

PLANNING COMMITTEE

1.00 pm, Thursday 2 June 2011



CONTACT

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TO COUNCILLORS

Lock (Chair) Mrs Bowyer (Vice Chair) Browne, Churchill, Delbridge, Mrs Foster, Mrs Nicholson, Stevens, Tuohy, Vincent, Wheeler and Williams.

VENUE

Council House, Armada Way, Plymouth

Please note that unless the Chair agrees, mobile phones should be switched off and speech, video and photographic equipment should not be used during meetings.

AGENDA

PART I – PUBLIC MEETING

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST**
3. **MINUTES** (Pages 1 - 8)
4. **CHAIR'S URGENT BUSINESS**
5. **QUESTIONS FROM MEMBERS OF THE PUBLIC**
6. **PLANNING APPLICATIONS FOR CONSIDERATION** (Pages 9 - 10)
 - 6.1. 6 LATIMER WALK, PLYMOUTH. 11/00377/FUL. (Pages 11 - 14)
 - 6.2. 8 ST MAURICE ROAD, PLYMOUTH. 10/01802/FUL. (Pages 15 - 24)
 - 6.3. LAND OFF CUNDY CLOSE PLYMPTON, PLYMOUTH. 11/00149/FUL (Pages 25 - 44)

6.4. LAND AT WESTON MILL LAKE, PLYMOUTH. (Pages 45 - 66)
11/00634/FUL.

7. **PLANNING APPLICATION DECISIONS ISSUED** (Pages 67 - 116)

8. **APPEAL DECISIONS** (Pages 117 - 118)

9. **ENFORCEMENT APPEAL SUMMARY** (Pages 119 - 120)

10. **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.

PART II (PRIVATE MEETING)

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

that under the law, the Panel is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

NIL.

Planning Committee

Thursday 28 April 2011

PRESENT:

Councillor Lock, in the Chair.

Councillor Roberts, Vice-Chair.

Councillors Mrs. Bowyer, Browne, Delbridge, Fox, Mrs. Nicholson (substitute for Councillor Mrs. Foster), Thompson, Tuohy, Vincent, Wheeler and Wildy.

Apology for absence: Councillor Mrs. Foster.

Also in attendance: Peter Ford (Lead Planning Officer), Mark Lawrence (Lawyer) and Katey Johns (Democratic Support Officer).

The meeting started at 1 pm and finished at 5.50 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.

107. DECLARATIONS OF INTEREST

The following declarations of interest were made by Councillors in accordance with the code of conduct in relation to items under discussion at this meeting –

Name	Minute No. and Subject	Reason	Interest
Councillor Mrs. Bowyer	111.2 Penlee Cottage, Plymbridge Road, Plymouth 11/00018/FUL	Lives near the application site	Personal
Councillor Browne	111.2 Penlee Cottage, Plymbridge Road, Plymouth 11/00018/FUL	Ward Councillor	Personal

108. MINUTES

Agreed the minutes of the meeting held on 7 April 2011.

109. CHAIR'S URGENT BUSINESS

Planning Performance

The Chair reported planning performance figures for 2010/11 as follows –

- Major applications determined in 13 weeks – 77.17% against national target of 60%
- Minor applications determined in 8 weeks – 81.55% against national target of 65%
- Other applications determined in 8 weeks – 88.35% against national target of 80%

With regard to planning enforcement performance –

- Number of outstanding cases reduced to 177 against a target of 250
- 673 cases resolved against a target of 300

(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 and consult Members).

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

There were no questions from members of the public.

111. **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 111.1, 111.2, 111.4, 111.5, 111.7 and 111.8.

111.1 8 ST MAURICE ROAD, PLYMOUTH 10/01802/FUL

(Mr Stephen Darke)

Decision:

Application **DEFERRED** for a site visit in order that Members could look at the effect of the proposal in relation to a previous refusal for a similar proposal at 6 St. Maurice Road.

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

(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).

