

# Public Document Pack

## Planning Committee

Thursday 23 May 2013

### PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

Councillors Mrs Aspinall (Substituting Councillor S Davey), Darcy, K Foster, Mrs Foster, Mrs Nicholson (Substituting Councillor Nicholson), John Smith, Stark, Jon Taylor, Tuffin (Substituting Councillor Jarvis) and Wheeler.

Apologies for absence: Councillors S Davey, Jarvis and Nicholson.

Also in attendance: Peter Ford – Lead Planning Officer, Mark Lawrence – Lawyer and Ross Jago – Democratic Support Officer

The meeting started at 4.00 pm and finished at 9.10 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.*

### 1. DECLARATIONS OF INTEREST

The following declarations of interest were made in accordance with the code of conduct –

Name	Minute No. and Subject	Reason	Interest
Councillor K foster	5.1 and 5.2 HOOE BARN, HOOE ROAD PLYMOUTH. 13/00264/FUL / 13/00265/LBC	Spoke on matter at committee.	Prejudicial

### 2. MINUTES

Agreed the minutes of the meeting held on 2 May 2013.

### 3. CHAIR'S URGENT BUSINESS

The Chair welcomed new members of the committee.

### 4. QUESTIONS FROM MEMBERS OF THE PUBLIC

The following question was received from a member of the public, in accordance with paragraph 10 of the Constitution.

Question No	Question By	Cabinet Member or Committee Chair	Subject
Q1 -13/14	Mr S.C.M O'Hara	Chair of Planning Committee	Energy from Waste Plant Planning Application

**Question:**

What are the national criteria, and any degree of latitude permitted, for the declaration of Air Quality Management Areas (AQMAs) with respect to nitrogen dioxide, sulphur dioxide and particulate matter?

**Response:**

The government sets national health-based standards against key pollutants. For Nitrogen dioxide (NO<sub>2</sub>), Particles (PM<sub>10</sub>) Sulphur dioxide (SO<sub>2</sub>) the criteria is shown in the following table:

Pollutant			Date to be achieved by
	Concentration	Measured as	
Nitrogen dioxide	200 $\mu\text{g}/\text{m}^3$ not to be exceeded more than 18 times a year	1-hour mean	31.12.2005
	40 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2005
Particles (PM <sub>10</sub> ) (gravimetric)	50 $\mu\text{g}/\text{m}^3$ , not to be exceeded more than 35 times a year	24-hour mean	31.12.2004
	40 $\mu\text{g}/\text{m}^3$	Annual mean	31.12.2004
Sulphur dioxide	350 $\mu\text{g}/\text{m}^3$ , not to be exceeded more than 24 times a year	1-hour mean	31.12.2004
	125 $\mu\text{g}/\text{m}^3$ , not to be exceeded more than 3 times a year	24-hour mean	31.12.2004
	266 $\mu\text{g}/\text{m}^3$ , not to be exceeded more than 35 times a year	15-minute mean	31.12.2005

Since 1997, local authorities in the UK have been carrying out a review and assessment of air quality in their area. The aim of the review is to assist authorities in carrying out their statutory duty to work towards meeting the national air quality objectives.

Under Section 83 of the Environment Act 1995 If a local authority finds any places where the objectives are not likely to be achieved within the relevant period, it must declare an Air Quality Management Area there. There are no explicit requirements for what should be contained in an AQMA Order.

Plymouth City Council currently has 2 AQMAs declared for breaches of the Nitrogen Dioxide annual objective. These are at Exeter Street and Mutley Plain, both were declared in 2006.

Following an Update & Screening Assessment in 2009, a Detailed Assessment was carried out in 2010 (published 2011). These documents confirmed that a further 3 areas of the City were likely to exceed the annual objective for Nitrogen Dioxide. In response to this 3 New AQMAs are currently within the administrative process of declaration.

Particulate Matter is currently monitored at the DEFRA city centre site and independently at Exeter Street. We have not exceeded the objectives and there are no anticipated breaches of the objectives.

Sulphur Dioxide monitoring was discontinued at the DEFRA city centre site in 2009 and is not independently monitored by Plymouth City Council. The levels of Sulphur Dioxide were extremely low.

