.2 29 Aycliffe Gardens, Plymouth 09/00921/FUL	Withdrawn – Application included on agenda in error.				
6.3 Twin Oaks, Ridge Road, Plympton, Plymouth 09/00562/FUL		Councillors Ball, Delbridge, Mrs. Foster, Mrs. Nicholson, Nicholson, Roberts, Mrs. Stephens, Stevens, Tuohy, Vincent and Wheeler		Councillor Lock	
6.4 Land at Ridge Road, Hardwick, Plymouth 09/00983/FUL		Councillors Ball, Delbridge, Mrs. Foster, Mrs. Nicholson, Nicholson, Roberts, Mrs. Stephens, Stevens, Tuohy, Vincent and Wheeler		Councillor Lock	
6.5 Plympton Cattle Market, Market Road, Plymouth 09/01432/FUL	Councillors Ball, Delbridge, Mrs. Foster, Mrs. Nicholson, Nicholson, Roberts, Mrs. Stephens, Stevens, Tuohy, Vincent and Wheeler			Councillor Lock	
6.6 Phase 6 Site, Tamar Science Park, South of Research Way, Plymouth 09/01379/REM	Councillors Ball, Delbridge, Mrs. Foster, Mrs. Nicholson, Nicholson, Roberts, Mrs. Stephens, Stevens, Tuohy, Vincent and Wheeler			Councillor Lock	Councillor Nicholson
6.7 Land Bounded by Plymbridge Lane, Derriford Road and Howeson Lane, Derriford, Plymouth	Councillors Lock, Vincent and Wheeler.	Councillors Delbridge, Mrs. Foster, Mrs. Nicholson, Roberts,	Councillors Ball and Mrs. Stephens		Councillor Nicholson

Minute No.	Voting For	Voting Against	Abstained	Excluded from voting due to Interests Declared	Absent
09/01400/FUL		Stevens and Tuohy			
6.8 Former Cardinal Service Station, Wolseley Road, Segrave Road, Plymouth 09/01375/FUL (New Recommendation)	Councillors Ball, Delbridge, Mrs. Foster, Mrs. Nicholson, Roberts, Stevens and Vincent	Councillors Lock, Mrs. Stephens, Tuohy and Wheeler			Councillor Nicholson
6.9 Embankment Lane, Plymouth 09/01223/FUL	Councillors Ball, Delbridge, Mrs. Foster, Lock, Mrs. Nicholson, Mrs. Stephens, Stevens, Tuohy, Vincent and Wheeler				Councillors Nicholson and Roberts
6.10 Leaves Yard, Windsor Road, Higher Compton, Plymouth 08/01700/OUT	Councillors Ball, Delbridge, Lock, Mrs. Nicholson, Stevens, Tuohy, Vincent and Wheeler		Councillors Mrs. Foster and Mrs. Stephens		Councillors Nicholson and Roberts
6.11 Christian Mill, Tamerton Foliot Road, Plymouth 09/01227/FUL	Councillors Ball, Delbridge, Lock, Mrs. Nicholson, Mrs. Stephens, Stevens, Tuohy, Vincent and Wheeler		Councillor Mrs. Foster		Councillors Nicholson and Roberts
6.12 Former Baylys Yard, Baylys Road, Oreston, Plymouth 09/01060/OUT (Proposal for Site Visit)	Councillors Ball, Stevens, Tuohy and Vincent	Councillors Delbridge, Mrs. Foster, Lock, Mrs. Nicholson and Mrs. Stephens		Councillor Wheeler	Councillors Nicholson and Roberts
(Officer's Recommendation)	Councillors Ball, Delbridge, Mrs. Foster, Lock, Mrs. Nicholson and Mrs. Stephens		Councillors Tuohy, Stevens and Vincent	Councillor Wheeler	Councillors Nicholson and Roberts
6.13 29-30 Regent Street, Greenbank, Plymouth 09/01070/FUL	Councillors Ball, Delbridge, Lock, Mrs. Nicholson, Mrs. Stephens, Stevens, Tuohy, Vincent and Wheeler				Councillors Mrs. Foster, Nicholson and Roberts