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

**111.2 PENLEE COTTAGE, PLYMBRIDGE ROAD, PLYMOUTH
11/00018/FUL**

(Taylor Wimpey (Exeter))

Decision:

Application **GRANTED** conditionally, subject to –

- (a) an amendment to the addendum report to include the repositioning of plot 12 along with plots 6, 7, 10, 11 and 13, one metre north (away from the southern boundary);
- (b) a S106 Obligation, to be prioritised locally for green space, play space, primary schools and transport, delegated authority to refuse in the event that the S106 Obligation is not completed by 13 May 2011;
- (c) amendment to site operational hours in the Code of Construction to include restriction preventing work from taking place on Saturdays and no deliveries before 9 am or after 5 pm;
- (d) a 30% reduction of tariff on the Market Recovery Scheme.

Members also requested that the applicant undertook further consultation with residents over suitable boundary treatment.

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

(Councillors Mrs. Bowyer and Browne declared personal interests in respect of the above item).

(Councillor Browne's proposed amendment to the S106 Obligation priority, having been seconded by Councillor Thompson, was put to the vote and declared carried).

(Councillor Wildy's proposed amendment to the Code of Construction, having been seconded by Councillor Wheeler, was put to the vote and declared carried).

(Councillor Wheeler's proposed amendment to the Market Recovery Scheme tariff, having been seconded by Councillor Wildy, was put to the vote and declared carried).

(Councillor Wildy's proposal to extend the date for completion of the S106 Obligation, having been seconded by Councillor Tuohy, was put to the vote and declared carried).

**111.3 THE TOWN HOUSE, 32 HARWELL STREET, PLYMOUTH
10/02006/FUL**

(Town House (Plymouth) Ltd)

Decision:

Application **REFUSED** on the grounds that the proposed development, by virtue of scale, massing and design, would have an unacceptable impact on the existing community and would therefore be contrary to policies CS01, CS02 and CS34.

A further refusal ground relating to the proposal being contrary to the City Centre Action Plan to be considered by the Assistant Director of Development and Regeneration in consultation with Chair, Vice and Shadow Chair.

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

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

**111.4 LAIRA UNITED CHURCH, 247 OLD LAIRA ROAD, PLYMOUTH
11/00028/FUL**

(United Reformed Church South Western Synod)

Decision:

Application **GRANTED** conditionally, subject to the amendment to condition 16 as set out in the addendum report, and a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 3 May 2011.

111.5 12 ELFORD CRESCENT, PLYMOUTH 11/00282/FUL

(Mr Phil Chevis)

Decision:

Application **GRANTED** conditionally.

(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).

111.6 PLYMSTOCK QUARRY, PLYMOUTH 11/00369/FUL

(Persimmon Homes Ltd)

Decision:

Application **GRANTED** conditionally.

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

111.7 3-5 MARKET ROAD, PLYMOUTH 11/00238/FUL

(Barratt Homes (Exeter Division))

Decision:

Application **GRANTED** conditionally, including conditions set out within the addendum report and any additional conditions proposed by the Environment Agency, and subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 28 May 2011.

111.8 273 TAVISTOCK ROAD, PLYMOUTH 10/01860/FUL

(Urbis Developments 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 18 May 2011.

112. PLANNING APPLICATION DECISIONS ISSUED

The Committee received a report from the Assistant Director of Development (Planning Services) on decisions issued for the period 28 March to 15 April 2011, including –

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

113. EXEMPT BUSINESS

There were no items of exempt business.

SCHEDULE OF VOTING (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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PLANNING COMMITTEE – 28 April 2011

