

Planning Committee

Thursday 10 October 2013

PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

Councillors Mrs Aspinall (substituting for Councillor John Smith), Darcy, Sam Davey, K Foster, Mrs Foster, Jarvis, Nicholson, Mrs Nicholson (substituting for Councillor Stark), Jon Taylor and Wheeler.

Apologies for absence: Councillors John Smith and Stark.

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

The meeting started at 4 pm and finished at 7.30 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

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

| Name | Minute No. and Subject | Reason | Interest |
|----------------------|---|--|----------|
| Councillor Nicholson | 47.1 - 317 Hemerdon Heights, Plymouth 13/01177/FUL | Ward member who has expressed views on the application | Private |

44. MINUTES

Agreed the minutes of the meeting on 12 September 2013.

45. CHAIR'S URGENT BUSINESS

The Chair thanked Ray Williams, Major Developments Team Leader, who was retiring from the Local Authority after 41 years of service.

46. 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 |
|--|--------------------|--|---|
| Q3 -13/14 | Mr Kilvington | Chair of Planning Committee | Tree Preservation Orders at the Higher Home Park Development. |
| Question: | | | |
| Regarding the expected loss due to the Higher Home Park Development of 18 mature hornbeam trees along Outland Road, near its junction with Segrave Road, please state whether any or all of the subject trees are covered by a preservation order (TPO). | | | |
| Response: | | | |
| None of the trees referred to are covered by a Tree Preservation Order. | | | |

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 Conservation Areas) Act, 1990. Addendum reports were submitted in respect of minute numbers 47.2 and 47.5.

47.1 317 HEMERDON HEIGHTS, PLYMOUTH 13/01177/FUL

(Mr Andy Tibbs)

Decision:

Application **REFUSED** as the application was deemed contrary to the Core Strategy Policy CS34 in respect of the development not being compatible with its surroundings in terms of its visual impact and local context.

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

(Councillor Darcy's proposal to refuse the application, having been seconded by Councillor K Foster, was put to the vote and declared carried).

(Councillor Nicholson declared a private interest in respect of this item).

47.2 LEGACY PLYMOUTH INTERNATIONAL HOTEL, 270 PLYMOUTH ROAD, PLYMOUTH, 12/02320/FUL

Development Securities (Marsh Mills) Ltd

Decision:

Application **GRANTED** conditionally subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 16 December 2013.

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

(A Planning Committee site visit was held on 9 October 2013 in respect of this item).

47.3 27 SPRINGFIELD CLOSE AND LAND TO REAR, PLYMOUTH, I3/01346/FUL

Taylor Wimpey Exeter

Decision:

Application **GRANTED** subject to conditions, an amendment to condition (7) to remove the word 'other', and the satisfactory completion of a S106 legal agreement, defer for expiry of advertisement period with delegated authority to determine (delegated authority sought to refuse the application if the S106 is not signed by 13 November 2013).

Amended Condition:

ACCESS

(7) Before any works are commenced, an adequate road access for contractors with a proper standard of visibility shall be formed to the satisfaction of the Local Planning Authority and connected to the adjacent highway in a position and a manner to be agreed with the Local Planning Authority.

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and cs34 OF THE Plymouth Local Development Framework Core Strategy (2006 – 2021) 2007.

(Councillor Nicholson's proposal to amend condition (7), having been seconded by Councillor Foster, was put to the vote and declared carried).

47.4 63 HADDINGTON ROAD, PLYMOUTH I3/01477/FUL

The application was withdrawn.

47.5 MARINE ACADEMY PLYMOUTH, TREVITHICK ROAD, PLYMOUTH I3/01593/FUL

(Marine Academy Plymouth)

Decision:

Application **REFUSED** as the application was deemed contrary to the Core Strategy Policies CS22 and CS30 in respect of the development causing unacceptable and demonstrable harm from noise.

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

(The Committee heard representations against the application).

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

(A Planning Committee site visit was held on 9 October 2013 in respect of this item).

(Councillor Wheeler's proposal to refuse the application, having been seconded by Councillor Jarvis, was put to the vote and declared carried).

48. **PROPOSED VARIATION TO SECTION 106 RELATING TO PLANNING CONSENT 04/00850/FUL**

The Committee considered the report from the Director for Place in respect of a proposed variation to Section 106 relating to Planning Consent 04/00850/FUL.

