



Oversight and Governance

Chief Executive's Department
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PLANNING COMMITTEE

Thursday 21 March 2024
4.00 pm
Council Chamber, Council House

Members:

Councillor Stevens, Chair

Councillor Tuohy, Vice Chair

Councillors Allen, Darcy, McNamara, Nicholson, Penrose, Poyser, Reilly, Smith, Stoneman, Tuffin and Ms Watkin.

Members are invited to attend the above meeting to consider the items of business overleaf. For further information on attending Council meetings and how to engage in the democratic process please follow this link - [Get Involved](#)

Tracey Lee
Chief Executive

Planning Committee

1. Apologies

To receive apologies for non-attendance submitted by Committee Members.

2. Declarations of Interest

Members will be asked to make any declarations of interest in respect of items on this agenda.

3. Minutes (Pages 1 - 4)

The Committee will be asked to confirm the minutes of the meeting held on Thursday 16 November 2023.

4. Chair's Urgent Business

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

5. Questions from Members of the Public

The Chair will receive and respond to questions from members of the public submitted in accordance with the Council's procedures. Questions shall not normally exceed 50 words in length and the total length of time allowed for public questions shall not exceed 10 minutes. Any question not answered within the total time allowed shall be the subject of a written response.

6. Planning Applications for consideration

The Assistant Director for Strategic Planning and Infrastructure will submit a schedule asking Members to consider Applications, Development proposals by Local Authorities and statutory consultations under the Town and Country Planning Act 1990 and the Planning (Listed Building and Conservation Areas) Act 1990.

6.1. 24/00091/FUL 74 Foulston Avenue (Pages 5 - 10)

Applicant: Mr Bharat Patel
Ward: St Budeaux
Recommendation: Grant Conditionally

6.2. 23/01744/FUL 11 St Levan Road (Pages 11 - 18)

Applicant: Mr Gregory Soper
Ward: Stoke
Recommendation: Grant Conditionally

7. Planning Application Decisions Issued

(Pages 19 - 28)

The Assistant Director for Strategic Planning and Infrastructure, acting under powers delegated to him by the Council, will submit a schedule outlining all decisions issued from 14 February 2024 to 11 March 2024, including –

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

Please note that these Delegated Planning Applications are available to view online at:
<http://www.plymouth.gov.uk/planningapplicationsv4/welcome.asp>

8. Appeal Decisions

(Pages 29 - 30)

A schedule of decisions made by the Planning Inspectorate on appeals arising from the decision of the City Council will be submitted. Please note that these Delegated Planning Applications are available to view online at:

<http://www.plymouth.gov.uk/planningapplicationsv4/welcome.asp>

9. Exempt Business

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) ... of Part I of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

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Planning Committee

Thursday 16 November 2023

PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

Councillors Allen, McNamara, Nicholson, Penrose, Poyser, Raynsford (Substitute for Councillor Reilly), Smith, Stoneman, Tuffin and Ms Watkin.

Also in attendance: Stuart Wingfield (Head of Development Management), Cody Beavan (Planning Officer), Natalie Gloyn (Lawyer), Rosie Brookshaw-Williams (Democratic Advisor) and Elliot Wearne-Gould (Democratic Advisor).

The meeting started at 4.02 pm and finished at 5.01 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.

31. Declarations of Interest

There was one Declaration of Interest in respect of items on this agenda:

Name	Minute Number	Reason	Interest
Councillor Ian Tuffin	6.1	The applicant was known to him	Personal

32. Minutes

The Committee agreed the minutes of 24 August 2023 as a correct record.

33. Chair's Urgent Business

There were no items of Chair's Urgent Business.

34. Questions from Members of the Public

There were no questions from members of the public.

35. 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.

36. **23/01198/FUL - 24 Carew Gardens Plymouth PL5 3PB**

6.1 23/01198/FUL – 24 Carew Gardens, Plymouth, PL5 3PB

Applicant: Mr Roy Harris

Decision: Application REFUSED

The Planning Committee heard from:

Councillor Zoe Reilly (Ward Councillor)

Rachel Bell (Objector)

Mr Harris (Applicant)

Having considered the report, the Case Officer's presentation and the contributions from the above speakers, the Committee agreed to refuse the application on the following grounds:

1. The development would have a harmful impact on the streetscape character by virtue of the loss of important visual amenity space and planting contrary to Policy DEV23, and an unacceptable impact on biodiversity through the loss of habitat contrary to Policy DEV26;
2. The development would have an unacceptable adverse impact on the amenity of the occupants of no. 22 Carew Gardens by virtue of overlooking to the private garden space contrary to Policy DEV1.

37. **Planning Application Decisions Issued**

The Planning Committee agreed to:

1. Note the report from the Assistant Director for Strategic Planning and Infrastructure on decisions issued since the last meeting;
2. To request to be provided with the 'Planning Application Decisions Issued' on a monthly basis.

38. **Appeal Decisions**

The Planning Committee agreed to note the Schedule of Appeal Decisions made by the Planning Inspectorate.

39. **Exempt Business**

There were no items of exempt business.