SCHEDULE OF VOTING

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
111.1 8 St Maurice Road, Plymouth 10/01802/FUL Amended Recommendation	Councillors Mrs. Bowyer, Browne, Delbridge, Fox, Lock, Mrs. Nicholson, Roberts and Wheeler	Councillors Thompson, Tuohy, Vincent and Wildy			
111.2 Penlee Cottage, Plymbridge Road, Plymouth 11/00018/FUL Amendment regarding S106 Obligation Priorities Amendment regarding Code of Construction Amendment regarding Market Recovery Scheme Tariff Amendment to extend deadline for date of completion of S106 Obligation Officers Recommendation	Unanimous Unanimous Unanimous Unanimous Councillors Fox, Lock, Mrs. Nicholson, Thompson, Tuohy, Vincent and Wheeler.	Councillors Mrs. Bowyer, Browne, Delbridge and Roberts			
111.3 The Town House, 32 Harwell Street, Plymouth 10/02006/FUL Reasons for Refusal Amended Recommendation to Refuse	Councillors Mrs. Bowyer, Browne, Delbridge, Fox, Mrs. Nicholson, Roberts, Thompson, Tuohy, Vincent, Wheeler and Wildy Councillors Mrs. Bowyer, Browne, Delbridge, Fox, Mrs. Nicholson, Roberts,	Councillor Lock Councillor Lock	Councillor Lock		

Minute number and Application	Voting for	Voting against	Abstained	Absent due to interest declared	Absent
	Thompson, Tuohy, Vincent, Wheeler and Wildy				
111.4 Laura United Church, 247 Old Laura Road, Plymouth 11/00028/FUL	Councillors Mrs. Bowyer, Browne, Delbridge, Fox, Lock, Mrs. Nicholson, Roberts, Thompson, Tuohy, Vincent, and Wheeler		Councillor Wildy		
111.5 12 Elford Crescent, Plymouth 11/00282/FUL	Councillor Delbridge, Fox, Roberts, Thompson, Tuohy, Vincent, Wheeler and Wildy	Councillor Mrs. Nicholson	Councillors Browne and Lock		Councillor Mrs. Bowyer
111.6 Plymstock Quarry, Plymouth 11/00369/FUL	Councillors Browne, Delbridge, Fox, Lock, Mrs. Nicholson, Roberts, Thompson, Tuohy, Vincent, Wheeler and Wildy				Councillor Mrs. Bowyer
111.7 3-5 Market Road, Plymouth 11/00238/FUL	Councillors Browne, Fox, Lock, Mrs. Nicholson, Roberts, Thompson, Tuohy, Vincent, Wheeler and Wildy				Councillors Mrs. Bowyer and Delbridge
111.8 273 Tavistock Road, Plymouth 10/01860/FUL	Councillors Browne, Fox, Lock, Mrs. Nicholson, Roberts, Thompson, Tuohy, Vincent and Wheeler				Councillors Mrs. Bowyer Delbridge and Wildy

PLANNING APPLICATIONS FOR CONSIDERATION

All of the applications included on this agenda have been considered subject to the provisions of the Human Rights Act 1998. This Act gives further effect to the rights included in the European Convention on Human Rights.

Addendums

Any supplementary/additional information or amendments to a planning report will be circulated at the beginning of the Planning Committee meeting as an addendum.

Public speaking at Committee

The Chair will inform the Committee of those Ward Members and/or members of the public who have registered to speak in accordance with the procedure set out in the Council's website.

Participants will be invited to speak at the appropriate time by the Chair of Planning Committee after the introduction of the case by the Planning Officer and in the following order:

- Ward Member
- Objector
- Supporter

After the completion of the public speaking, the Planning Committee will make their deliberations and make a decision on the application.

Committee Request for a Site Visit

If a Member of Planning Committee wishes to move that an agenda item be deferred for a site visit the Member has to refer to one of the following criteria to justify the request:

1. Development where the impact of a proposed development is difficult to visualise from the plans and any supporting material.

The Planning Committee will treat each request for a site visit on its merits.

2. Development in accordance with the development plan that is recommended for approval.

The Planning Committee will exercise a presumption against site visits in this category unless in moving a request for a site visit the member clearly identifies what material planning consideration(s) have not already been taken into account **and** why a site visit rather than a debate at the Planning Committee is needed to inform the Committee before it determines the proposal.

3. Development not in accordance with the development plan that is recommended for refusal.

The Planning Committee will exercise a presumption against site visits in this category unless in moving a request for a site visit the Member clearly identifies what material planning consideration(s) have not already been taken into account **and** why a site visit rather than a debate at the Planning Committee is needed to inform the Committee before it determines the proposal.