Details of each annual report for air quality monitoring in Plymouth is available on the Plymouth City Council Website at:

<http://www.plymouth.gov.uk/homepage/environmentandplanning/pollution/airquality.htm>

## 5. **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 5.1, 5.3, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10, 5.11, 5.12 and 5.14.

### **5.1 HOOE BARN, HOOE ROAD PLYMOUTH. 13/00264/FUL**

(Mr and Mrs Truscott)

Decision:

Application **GRANTED** conditionally.

(The Committee heard representations from Councillor K Foster, ward member).

(The Committee heard representations against the application).

(The Committee heard representations in support of the application).

(Councillor K Foster declared a prejudicial interest in respect of this item and did not take part in the debate.)

### **5.2 HOOE BARN, HOOE ROAD, PLYMOUTH. 13/00265/LBC**

(Mr and Mrs Truscott)

Decision:

Application **GRANTED** conditionally.

(The Committee heard representations from Councillor K Foster).

(The Committee heard representations against the application).

(The Committee heard representations in support of the application).

### **5.3 ERRILL RETAIL PARK, PLYMOUTH. 13/00147/FUL**

(Optimisation Developments Ltd)

Decision:

Application **GRANTED** conditionally.

(The Committee heard representations from Councillor Beer, ward member).

(The Committee heard representations against the application).

(The Committee heard representations in support of the application).

### **5.4 JOHN LANE, UNIVERSITY OF PLYMOUTH, DRAKE**

**CIRCUS, PLYMOUTH. 13/00481/FUL**

(University of Plymouth)

Decision:

Application **GRANTED** conditionally Subject to a section 106 obligation, with delegated authority to refuse in the event that the section 106 obligation is not completed by 31 May 2013.

(The Committee heard representations from Councillor Singh, ward member).

(The Committee heard representations from Councillor Ricketts, ward member).

(The Committee heard representations against the application).

(The Committee heard representations in support of the application).

(Councillor Stark left the meeting during this item)

**5.5 ISAAC FOOT BUILDING, UNIVERSITY OF PLYMOUTH, DRAKE CIRCUS, PLYMOUTH. 13/00482/FUL**

(University of Plymouth)

Decision:

Application **GRANTED** conditionally subject to a section 106 obligation, with delegated authority to refuse in the event that the section 106 obligation is not completed by 31 May 2013.

(The Committee heard representations from Councillor Singh, ward member).

(The Committee heard representations against the application).

(The Committee heard representations in support of the application).

**5.6 KIRKBY TERRACE, UNIVERSITY OF PLYMOUTH, DRAKE CIRCUS PLYMOUTH. 13/00490/FUL**

(University of Plymouth)

Decision:

Application **GRANTED** conditionally Subject to a section 106 obligation, with delegated authority to refuse in the event that the section 106 obligation is not completed by 31 May 2013.

(The Committee heard representations against the application).

(The Committee heard representations in support of the application).

**5.7 PITTS, UNIVERSITY OF PLYMOUTH, DRAKE CIRCUS PLYMOUTH. 13/00492/FUL**

(University of Plymouth)

Decision:

Application **GRANTED** conditionally Subject to a section 106 obligation, with delegated authority to refuse in the event that the section 106 obligation is not completed by 31 May 2013.

(The Committee heard representations from Councillor Ricketts, ward member).

(The Committee heard representations in support of the application).

**5.8 KIRKBY PLACE, UNIVERSITY OF PLYMOUTH, DRAKE CIRCUS PLYMOUTH. 13/00489/FUL**

(University of Plymouth)

Decision:

Application **GRANTED** conditionally subject to –

1. condition 4 to be agreed in consultation with the Chair, Vice-Chair and opposition spokesperson with consideration given to a 24 hour management plan;
2. section 106 obligation, with delegated authority to refuse in the event that the section 106 obligation is not completed by 31 May 2013.

Agreed that the committee recommends to the cabinet member for transport that an urgent parking review is undertaken in the area surrounding the University campus.

(The Committee heard representations against the application).

(The Committee heard representations in support of the application).

**5.9 ENDSLEIGH PLACE, UNIVERSITY OF PLYMOUTH, DRAKE CIRCUS PLYMOUTH. 13/00491/FUL**

(University of Plymouth)

Decision:

Application **GRANTED** conditionally Subject to–

1. condition 4 to be agreed in consultation with the Chair, Vice-Chair and opposition spokesperson with consideration given to a 24 hour management plan;
2. a section 106 obligation, with delegated authority to refuse in the event that the section 106 obligation is not completed by

31 May 2013.

(The Committee heard representations against the application).