Schedule of Voting

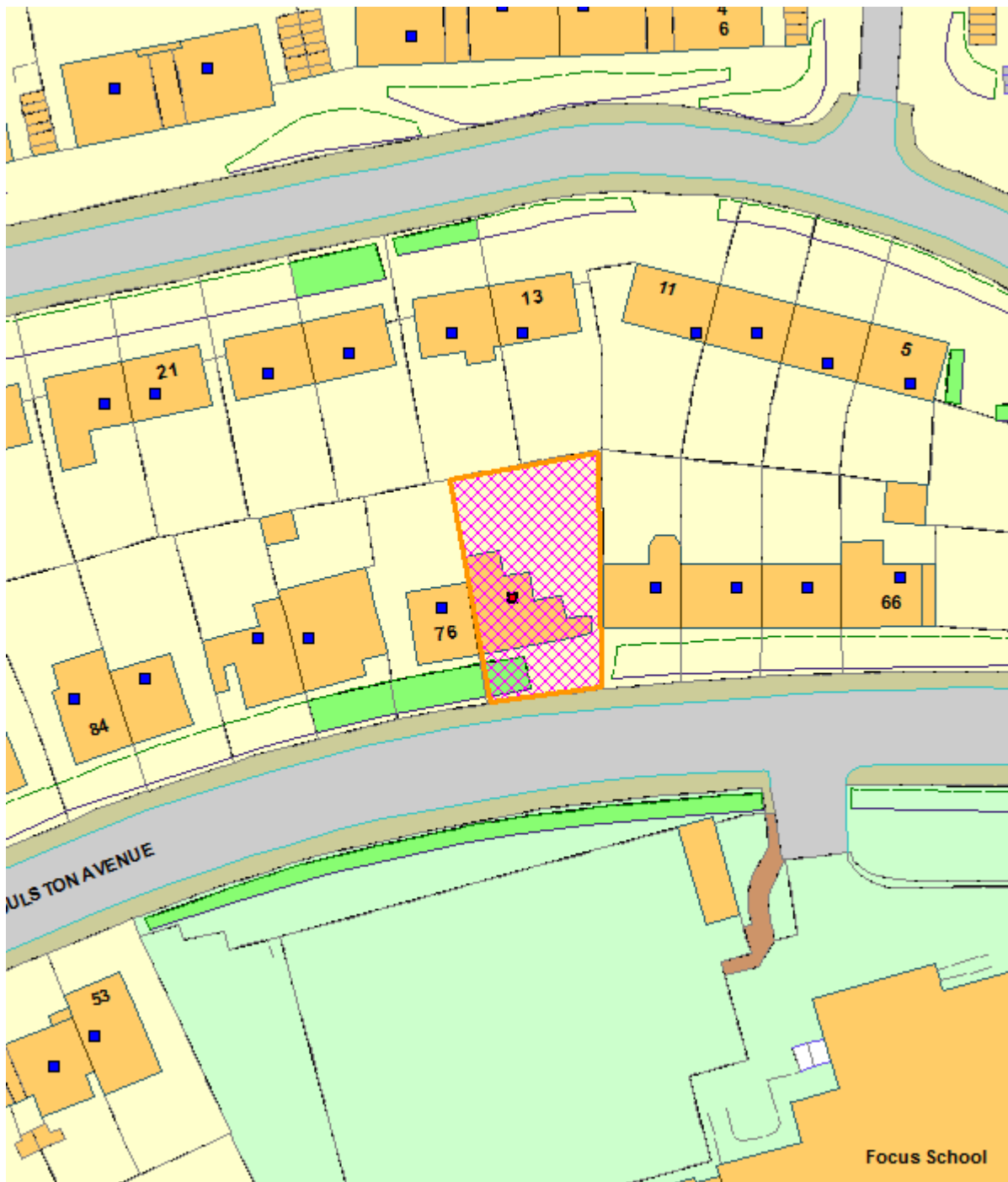
Minute Number and Application		Voting For	Voting Against	Abstained	Absent Due to Declaration of Interest	Absent
6.1	24 Carew Gardens, Plymouth, PL5 3PB 23/01198/FUL		Councillors Touhy, Allen, McNamara, Nicholson, Penrose, Poyser, Raynsford, Smith, Stevens, Stoneman and Ms Watkin	Councillor Tuffin		

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PLANNING APPLICATION OFFICERS REPORT



Application Number	24/00091/FUL	Item	01
Date Valid	26.01.2024	Ward	ST BUDEAUX
Site Address	74 Foulston Avenue Plymouth PL5 IHL		
Proposal	Construction of new front porch area		
Applicant	Mr Bharat Patel		
Application Type	Full Application		
Target Date	22.03.2024	Committee Date	21.03.2024
Extended Target Date	N/A		
Decision Category	PCC Employee		
Case Officer	Natasha Batorijs		
Recommendation	Grant Conditionally		



This application is before Planning Committee because the applicant is a councillor.

1. Description of Site

74 Foulston Avenue is a two-storey semi-detached property located in the St Budeaux ward of Plymouth.

The plot slopes from to the North and as such the dwelling is set down below the level of the street.

2. Proposal Description

Single storey front porch.

The proposed porch will feature a flat roof and will measure approximately 3m in width, 2.55m in depth, and a height of 2.5m. Due to the topography, the eaves will measure approximately 0.8m

above the street level. The porch will extend up to the retaining wall, and the front door will be relocated to the western side of the new porch.

3. Pre-application Enquiry

No pre-application enquiry associated with this application.

4. Relevant Planning History

No relevant planning history.

5. Consultation Responses

None consulted.

6. Representations

None received.

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as on March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG) and National Design Guidance. Additionally, the following planning documents are also material considerations in the determination of the application: - The Plymouth and South West Devon Supplementary Planning Document (SPD) (2020).

8. Key Issues/Material Considerations

1. This application has been considered in the context of the development plan, the Framework and other material policy documents as set out in Section 7.
2. The relevant policies are: DEVI (Protecting health and amenity) and DEV20 (Place shaping and the quality of the built environment) of the Plymouth and SW Devon Joint Local Plan.
3. The primary planning considerations in this application are: principle of development, visual impact and impact on neighbouring amenity.

Principle of Development

4. Joint Local Plan policies indicate that the proposal is acceptable in principle.

Negotiations Undertaken

5. The original plans submitted were considered acceptable and the assessment has been based on the original plans.

Visual Impact

6. The Development Guidelines: Supplementary Planning Document states: Extensions that project forward of the existing house will generally be resisted. Where a street has a clear established building line, the only development that might be acceptable at the front is likely to be a small, sympathetically designed porch.

7. Officers note that Foulston Avenue has a uniform property line, and many of the properties benefit from a small canopy over the front door. Whilst there is not a strong precedent for front porches, officers note that there are other properties nearby with a small porch, most of which are likely to have been built under Permitted Development Rights. The development is significantly set down from street level and is only slightly bigger than what can be achieved through permitted development. Officers do not consider the proposed development to cause significant visual harm.