4. Development where compliance with the development plan is a matter of judgment.

The Planning Committee will treat each case on its merits, but any member moving a request for a site visit must clearly identify why a site visit rather than a debate at the Planning Committee is needed to inform the Committee before it determines the proposal.

5. Development within Strategic Opportunity Areas or development on Strategic Opportunity Sites as identified in the Local Plan/Local Development Framework.

The Chair of Planning Committee alone will exercise his/her discretion in moving a site visit where, in his/her opinion, it would benefit the Planning Committee to visit a site of strategic importance before a decision is made.

Decisions contrary to Officer recommendation

1. If a decision is to be made contrary to the Head of Planning and Regeneration recommendation, then the Committee will give full reasons for the decision, which will be minuted.
2. In the event that the Committee are minded to grant an application contrary to Officers recommendation then they must provide:
 - (i) full conditions and relevant informatives;
 - (ii) full statement of reasons for approval (as defined in Town & Country Planning (General Development Procedure) (England) (Amendment) Order 2003);
3. In the event that the Committee are minded to refuse an application contrary to Officers recommendation then they must provide:
 - (i) full reasons for refusal which must include a statement as to demonstrable harm caused and a list of the relevant plan and policies which the application is in conflict with;
 - (ii) statement of other policies relevant to the decision.

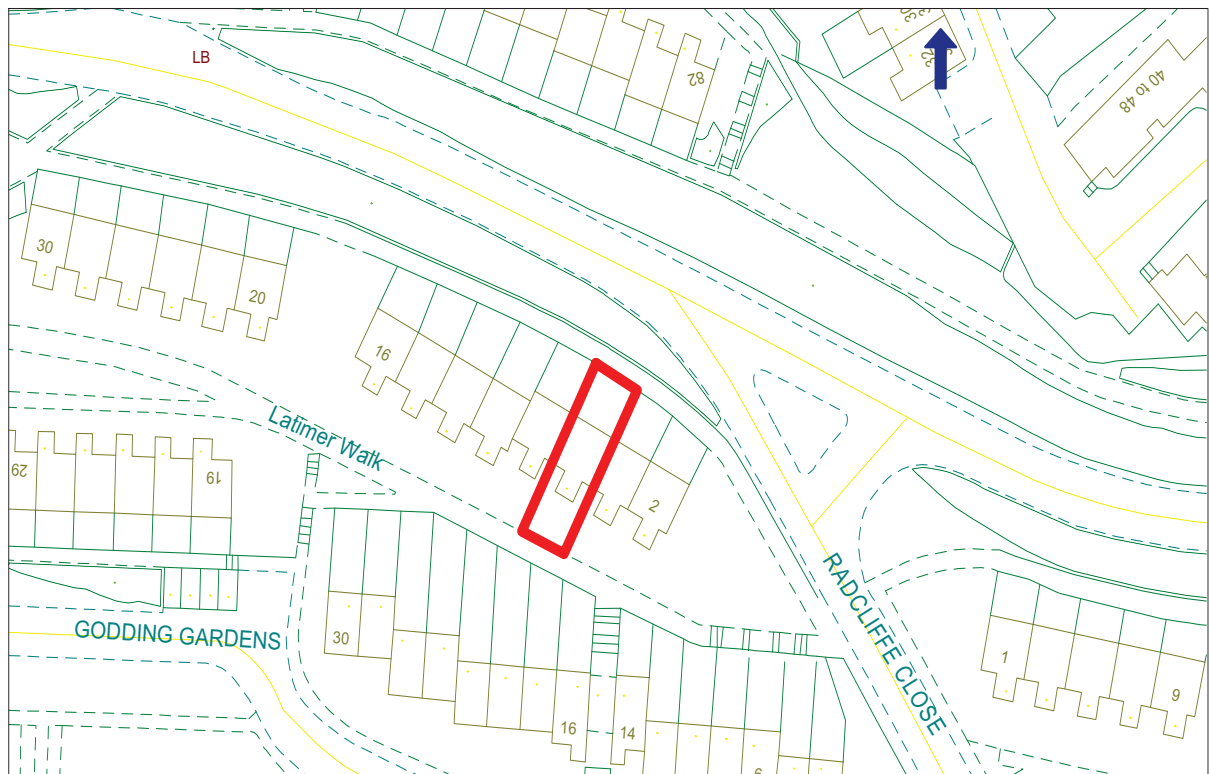
Where necessary Officers will advise Members of any other relevant planning issues to assist them with their decision.