Agreed

- (1) to the preparation and completion of a deed of variation which amends the existing S106 obligation as follows:
 - that the off-site affordable housing contribution is reduced from £1,098,762 to £675,000 and paid by Prestige Homes South West Ltd within 6 months from the date of the Deed of Variation;
 - that the public realm contribution of £252,728 is waived.
- (2) that the Head of Development Management meets with the Chair (Councillor Bill Stevens), Vice Chair (Councillor Tina Tuohy) and opposition representative (Councillor Patrick Nicholson) to outline the trigger mechanisms currently in operation to claim S106 contributions and to consider possible refinements to this process to maximise income from S106 agreements.

49. **PLANNING APPLICATION DECISIONS ISSUED**

The Committee received a report from the Assistant Director, Planning Services, on decisions issued for the period 3 August 2013 to 30 September 2013, including –

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

Members noted the planning applications issued.

50. **APPEAL DECISIONS**

The Committee was informed that the appeal decision on I Staddiscombe Park, Plymstock, Plymouth, PL9 9LT was upheld and not dismissed as reported and a correct version of the appeal decision would be issued to members.

Members noted the appeal decisions.

51. **EXEMPT BUSINESS**

There were no items of exempt business.

SCHEDULE OF VOTING (Pages 5 - 6)

PLEASE NOTE

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

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PLANNING COMMITTEE – 10 October 2013

SCHEDULE OF VOTING

| Minute number and Application | Voting for | Voting against | Abstained | Absent due to interest declared | Absent |
|--|--|---|-----------|---------------------------------|--------|
| 47.1 – 317 HEMERDON HEIGHTS, PLYMOUTH 13/01177/FUL (Refusal) | Councillors Stevens, Tuohy, Mrs Aspinall, Darcy, K Foster, Mrs Foster, Mrs Nicholson and Wheeler. | Councillors Sam Davey, Jarvis and Jon Taylor. | | Councillor Nicholson. | |
| 47.2 – LEGACY PLYMOUTH INTERNATIONAL HOTEL, 270 PLYMOUTH ROAD, PLYMOUTH, 12/02320/FUL (Officers recommendation) | Councillors Stevens, Tuohy, Mrs Aspinall, Sam Davey, Jarvis, Jon Taylor, and Wheeler. | Councillors Darcy, K Foster, Mrs Foster, Nicholson and Mrs Nicholson. | | | |
| 47.3 – 27 SPRINGFIELD CLOSE AND LAND TO REAR, PLYMOUTH, 13/01346/FUL (Amendment to condition) | Councillors Stevens, Tuohy, Mrs Aspinall, Darcy, Sam Davey, K Foster, Mrs Foster, Jarvis, Nicholson, Mrs Nicholson, Jon Taylor, and Wheeler. | | | | |
| 47.3 – 27 SPRINGFIELD CLOSE AND LAND TO REAR, PLYMOUTH, 13/01346/FUL (Officers recommendation subject to amended condition (7)) | Councillors Stevens, Tuohy, Mrs Aspinall, Sam Davey, Jarvis, Jon Taylor, and Wheeler. | Councillors Darcy, K Foster, Mrs Foster, Nicholson and Mrs Nicholson. | | | |
| 47.5 - MARINE ACADEMY PLYMOUTH, TREVITHICK ROAD, PLYMOUTH 13/01593/FUL (Refusal) | Councillors Stevens, Tuohy, Mrs Aspinall, Darcy, Sam Davey, K Foster, Mrs Foster, Jarvis, Nicholson, Mrs Nicholson, Jon Taylor, and Wheeler. | | | | |
| 48 - PROPOSED VARIATION TO SECTION 106 RELATING TO | Councillors Stevens, Tuohy, Mrs Aspinall, | | | | |

| Minute number and Application | Voting for | Voting against | Abstained | Absent due to interest declared | Absent |
|---|---|-----------------------|------------------|--|---------------|
| PLANNING CONSENT 04/00850/FUL (officers recommendation) | Darcy, Sam Davey, K Foster, Mrs Foster, Jarvis, Nicholson, Mrs Nicholson, Jon Taylor, and Wheeler. | | | | |