(The Committee heard representations in support of the application).

**5.10 HEPWORTH HOUSE, UNIVERSITY OF PLYMOUTH, DRAKE CIRCUS, PLYMOUTH. 13/00483/FUL**

(University of Plymouth)

Decision:

Application **GRANTED** conditionally Subject to a section 106 obligation, with delegated authority to refuse in the event that the section 106 obligation is not completed by 31 May 2013.

**5.11 FITZROY, UNIVERSITY OF PLYMOUTH, DRAKE CIRCUS, PLYMOUTH. 13/00484/FUL**

(University of Plymouth)

Decision:

Application **GRANTED** conditionally Subject to a section 106 obligation, with delegated authority to refuse in the event that the section 106 obligation is not completed by 31 May 2013.

**5.12 PORTLAND SOUTH, UNIVERSITY OF PLYMOUTH, DRAKE CIRCUS, PLYMOUTH. 13/00485/FUL**

(University of Plymouth)

Decision:

Application **GRANTED** conditionally Subject to a section 106 obligation, with delegated authority to refuse in the event that the section 106 obligation is not completed by 31 May 2013.

(The Committee heard representations in support of the application).

**5.13 PORTLAND SOUTH, UNIVERSITY OF PLYMOUTH, DRAKE CIRCUS, PLYMOUTH. 13/00486/LBC**

(University of Plymouth)

Decision:

Application **GRANTED** conditionally.

**5.14 PORTLAND NORTH, UNIVERSITY OF PLYMOUTH, DRAKE CIRCUS, PLYMOUTH. 13/00487/FUL**

(University of Plymouth)

Decision:

Application **GRANTED** conditionally Subject to a section 106 obligation, with delegated authority to refuse in the event that the section 106 obligation is not completed by 31 May 2013.

(The Committee heard representations against the application).

(The Committee heard representations in support of the application).

**5.15 PORTLAND NORTH, UNIVERSITY OF PLYMOUTH,  
DRAKE CIRCUS, PLYMOUTH. 13/00488/LBC**

(University of Plymouth)

Decision:

Application **GRANTED** conditionally.

**6. PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report from the Assistant Director, Planning Services, on decisions issued for the period 22 April 2013 to 13 May 2013, including –

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

Members noted the planning applications issued.

**7. APPEAL DECISIONS**

Members noted the appeal decisions.

**8. EXEMPT BUSINESS**

There were no items of exempt business.

**SCHEDULE OF VOTING** (Pages 9 - 12)

\*\*\*PLEASE NOTE\*\*\*

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

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## PLANNING COMMITTEE – 23 May 2013

## SCHEDULE OF VOTING

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
5.1 Hooe Barn, Hooe Road Plymouth. I3/00264/FUL	Councillors Tuohy, Stevens, Stark, J Taylor, J Smith, Mrs Foster, Darcy Wheeler, Aspinall, Mrs Nicholson and Tuffin.			Councillor K Foster	
5.2 Hooe Barn, Hooe Road, Plymouth. I3/00265/LBC	Councillors Tuohy, Stevens, Stark, J Taylor, J Smith, Mrs Foster, Darcy Wheeler, Aspinall, Mrs Nicholson and Tuffin.			Councillor K Foster	
5.3 Errill Retail Park, Plymouth. I3/00147/FUL	Councillors Tuohy, Stevens, Stark, J Taylor, J Smith, Mrs Foster, K Foster, Darcy Wheeler, Aspinall and Mrs Nicholson.	Councillors Tuffin and Wheeler.			
5.4 John Lane, University Of Plymouth, Drake Circus, Plymouth. I3/00481/FUL	Councillors Tuohy, Stevens, J Taylor, J Smith, Mrs Foster, K Foster, Darcy Wheeler, Aspinall, Mrs Nicholson and Tuffin.				Councillor Stark.
5.5 Isaac Foot Building, University Of Plymouth, Drake Circus, Plymouth. I3/00482/FUL  Amendment to condition.	Councillors Tuohy, Stevens, J Taylor, J Smith, Mrs Foster, K Foster, Darcy Wheeler, Aspinall, Mrs Nicholson and Tuffin.				Councillor Stark.
5.5 Isaac Foot Building, University Of Plymouth, Drake Circus, Plymouth. I3/00482/FUL	Councillors Tuohy, Stevens, J Taylor, J Smith, Mrs Foster, K Foster, Darcy Wheeler, Aspinall, Mrs Nicholson and				Councillor Stark.