8. The front entrance to the property will be relocated to the western side of the porch, no longer facing the street. Although this is not something which can be seen at other properties in the street scene, officers do not believe it will cause significant visual harm to the street scene and it is something that can be done under permitted development rights.

9. The finishing materials (as specified on the plans) are proposed to be rendered blockwork to match existing, a fibreglass roof, and white PVC windows to match the existing. Officers find the proposed materials to be in keeping with the materials of the existing property.

10. It is important to note that a degree of planning balance has been applied to this extension which leans towards the maximum of what is typically permissible. However, for the reasons relating to the area character outlined above, officers consider the front porch to be sub-servient to the main dwelling and in-keeping with the front property line and overall compliant with Policy DEV20 of the JLP

Amenity

11. Officers have considered that the extension would not adversely impact surrounding neighbours in terms of natural light levels, privacy and outlook and therefore does not conflict with policy DEVI of the JLP.

9. Climate Emergency Considerations

This Climate Emergency Planning Statement responds directly to the Climate Emergency declarations issued across Plymouth and South West Devon and identifies exactly what all new development should do to meet the challenge of climate change. It builds on existing planning policies set out within the Plymouth and South West Devon Joint Local Plan and its supplementary planning document, embraces new standards and proposes new requirements.

Officers have assessed the submitted Climate Emergency Compliance Form. There is little to no scope for achieving net gain on the development virtue of the scale of the works and site specific circumstances. The details as submitted are therefore acceptable in this instance.

10. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

11. Local Finance Considerations

None.

12. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting

planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations not required due to the nature and size of proposal.

13. Equalities and Diversities

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

14. Conclusions and Reasons for Decision

The development does not pose any significant adverse impacts on the street scene or neighbouring amenity and is therefore compliant with policies DEV1 and DEV20 of the Joint Local Plan. Therefore, and having taken account of the NPPF and s38(6) of the Planning and Compulsory Purchase Act 2004, officers have concluded that the proposal accords with policy and national guidance and is therefore recommended for conditional approval.

14. Recommendation

In respect of the application dated 26.01.2024 it is recommended to Grant Conditionally.

15. Conditions / Reasons

The development hereby permitted shall be carried out in accordance with the following approved plans:

1 **CONDITION: APPROVED PLANS**

Block Plan 12122023 received 26/01/24

Site Location Plan 12122023 received 26/01/24

Existing and proposed part floor plan and elevations 012024 received 26/01/24

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

2 **CONDITION: COMMENCE WITHIN 3 YEARS**

The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

INFORMATIVES

1 **INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION**

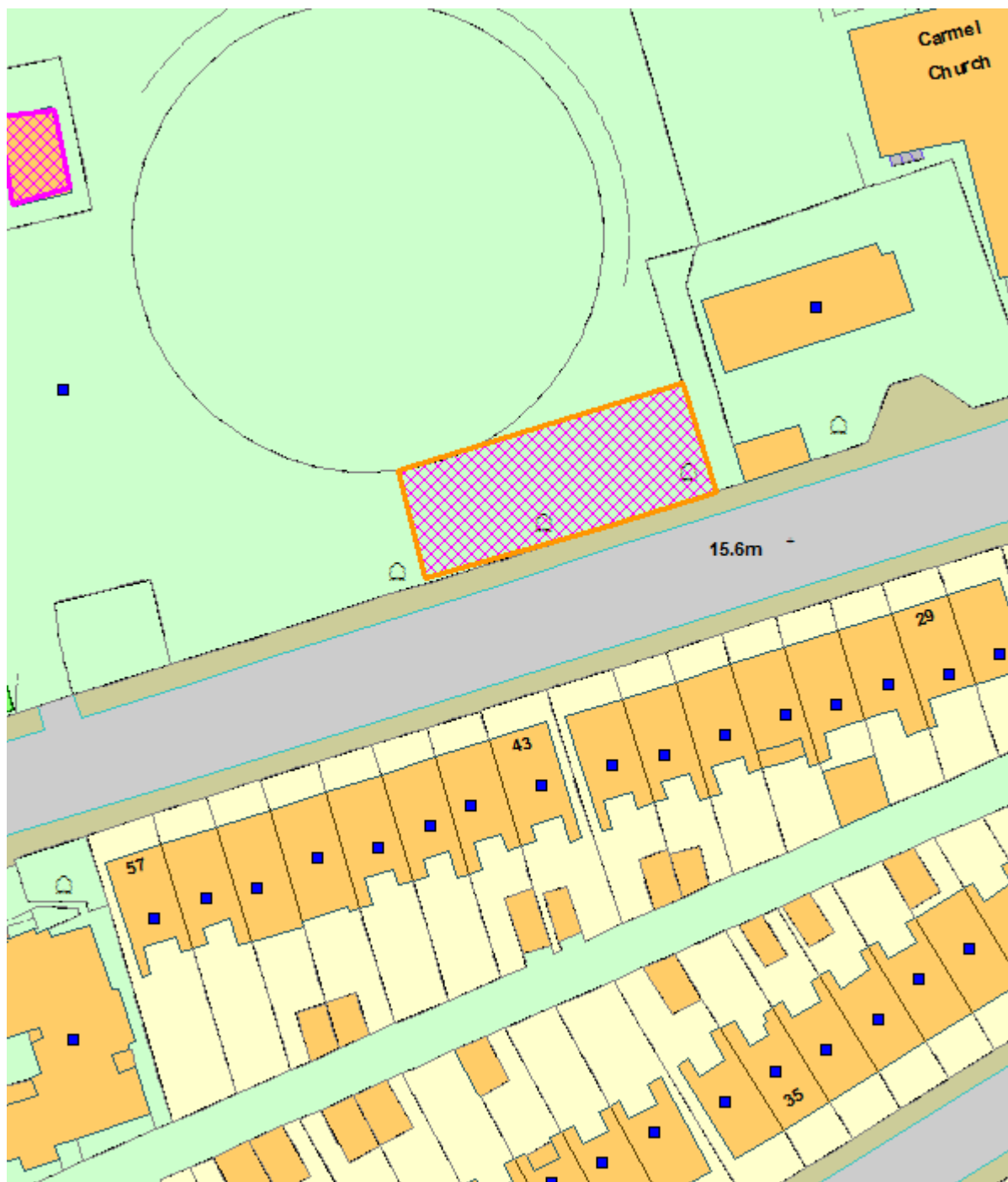
The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

