

Planning Committee

Thursday 22 September 2011

PRESENT:

Councillor Lock, in the Chair.

Councillor Mrs Bowyer, Vice-Chair.

Councillors Browne, Churchill, Delbridge, Mrs Foster, Mrs Nicholson, Stevens, Tuohy, Vincent, Wheeler and Williams.

Also in attendance: Paul Barnard, Assistant Director of Development (Planning Services), Peter Ford, Lead Officer, Mark Lawrence, Lawyer, and Katey Johns, Democratic Support Officer.

The meeting started at 1 pm and finished at 4.05 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.

37. **DECLARATIONS OF INTEREST**

There were no declarations of interest made by Councillors relating to items under discussion at this meeting in accordance with the code of conduct.

38. **MINUTES**

Agreed the minutes of the meeting held on 25 August 2011.

CHAIR'S URGENT BUSINESS

39. **Order of Business**

The Chair reported on changes to the order of business, namely that –

- (a) with regard to agenda item 6.5, it was necessary to bring the item forward for consideration in order to allow Councillor Nicholson, ward councillor speaking on the matter, to return to Court;
- (b) agenda item numbers 6.8 and 6.9 had been withdrawn.

(In accordance with Section 100(B)(4)(b) of the Local Government Act 1972, the Chair brought forward the above items of business to facilitate better meeting management and inform Members).

40. **QUESTIONS FROM MEMBERS OF THE PUBLIC**

There were no questions from members of the public.

41. **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 41.3, 41.4, 41.5, 41.6 and 41.8.

**41.1 15 WESTBOURNE ROAD, PEVERELL, PLYMOUTH
11/01224/FUL**

(Mrs R Kennedy)

Decision:

Application **GRANTED** conditionally.

41.2 41.2 2 LITTLEWOOD CLOSE, PLYMOUTH 11/01192/FUL

(Mr Martin Holloway)

Decision:

Application **GRANTED** conditionally.

**41.3 LAND NORTH OF WEST PARK HILL, PLYMPTON,
PLYMOUTH 11/01209/FUL**

(Wolf Minerals (UK) Ltd.)

The Committee heard from the Lead Officer that a letter had been received from the Department for Communities and Local Government directing the Council not to grant permission on this application without specific authorisation. Whilst this direction did not prevent the Council from considering the application, forming a view as to its merits, or refusing permission, no decision letter could be issued to the applicant until the matter had been determined by the Secretary of State.

Decision:

Application **DEFERRED** for fuller consultation with residents, to hear comments from the public meeting on 30 September 2011, to consider further mitigation in terms of traffic movement and landscaping, and to enable further negotiation on the code of practice for construction.

(At the invitation of the Chair, the Committee heard representations against the application from Ward Councillor Patrick Nicholson).

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

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

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

(This item was brought forward to facilitate better meeting management).

41.4 FORMER TENNIS COURTS, HOE ROAD-PIER STREET, PLYMOUTH 11/01145/FUL

(Pier St Limited)

Concerns were raised that an administrative error had resulted in some of the Committee Members not being informed about the site visit which had taken place that morning. Further to legal advice, in order to ensure fair treatment of Members and fair access to information, a further site visit was proposed.

Decision:

Application **DEFERRED** for two weeks to allow for a further site visit under criteria 1 – development where the impact of a proposed development is difficult to visualise from the plans and any supporting material.

(At the invitation of the Chair, the Committee heard representations against the application from Ward Councillor Tuffin).

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

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

(Councillor Wheeler's proposal to defer for a site visit, having been seconded by Councillor Williams, was put to the vote and declared carried).

(This item was considered in conjunction with minute number 41.5).

41.5 FORMER TENNIS COURTS, HOE ROAD-PIER STREET, PLYMOUTH 11/01146/CAC

(Pier St Limited)

Decision:

Application **DEFERRED** for two weeks to allow for a further site visit under criteria 1 – development where the impact of a proposed development is difficult to visualise from the plans and any supporting material.

(This item was considered in conjunction with minute number 41.4)

41.6 HAMPTON COTTAGES, REGENT STREET, PLYMOUTH 11/01047/FUL

(Colourcolt Student Living Ltd.)