PLANNING APPLICATION REPORT



ITEM: 01

Application Number:	11/00377/FUL
Applicant:	Mr Michael Askew
Description of Application:	Decking to rear of property (retrospective)
Type of Application:	Full Application
Site Address:	6 LATIMER WALK PLYMOUTH
Ward:	Southway
Valid Date of Application:	21/04/2011
8/13 Week Date:	16/06/2011
Decision Category:	Member/PCC Employee
Case Officer :	Mark Utting
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



Site Description

6 Latimer Walk is a terraced property located in the Southway area of the city. The property and subject decking can be viewed from Dunnet Road.

Proposal Description

Retention of rear decking area.

Relevant Planning History

None

Consultation Responses

None

Representations

None

Analysis

This application draws from Policy CS34 of the City of Plymouth Core Strategy 2006-2021 and supplementary planning document 'Development Guidelines'. The primary planning considerations are the impact on neighbour amenities including overlooking and the impact on the character and visual appearance of the area as detailed below.

This application is for the retention of rear decking at no. 6 Latimer Walk. This application was initiated as an enforcement case subsequent to a complaint by a neighbouring property. Since the commencement of this case, the property has changed hands, and the neighbour who originally complained, no longer wishes to submit a letter of representation against the decking. While no letters of representation have been submitted, a subsequent site visit has been undertaken to assess the impact on neighbouring amenity and its impact on the existing street scene. The Development Guideline Supplementary Planning Documents highlights that decking can often lead to problems of overlooking and therefore should be resisted if they would create an unacceptable loss of privacy for neighbouring properties. The erection of a screen may mitigate the effects of any overlooking, however, only if it does not unreasonably affect the outlook or daylight of the neighbouring properties. In light of these considerations the following observations have been made:

Street scene:

The proposed decking is situated at the rear of the property and cannot be seen from Latimer Walk, therefore, there is no impact on the existing street scene at the front of the property.

The decking is visible from Dunnet Road but the land in which the decking is built upon is significantly higher than the existing road. The properties of Latimer Walk are also set back considerably from the road and in light of the topography and this set back there is considered to be no conflict between the road and the subject decking.

The screen, that is visible from Dunnet Road, is made of close boarded timber. The boundary screens of other neighbouring properties, also viewable from the road, are

made of breeze blocks and timber also. There are a variety of different materials used in this area and therefore the addition of a close boarded timber fence is not deemed to be detrimental to the existing street scene.

Impact on neighbour amenity:

Notwithstanding the retention of the subject decking, it is already possible to see directly into the conservatory and ground floor window of no. 4 Latimer Walk, therefore the subject decking will not further invade the privacy enjoyed by no. 4 Latimer Walk. Furthermore there has been no letter of representation received by no. 4 Latimer Walk. No. 8 Latimer Walk is the neighbouring property to the northwest of the decking. No. 8 has erected a close boarded timber screen between the property no. 6 and 8 and there is considered to be no issues of privacy, overlooking or lack of light.

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.

Section 106 Obligations

N / A

Equalities & Diversities issues

No specific issues in this case.

Conclusions

Conditional approval recommended.

Recommendation

In respect of the application dated **21/04/2011** and the submitted drawings I/Latimer Wlk, Block_01 block plan as existing, Ele/Sec_02 Elevations/Sections.,it is recommended to: **Grant Conditionally**

Conditions

APPROVED PLANS

(1) The permission relates to the following approved plans: I/Latimer Wlk, Block_01 block plan as existing, Ele/Sec_02 Elevations/Sections.