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PLANNING APPLICATION OFFICERS REPORT



Application Number	23/01744/FUL	Item	02
Date Valid	17.01.2024	Ward	STOKE
Site Address	11 St Levan Road Plymouth PL2 3AE		
Proposal	Installation of a Glass Reinforced Polymer kiosk to house a new gas governor with fenced compound and demolition of an existing gas governor		
Applicant	Mr Gregory Soper		
Application Type	Full Application		
Target Date	13.03.2024	Committee Date	21.03.2024
Extended Target Date	N/A		
Decision Category	Departure from Local Plan		
Case Officer	Miss Amy Thompson		
Recommendation	Grant Conditionally		



This application is scheduled for determination by the Council's Planning Committee because the proposal has been advertised as a departure from the Development Plan.

1. Description of Site

11 St Levan Road is located in the Stoke ward of the City and contains an existing gas governor as well as a mix of hardstanding land and scrub vegetation. The site is a former old gas works.

2. Proposal Description

Installation of a Glass Reinforced Polymer kiosk to house a new gas governor with fenced compound and demolition of an existing gas governor.

Gas governor stations control the pressure of gas throughout the mains gas network. It ensures that the gas flow is within a predefined flow rate. If the supply pressure is too low or high, the regulator will keep it within a set band.

3. Pre-application Enquiry

None.

4. Relevant Planning History

84/03980/FUL - Erection of new boundary wall - Granted conditionally.

88/02671/FUL - Erection of Gas Governor House - Granted conditionally.

5. Consultation Responses

Public Protection Service - Did not wish to comment.

Environment Agency - No objection.

Designing Out Crime Officer - No objection.

Natural Infrastructure Team - No objection.

Health and Safety Executive - Do not advise against.

Civil Protection Unit/ Emergency Planning - No objection as the development can be accommodated in the emergency planning arrangements detailed in the Devonport off-site Emergency Plan.

6. Representations

None received.

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, national development management policies, local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as on March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG) of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change. On 19th December 2023 the Department for Levelling Up, Housing and Communities published the HDT 2022 measurement. This confirmed the Plymouth, South Hams and West Devon's joint measurement as 121% and the policy consequences are none.

Therefore no buffer is required to be applied for the purposes of calculating a 5 year housing land supply at the whole plan level. The combined authorities can demonstrate a 5-year housing land supply of 5.84 years at end of March 2023 (the 2023 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2023 (published 26th February 2024)."

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), National Design Guidance, the scale and urgency of the climate change emergency, Plymouth City Councils Declaration on Climate Emergency (March 2019) for a carbon neutral city by 2030 and the Plymouth and South West Devon Climate Emergency Planning Statement (CEPS) 2022. Additionally, the following planning documents are also material considerations in the determination of the application:

- Plymouth and South West Devon Supplementary Planning Document (2020)

8. Analysis

1. This application has been considered in the context of the development plan, the adopted Joint Local Plan, the Framework and other material considerations as set out in Section 7.

Policy and Principle of Development

2. The proposal seeks to demolish and replace the existing gas governor on site as it cannot be upgraded or upscaled. The proposed gas governor will be replaced in an alternative location so to avoid extended periods of temporary reduced gas supply during construction and will ensure the long term supply of gas to the local area. The replacement gas governor is to be installed under the applicants permitted development rights but its associated kiosk and 2.4m perimeter fencing requires planning permission.

3. The application site is allocated under JLP Policy PLY58.9 for 57 homes. The allocation seeks consideration for access to be achieved from St Levan Road and for investigation and remediation of contaminated land. Policy PLY58.9 does not propose for the development of gas-related infrastructure on the site and consequently this proposal is a departure from the policy in the adopted development plan.

4. The site is referred to in the JLP as the 'former gas works site, St Levan Road, Keyham'. It was included in the plan for the development of 57 homes during the plan making process where the landowner confirmed that the site was available for development. The number of units were derived by using a capacity formula.

5. While Policy PLY58.9 does not propose for the development of gas-related infrastructure on the site, it is noted that the proposal relates to 171sqm of the entire site allocation of 8100sqm. This represents 2.1% of the allocated site. It is also noted that the proposal allows the existing governor to be demolished. The siting of the new governor under this proposal relocates it from a central position to one in the south-east corner. The siting of the proposal would therefore minimise the impact of the proposed allocated site.

6. It is also noted that the area of the existing gas governor kiosk and compound covers an area of approximately 174sqm. Therefore the proposed area would cover an area just under that of the existing kiosk and compound.

7. JLP Policy SPT13 states that any land required to deliver utilities infrastructure measures will be safeguarded and ensure the LPA will work to ensure this infrastructure is delivered. JLP Policy SO12 (Delivering infrastructure and investment) seeks to take a proactive and co-ordinated approach to delivering the infrastructure needed to realise the plan's vision and it will achieve this by planning the delivery of infrastructure as growth takes place. The proposed development is required to replace the existing gas governor and maintain a continuous gas supply to the local community, complying with policy SO12.

8. On balance, it is noted that the proposal is not specifically allowed for within the anticipated use of the site in Policy PLY58.9. However, it is considered that that the proportion of the site needed for this proposal is small and that the siting of the relocated gas governor would minimise

the impact of the development on bringing forward the site forward for housing as allocated in the JLP. The relocation of the existing gas governor would not stop the allocated site coming forward for housing. The principle of relocating the gas governor on site is therefore considered acceptable and would not conflict with policy PLY58.9.

Design and Amenity

9. The existing kiosk measures approximately 9 by 6 meters. The proposal would demolish the existing gas governor and kiosk on site and install a new kiosk containing gas apparatus and a new 2.4m high galvanised steel palisade fence.