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
	Tuffin.				
5.6 Kirkby Terrace, University Of Plymouth, Drake Circus Plymouth. 13/00490/FUL	Councillors Tuohy, Stevens, J Taylor, J Smith, Mrs Foster, K Foster, Darcy Wheeler, Aspinall, Mrs Nicholson and Tuffin.				Councillor Stark.
5.7 Pitts, University Of Plymouth, Drake Circus Plymouth. 13/00492/FUL	Councillors Tuohy, Stevens, J Taylor, J Smith, , Darcy Wheeler, Aspinall, Mrs Nicholson and Tuffin.	Councillors Mrs Foster and K Foster.			Councillor Stark.
5.8 Kirkby Place, University Of Plymouth, Drake Circus Plymouth. 13/00489/FUL	Councillors Tuohy, Stevens, J Taylor, J Smith, Darcy Wheeler, Aspinall, Mrs Nicholson and Tuffin.	Councillors Mrs Foster and K Foster.			Councillor Stark.
5.8 Kirkby Place, University Of Plymouth, Drake Circus Plymouth. 13/00489/FUL  Recommendation to the Cabinet Member for Transport	Councillors Tuohy, Stevens, J Taylor, J Smith, Darcy Wheeler, Aspinall, Mrs Nicholson and Tuffin.		Councillors Mrs Foster and K Foster.		
5.9 Endsleigh Place, University Of Plymouth, Drake Circus Plymouth. 13/00491/FUL  Amended condition	Councillors Tuohy, Stevens, J Taylor, J Smith, Mrs Foster, K Foster, Darcy Wheeler, Aspinall, Mrs Nicholson and Tuffin.				Councillor Stark.
5.9 Endsleigh Place, University Of Plymouth, Drake Circus Plymouth. 13/00491/FUL	Councillors Tuohy, Stevens, J Taylor, J Smith, Wheeler, Aspinall and Tuffin.	Councillors Mrs Foster, K Foster, Mrs Nicholson and Darcy.			
5.10 Hepworth House, University Of Plymouth, Drake Circus, Plymouth. 13/00483/FUL	Councillors Tuohy, Stevens, J Taylor, J Smith, Mrs Foster, K Foster, Darcy Wheeler, Aspinall, Mrs Nicholson and				Councillor Stark.

<b>Minute number and Application</b>	<b>Voting for</b>	<b>Voting against</b>	<b>Abstained</b>	<b>Absent due to interest declared</b>	<b>Absent</b>
	Tuffin.				
5.11 Fitzroy, University Of Plymouth, Drake Circus, Plymouth. I3/00484/FUL	Councillors Tuohy, Stevens, J Taylor, J Smith, Mrs Foster, K Foster, Darcy Wheeler, Aspinall, Mrs Nicholson and Tuffin.				Councillor Stark.
5.12 Portland South, University Of Plymouth, Drake Circus, Plymouth. I3/00485/FUL	Councillors Tuohy, Stevens, J Taylor, J Smith, Mrs Foster, K Foster, Darcy Wheeler, Aspinall, Mrs Nicholson and Tuffin.				Councillor Stark.
5.13 Portland South, University Of Plymouth, Drake Circus, Plymouth. I3/00486/LBC	Councillors Tuohy, Stevens, J Taylor, J Smith, Mrs Foster, K Foster, Darcy Wheeler, Aspinall, Mrs Nicholson and Tuffin.				Councillor Stark.
5.14 Portland North, University Of Plymouth, Drake Circus, Plymouth. I3/00487/FUL	Councillors Tuohy, Stevens, J Taylor, J Smith, Mrs Foster, K Foster, Darcy Wheeler, Aspinall, Mrs Nicholson and Tuffin.				Councillor Stark.
5.15 Portland North, University Of Plymouth, Drake Circus, Plymouth. I3/00488/LBC	Councillors Tuohy, Stevens, J Taylor, J Smith, Mrs Foster, K Foster, Darcy Wheeler, Aspinall, Mrs Nicholson and Tuffin.				Councillor Stark.

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