Officers were requested to ensure that, through the S106 Obligation, a substantial start is defined clearly in accordance with the market recovery scheme.

Decision:

Application **GRANTED** conditionally subject to the additional conditions and informatives set out in the addendum report, and S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 12 October 2011.

- 41.7 LAMSPARK CARE HOME, 38 MERAFIELD ROAD, PLYMOUTH
11/01136/FUL**
(Mr D Wraighte)
Decision:
Application **REFUSED**.

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

- 41.8 LAND ON THE JUNCTION OF TAVISTOCK ROAD AND
PLYMBRIDGE ROAD, PLYMOUTH 11/00940/FUL**
(Taylor Wimpey (Exeter) UK Ltd.)
Decision:
Application **WITHDRAWN**.

- 41.9 TURNCHAPEL BOAT YARD, CLOVELLY VIEW, PLYMOUTH
11/00651/FUL**
(Turnchapel Developments Ltd.)
Decision:
Application **WITHDRAWN**.

42. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report from the Assistant Director of Development (Planning Services) on decisions issued from 16 August to 11 September 2011, including –

- 1) Committee decisions;
- 2) Delegated decisions, subject to conditions where so indicated;
- 3) Applications withdrawn;
- 4) Applications returned as invalid.

43. **PROPOSED NON-IMMEDIATE ARTICLE 4 DIRECTION FOR HOUSES
IN MULTIPLE OCCUPATION**

The Committee received for its information a report on the Council's proposals to make a non-immediate Article 4 Direction to control changes of use to houses in multiple occupation. Members were advised that –

- (a) Cabinet had approved the proposals at its meeting on 23 August 2011;
- (b) an application for an Article 4 Direction had been made on 13 September 2011 and a six-week consultation period had commenced;
- (c) the areas identified for inclusion in the Article 4 Direction were those where there was already a high concentration of HMOs, namely the City Centre, Mutley and Greenbank;
- (d) the Article 4 Direction would also provide controls in the most at risk parts of the surrounding neighbourhoods of Stonehouse, Stoke,

Peverell, Beacon and Pennycross, Hartley and Mannamead, Higher Compton, Efford, Lipson and Laira, Mount Gould and East End where future pressures could harm the balance and sustainability of those communities;

- (e) guidance for Members on how future applications considered under the Article 4 Direction should be determined would be prepared.

The Committee noted the report.

44. **EXEMPT BUSINESS**

There were no items of exempt business.

SCHEDULE OF VOTING

PLEASE NOTE

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

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SCHEDULE OF VOTING

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
41.1 15 Westbourne Road, Peverell, Plymouth 11/01224/FUL	Unanimous				
41.2 2 Littlewood Close, Plymouth 11/01192/FUL	Unanimous				
41.3 Land North of West Park Hill, Plympton, Plymouth 11/01209/FUL	Councillors Browne, Delbridge, Churchill, Mrs Foster, Mrs Nicholson, Mrs Bowyer and Lock	Councillors Tuohy, Stevens, Williams, Vincent and Wheeler.			
41.4 Former Tennis Courts, Hoe Road-Pier Street, Plymouth 11/01145/FUL	Councillors Churchill, Mrs Foster, Mrs Nicholson, Tuohy, Stevens, Williams, Vincent and Wheeler	Councillors Browne, Mrs Bowyer and Lock	Councillor Delbridge		
41.5 Former Tennis Courts, Hoe Road-Pier Street, Plymouth 11/01146/CAC	Application deferred for consideration in conjunction with application 11/01145/FUL above				
41.6 Hampton Cottages, Regent Street, Plymouth 11/01047/FUL	Unanimous				
41.7 Lambspark Care Home, 38 Merafield Road, Plymouth 11/01136/FUL	Unanimous				
41.8 Land on the Junction of Tavistock Road and Plymbridge Road, Plymouth 11/00940/FUL	Application Withdrawn				
41.9 Turnchapel Boat Yard, Clovelly View, Plymouth 11/00651/FUL	Application Withdrawn				