10. The proposed kiosk would be 11 by 5 metres and be 3 metres in height and constructed out of Glass Reinforced Polymer (GRP). The colour of the proposed kiosk would be Holly Green.

11. The proposed kiosk will be located in the south-eastern corner of the site, along St Levan Road. It would be positioned next to the boundary with Platinum Trade Centre, a used car dealership, and opposite a terrace of residential dwellings on St Levan Road.

12. The structure has a utilitarian and functional design fit for its purpose. It would be small in scale and will not dominate the surrounding landscape. The development would be sited on an area of existing hardstanding. In terms of design, it is considered to be acceptable and complies with JLP policy DEV20.

13. The proposed kiosk would be located approximately 16 meters from the closest residential properties on St Levan Road, which is a busy classified road. The Public Protection Service were consulted and did not raise any noise or nuisance concerns. It is therefore considered the proposal is unlikely to cause a significant impact on neighbour amenity and complies with JLP policy DEV1.

Highways

14. The proposed substation is located on private land. The proposed gas governor is proposed to be accessed via St Levan Road through a lockable gate. The Local Highway Authority have raised no objections to the proposal. It is therefore considered that the proposal would not have a severe impact on highway safety. The proposal is therefore considered to be acceptable in terms of highway safety and would comply with JLP policy DEV29.

Ecology and Environment

15. The proposal would result in the loss of approximately four metres of existing non-native Laurel hedgerow along the southern boundary of the site.

16. The application was supported by the submission of an Ecological Impact Assessment, which provides mitigation, avoidance and enhancement measures as part of the proposal. The measures include:

- Planting of a new hedgerow surrounding the proposed kiosk or enhancing the existing hedgerow with additional native species to fill in gaps in the hedgerows base and cutting back the existing Laurel to allow the new species to establish.
- Installing an integrated or external bat box into the kiosk.
- Installing a minimum of 1 nesting box within the retained hedgerow.
- Creating habitat piles in the form of log/ brash piles on site.
- If bats are found during demolition of the existing kiosk, works would be halted immediately and advice sought from a qualified ecologist.
- The removal of vegetation would be timed to avoid the main bird nesting period.

17. These proposed measures are considered to be acceptable and would result in the proposal not having an adverse impact on exiting environment/ ecology. With an added condition requiring

the development to comply with the measures set out in the Ecological Impact Assessment it is considered the proposal complies with JLP policy DEV26.

Other Considerations

18. It is noted that the General Permitted Development Order (GDPO) allows for certain types of development for gas apparatus to be completed without the need for planning permission. The GDPO however has certain restrictions that need to be complied with, which include that housing apparatus cannot exceed 29 cubic metres in capacity. The proposed kiosk exceeds 29 cubic metres as it would be 165 cubic metres therefore planning permission is required.

It is also noted the proposed fencing is 2.4 metres in height which also exceeds the height allowed under the GDPO so needs planning permission.

9. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

10. Local Finance Considerations

None.

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations are not sought due to the nature and size of proposal.

12. Equalities and Diversities

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

13. Conclusions and Reasons for Decision

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and is therefore recommended for conditional approval.

14. Recommendation

In respect of the application dated 17.01.2024 it is recommended to Grant Conditionally.

15. Conditions / Reasons

The development hereby permitted shall be carried out in accordance with the following approved plans:

I **CONDITION: APPROVED PLANS**

Location Plan 23006887 received 14/12/23

Proposed District Governor Layout P-001 REV A-GA-001 received 14/12/23

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

2 CONDITION: COMMENCE WITHIN 3 YEARS

The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

3 CONDITION: ECOLOGY

The development hereby approved shall be carried out in accordance with the mitigation, avoidance and enhancement measures set out within Chapter 5 of the submitted Ecological Assessment prepared by Dalcour Maclaren (dated November).

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest in accordance with Joint Local Plan Policies SPT12 and DEV23, DEV26 and the National Planning Policy Framework.

INFORMATIVES

1 INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

2 INFORMATIVE: CONDITIONAL APPROVAL (NO NEGOTIATION)

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework, the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

3 INFORMATIVE: BATS AND BIRDS

Bats and birds are protected under the Wildlife & Countryside Act 1981 and the Countryside and Rights of Way Act 2000, it is an offence to deliberately or recklessly disturb them or damage their roosts or habitat. Therefore, close inspection should be undertaken prior to the commencement of works to determine if any bats or birds reside on site. No works should occur while birds are nesting which may be at any time between the month of March to September inclusive; if bats are present works should cease until the applicant has obtained further advice from Natural England on

0845 601 4523 or email wildlife@naturalengland.org.uk. Further advice on bats is available from The Bat Conservation Trust 0845 1300 228.

Planning Applications Determined Since Last Committee

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
14/02/2024	Agreed Condition Details	23/01667/CDMLB	Mr Jeffrey Percival	Condition Discharge: Condition 2 of application 22/01749/LBC	13 The Barbican Plymouth PL1 2LS	Mr James Burnett
14/02/2024	Grant Conditionally	23/01412/FUL	Mr Mike Quick	Raised rear timber decking area with access stairs to the garden; linked at the upper section to the existing raised balcony	6 First Avenue Billacombe Plymouth PL9 8AP	Mr James Burnett
14/02/2024	Grant Conditionally	23/01772/FUL	Mr Paul Minchella	Single storey extension rear and side extension and new dormer construction to rear	48 Glenholt Road Plymouth PL6 7JD	Natasha Batorijs
15/02/2024	Grant Conditionally	23/01513/FUL	Andrew Martin	Installation of external wall insulation and associated works to service family accommodation along with biodiversity infrastructure.	1 - 11 (odds) And 15 - 21 (odds) Charfield Drive, 1 - 25 Brooking Close, 1 - 4 Sandon Walk And 1 - 9 Lydcot Walk Plymouth PL6	Luke Valentine
15/02/2024	Grant Conditionally	23/01691/LBC	Mr Nicholas Ireland	Removal of gas combi boiler and installation of hot water tank, installation of external air source heat pump and replacement radiators	23 Acre Place Plymouth PL1 4QR	Mr James Burnett
15/02/2024	Grant Conditionally	23/01754/FUL	Miss Gearon	Single storey rear extension and new porch	45 Lower Park Drive Plymouth PL9 9DA	Mr James Burnett
15/02/2024	Grant Conditionally	23/01777/FUL	Ms S & E Sellick	Conversion of attached garage and single storey rear extension with level access to garden for wheelchair accessibility	15 Horsham Lane Honicknowle Plymouth PL5 3NX	Natasha Batorijs
15/02/2024	Refuse	23/01761/FUL	Mr Roy Harris	Undeveloped land to be used and included as residential curtilage and the erection of an outbuilding and rear boundary fence. (Retrospective)(Resubmission of application 23/01198/FUL)	24 Carew Gardens Plymouth PL5 3PB	Luke Valentine

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
16/02/2024	Grant Conditionally	23/01680/FUL	Mr Jason Lord	Creation of a new first floor and associated works	13A Church Road Plymstock Plymouth PL9 9AJ	Mr Sam Lewis
16/02/2024	Grant Conditionally	23/01716/FUL	Mr Maciej Szostek	Rear conservatory (retrospective)	11 Beauly Close Plymouth PL7 2YL	Natasha Batorijs
20/02/2024	Grant Conditionally	23/01436/FUL	Mr G Mattacott	Raise bungalow roof height, side extension, two front dormers, side dormer, rear extension, rear raised terrace and associated external alterations	45 Hays Road Plymouth PL9 8AR	Miss Emily Godwin
20/02/2024	Grant Conditionally	23/01706/FUL	Mr Richard Sydenham	Two-storey side and single storey rear extensions with incorporated garage.	4 Corfe Avenue Plymouth PL3 5SQ	Mr Sam Lewis
20/02/2024	Grant Conditionally	23/01798/FUL	Mrs Roz Cunningham	Single storey extension to side of bungalow, with window to front elevation and patio doors to rear	8 Woodview Park Plymouth PL9 8HD	Mr James Burnett
21/02/2024	Agreed Condition Details	24/00079/CDM	Mr Aaron Puffett	Condition Discharge: Condition 3 of application 23/01291/FUL	Plymstock Quarry, The Ride Plymstock Plymouth	Mr Sam Lewis
21/02/2024	Agreed Condition Details	24/00081/CDM	Kevin Briscoe	Condition Discharge: Conditions 3 & 4 of application 23/01376/FUL	Longreach, Hartley Road Plymouth PL3 5LW	Ms Abbey Edwards
21/02/2024	Agreed Condition Details	24/00148/CDM	Mr Aaron Puffett	Condition Discharge: Condition 4 (Use Restriction/Management Plan) of application 22/01692/FUL	Peregrine Road Plymouth	Mrs Janine Warne

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
21/02/2024	Grant Conditionally	23/01200/FUL	Natwest Group	Removal of existing signage, external ATM and nightsafe bezel and make good	6 St Andrews Cross Plymouth PL4 OAE	Miss Emily Godwin
21/02/2024	Grant Conditionally	23/01201/LBC	Natwest Group	Removal of existing signage, external ATM and nightsafe bezel and make good	6 St Andrews Cross Plymouth PL4 OAE	Miss Emily Godwin
22/02/2024	Grant Conditionally	23/01446/FUL	Mr Christopher Joines	Change of use from betting shop (Sui Generis) to restaurant (Class E); inc. installation of extraction system	6 Derrys Cross Plymouth PL1 2SN	Mr Sam Lewis
22/02/2024	Grant Conditionally	23/01523/FUL	Mr William Samuels	Siting of single storey modular building unit to be used as toilet facilities	Devonport Dockyard Saltash Road Keyham Plymouth PL1 4SG	Mr Simon Osborne
22/02/2024	Grant Conditionally	23/01747/REM	Mr Tim Lewis	Reserved Matters application further to outline consent of application 22/00312/OUT for the erection of 8no. residential dwellings with associated landscaping and infrastructure	North Prospect Library Greatlands Place Plymouth PL2 3JG	Mr Daniel Thorning
22/02/2024	Grant Conditionally	24/00037/FUL	Mr & Mrs Borscho	Addition of first floor, single storey rear extension, entrance porch, installation of bay window to side elevation	43 Reddicliff Close Plymouth PL9 9QJ	Miss Emily Godwin
23/02/2024	Grant Conditionally	23/01527/LBC	Mr Robert Jenkins	Replacement of rotten single-glazed timber sash windows with heritage double-glazed and single-glazed timber sash windows.	1 Woodside Plymouth PL4 8QE	Joanna Churchill
23/02/2024	Grant Conditionally	23/01699/FUL	Mrs Amy Hopes	Demolition of existing ground floor garage and addition of proposed two storey extension consisting of ground floor garage, shower room and office with additional bedroom and ensuite to the first floor.	44 Thornyville Villas Plymouth PL9 7LB	Joanna Churchill

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
23/02/2024	Grant Conditionally	23/01778/ADV	ALDI Stores Ltd	Proposal for the addition of signage including wall hanging sign, a showcase sign and a graphic vinyl opening times sign.	Aldi Stores Ltd (Unit 1) Tavistock Road Derriford Plymouth Plymouth PL6 5ZD	Luke Valentine
26/02/2024	Grant Conditionally	23/01621/S73	Mr & Mrs Douglas	Variation of Condition 1 (Approved Plans) of application 19/01583/FUL - Minor Material Amendments including design of balustrade, additional Cladding, enlargement of Terrace on Flat 3, retention of original door openings, alterations to window styles, and additional Rooflights	77 Lambhay Hill Plymouth PL1 2NR	Natasha Batorijs
27/02/2024	Agreed Condition Details	23/01771/CDM	Mr Tim Lewis	Condition Discharge: Conditions 6 - 11 and 13 - 18 of application 22/00312/OUT	Former North Prospect Library Greatlands Place Plymouth PL2 3JG	Mr Daniel Thorning
27/02/2024	Agreed Condition Details	24/00170/CDM	Daniel Short	Condition Discharge: Condition 7 of application 13/02037/FUL	1 Beauchamp Road Plymouth PL2 3PZ	Ms Abbey Edwards
27/02/2024	Non-material Minor Amendment Agreed	24/00060/AMD	Mr B Lynch	Non-material Amendment: To alter the description of development to that as originally submitted to read change of use from 6-bed HMO (Class C4) to Large HMO (Sui Generis) of application 23/01577/FUL.	77 Belgrave Road Plymouth PL4 7DR	Mr Macauley Potter
27/02/2024	Grant Conditionally	23/01639/FUL	Otway and Davenport Properties Ltd	Alterations to existing 8-bed HMO inc. second floor rear extension and enlarged rear dormer	183 North Road West Plymouth PL1 5DE	Mr Sam Lewis
28/02/2024	Grant Conditionally	23/01590/S73	The Royal London Mutual Insurance Society Limited	Variation of Conditions 23 and 35 of application 23/01105/S73 to amend delivery hours and opening hours for Unit 1	Plymouth Gateway Retail Park 270 Plymouth Road Plymouth PL6 8ET	Mr Daniel Thorning
28/02/2024	Condition Discharge Split	23/01254/CDMLB	Plymouth City Council	Condition Discharge: Conditions 3, 6, 7, 8, 10, 18, 21, 22, 23 & 24 of application 23/00311/LBC	The Guildhall Royal Parade Plymouth PL1 2EL	Helen Blacklock

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
29/02/2024	Agreed Condition Details	23/01290/CDM	Persimmon Homes Cornwall & West Devon	Condition Discharge: Conditions 40 (Hard and Soft Landscape Design Proposals), 42 (Details of Enclosure and Screening) and 70 (Landscape Management Plan) of application 12/02027/OUT (in relation to Phase 13 of the development)	Land At Seaton Neighbourhood Plymouth	Mrs Janine Warne
29/02/2024	Grant Conditionally	23/01633/FUL	Mrs C Ball	Proposed rear extension. Removal of front wall and new self draining brick drive.	83 Lynwood Avenue Plymouth PL7 4SQ	Natasha Batorijs
29/02/2024	Grant Conditionally	23/01640/FUL	Miss Rebecca Pike	Construction of off-street parking hardstand	52 Pemros Road Plymouth PL5 1NF	Luke Valentine
29/02/2024	Grant Conditionally	23/01721/LBC	Mrs Rosalind Grigor	Replacement windows/doors (including additional windows in rear tenement), reinstated entrance fanlight, replacement rainwater goods, reinstated rear garden entrance, facade painting and internal layout alterations	10 Beyrout Place Plymouth PL1 4QY	Mr Sam Lewis
29/02/2024	Grant Conditionally	24/00018/FUL	Mr Dan Bolt	Ground floor rear extension	30 Ivanhoe Road Plymouth PL5 1PG	Natasha Batorijs
01/03/2024	Agreed Condition Details	22/00378/CDM	Mr Lee Martin	Condition Discharge: Conditions 1, 2, 3 (partial) & 4 of application 20/00239/S73.	5 Southwell Road Plymouth PL6 5BE	Mr Macauley Potter
04/03/2024	Grant Conditionally	23/01783/ADV	Arcadis	Fascia signage to canopy over forecourt, wave signage to pump islands	Petrol Filling Station 137 Egguckland Road Plymouth PL3 5JU	Luke Valentine
04/03/2024	Refuse	23/01490/FUL	Penhaven Developments Ltd	Change of use and extension of existing care home into residential apartments	32 Egguckland Road Plymouth PL3 5HG	Helen Blacklock

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
05/03/2024	Agreed Condition Details	23/01752/CDM	Mr D Kinsman	Condition Discharge: Condition 8 of application 20/01963/S73	Intercity House Plymouth Station Plymouth PL4 6AB	Miss Katherine Graham
05/03/2024	Agreed Condition Details	24/00198/CDM	Mr Simon Stone	Condition Discharge: Conditions 17 & 18 of application 19/00313/FUL	Perimeter Building The Cooperage Royal William Yard Plymouth	Miss Katherine Graham
05/03/2024	Grant Conditionally	23/01696/FUL	Mrs Julie Langmaid	Change of use (ground floor only) from hairdressers (Class E) to flat (Class C3) with external alterations	Salon, 38 Bayswater Road Plymouth PL1 5BX	Cody Beavan
05/03/2024	Grant Conditionally	24/00031/FUL	Ms McCoy	Formation of rooms in roof space including dormers and raising the ridge	1 Charlton Road Plymouth PL6 5EF	Cody Beavan
06/03/2024	Non-material Minor Amendment Agreed	24/00206/AMD	Mr Graham Barton	Non-Material Amendment: Removal of rear external staircase and addition of Juliet balcony to dormer for application 23/00973/FUL	51 Higher Compton Road Plymouth PL3 5HZ	Mr Sam Lewis
06/03/2024	Grant Conditionally	23/01605/FUL	Mr Lewis Colam	Two-storey rear extension, single storey side extension and raised decking.	1A Admiralty Cottages Admiralty Road Stonehouse Plymouth PL1 3RS	Cody Beavan
06/03/2024	Grant Conditionally	23/01673/FUL	Mr Ken Jones	Erection of self supporting canopy to rear elevation	Unit 1, 270 Plymouth Road Plymouth PL6 8ET	Mr Macauley Potter
06/03/2024	Grant Conditionally	23/01674/FUL	Mr Ken Jones	Construction of plant cage/compound and installation of air conditioning/refrigeration plant together with the forming of 1 no. opening in external wall/cladding.	Unit 1, 270 Plymouth Road Plymouth PL6 8ET	Mr Macauley Potter

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
06/03/2024	Grant Conditionally	24/00022/FUL	Mr Lee McCarthy	Two-storey rear/side extension	First Floor And Second Floor Flat, 37 Marlborough Street Plymouth PL1 4AW	Cody Beavan
07/03/2024	Agreed Condition Details	23/00853/CDM	University Hospitals Plymouth NHS Trust	Condition Discharge: Condition 10 of application 21/02270/FUL10	Land North Of William Prance Road Derriford Plymouth	Ms Marie Stainwright
07/03/2024	Agreed Condition Details	23/01458/CDM	University Hospitals Plymouth NHS Trust	Condition Discharge: Conditions 7, 9 & 14 of application 23/00015/FUL10	Derriford Hospital Derriford Road Plymouth PL6 8DH	Ms Marie Stainwright
07/03/2024	Agreed Condition Details	23/01671/CDM	University Hospitals Plymouth NHS Trust	Condition Discharge: Conditions 5, 6, 7, 9, & 26 of application 23/00031/FUL10	Derriford Hospital Derriford Road Plymouth PL6 8DH	Ms Marie Stainwright
07/03/2024	Grant Conditionally	23/01226/FUL	Mr & Mrs Forsyth	Proposed loft conversion with rear dormer and hip to gable roof	18 St Gabriels Avenue Plymouth PL3 4JQ	Joanna Churchill
07/03/2024	Grant Conditionally	23/01582/FUL	Mr Matthew Bentley	Change of use to permit the display and sale of additional goods from the retail warehouse	6 Marsh Mills Park Plymouth PL6 8LX	Mr Daniel Thorning
07/03/2024	Grant Conditionally	23/01733/FUL	Ms Victoria Strickson	Proposed sports enclosure to the existing external playing court.	All Saints Church Of England Academy Honicknowle Lane Plymouth PL5 3NE	Mr Macauley Potter
07/03/2024	Grant Conditionally	23/01786/FUL	J & M Naranbhai & Hulatt	Part ground floor change of use from shop (Class E) to additional residential floorspace (Class C3), removal of shopfront and window alterations	76 Dunstone Road Plymstock Plymouth PL9 8SF	Miss Emily Godwin

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
07/03/2024	Grant Conditionally	24/00008/FUL	Mr Steve Goswell	New front entrance doors, rear a/c unit and rear extraction louvred vent	Unit 27, The Broadway Plymouth PL9 7AF	Luke Valentine
07/03/2024	Grant Conditionally	24/00137/FUL	Lynette Carroll	Hip to gable roof alteration, rear dormer and installation of side elevation window	17 Peverell Terrace Plymouth PL3 4JJ	Miss Emily Godwin
08/03/2024	Grant Conditionally	23/01693/FUL	Sarah Lock	New restaurant and servery with external seating area	33 Southside Street Plymouth PL1 2LE	Miss Amy Thompson
08/03/2024	Grant Conditionally	23/01694/LBC	Sarah Lock	Works to create new restaurant and servery with external seating area	33 Southside Street Plymouth PL1 2LE	Miss Amy Thompson
08/03/2024	Grant Conditionally	24/00084/FUL	Mr Carl Manley	Demolition of existing wall and new wall to be built extending towards the front of the property. 2.2m Height.	1 Tylney Close Plymouth PL6 6BX	Natasha Batorijs
08/03/2024	Grant Conditionally	24/00120/FUL	Dent	Demolition of a rear conservatory and replacement single storey extension (retrospective)	176 Stanborough Road Plymouth PL9 8NX	Joanna Churchill
08/03/2024	Refuse	23/01594/FUL	Mr & Mrs Farrow	Single storey rear extension annex	12 Great Berry Road Plymouth PL6 5AU	Luke Valentine
08/03/2024	Refuse	24/00044/FUL	Mr Joanne Brewer	Demolition of existing attached single garage and erection of a two-storey side extension and 2no single storey rear extensions	16 Wain Park Plymouth PL7 2HX	Luke Valentine
11/03/2024	Agreed Condition Details	24/00023/CDM	Westward Housing Ltd	Condition Discharge: Conditions 15, 16, 17 & 19 of application 17/01216/FUL	Land Off Colebrook Road Plympton Plymouth	Mrs Katie Saunders

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
11/03/2024	Non-material Minor Amendment Agreed	24/00239/AMD	Mr & Mrs Taylor	Non-material amendment: Reduce size of roof terrace for application 21/01953/FUL	101 Staddiscombe Road Plymouth PL9 9LU	Miss Emily Godwin
11/03/2024	Grant Conditionally	24/00077/FUL	Antonio Mendonca	Installation of air source heat pump	30 Kilmar Street Plymouth PL9 7FJ	Joanna Churchill

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Planning Appeal Decisions between 13/02/2024 and 12/03/2024

Date of Decision	28/02/2024
Ward	Budshead
Application Number	23/01147/FUL
Decision	Appeal Dismissed
Address of Site	599 Budshead Road Plymouth PL5 4DN
Proposal	Proposed driveway formation and dropped kerb at the front of the property
Appeal Process	Householder Fast Track
Officers Name	Luke Valentine
Synopsis of Appeals	The inspector agreed that the proposed hardstanding would have unacceptably poor visibility and that its size and dimensions could lead to highway damage and safety concerns contrary to JLP policy DEV29. The inspector did not agree that the loss of on road parking was unacceptable given one off street space would be provided.

Date of Decision	01/03/2024
Ward	Efford and Lipson
Application Number	23/01136/FUL
Decision	Appeal Dismissed
Address of Site	12 Fairview Avenue Plymouth PL3 6DR
Proposal	Formation of vehicle hardstanding to front garden area
Appeal Process	Householder Fast Track
Officers Name	Luke Valentine
Synopsis of Appeals	The inspector agreed that the hardstanding by virtue of its scale and positioning would have an acceptable impact on both visual amenity and the residential amenity currently enjoyed by the application property contrary to policies DEV20 and DEV1 of the JLP. The inspector also agreed that the hardstanding would require cars to be parked width wise which would require reversing and manoeuvres which would give rise to highway safety concerns and could cause highway damage contrary to DEV29.

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