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact on neighbour amenities including overlooking and the impact on the character and visual appearance of the area, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

CS34 - Planning Application Consideration

SPD1 - Development Guidelines

PLANNING APPLICATION REPORT



ITEM: 02

Application Number: 10/01802/FUL

Applicant: Mr Stephen Darke

Description of Application: Conversion and change of use of store rooms to hot food takeaway (Use Class A5) and provision of three parking spaces on existing grass at front of building

Type of Application: Full Application

Site Address: 8 ST MAURICE ROAD PLYMOUTH

Ward: Plympton Erle

Valid Date of Application: 16/11/2010

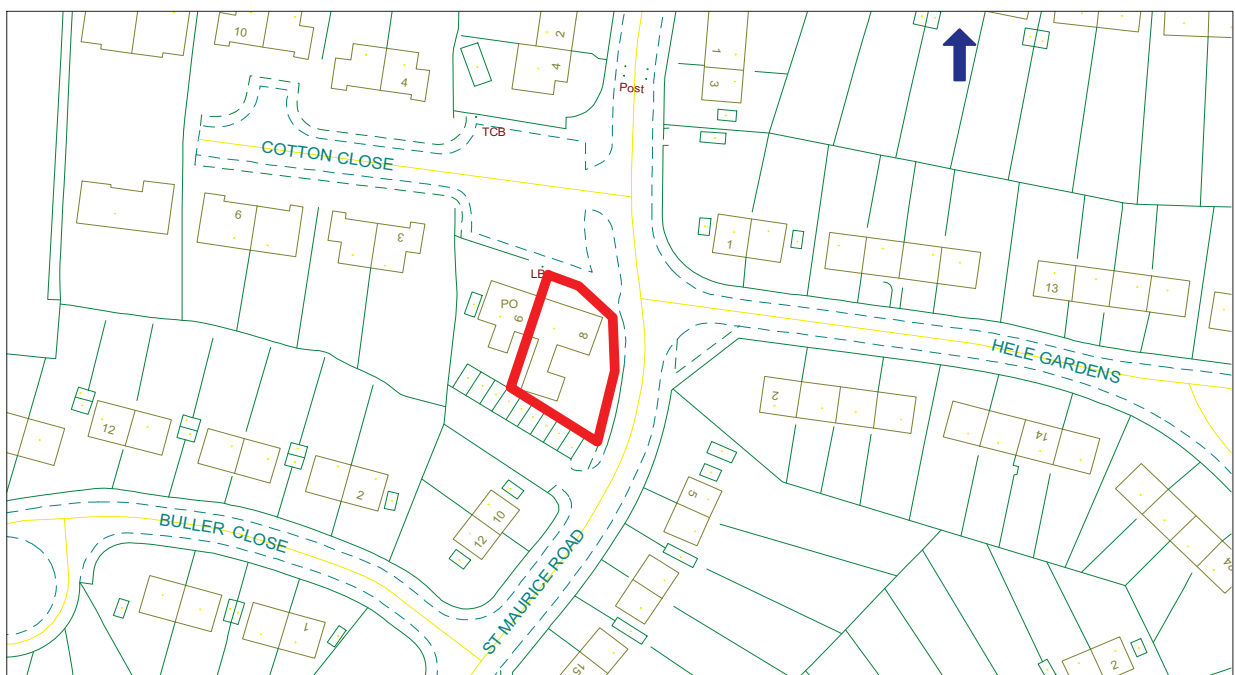
8/13 Week Date: **11/01/2011**

Decision Category: Member Referral

Case Officer : Jon Fox

Recommendation: Grant Conditionally

Click for Application Documents: www.plymouth.gov.uk



This application is being reported to Planning Committee following a member referral by Councillor Terri Beer on the grounds of highways, parking, litter and extraction fan noise and smell. The application was originally reported to the meeting of 28 April when a decision was deferred pending a site visit, which will have taken place in the morning of 2 June.

Site Description

The site comprises a small, single-storey attached outbuilding located to the rear of the main premises at 8 St. Maurice Road, which consists of a shop on the ground floor and a residential flat above.

Proposal Description

Conversion and change of use of store rooms to hot food takeaway (A5) and provision of three parking spaces on existing grass at front of building. Plans submitted following the original submission show that the premises would be provided with a crooked extract flue located at the western end of the building, which projects approximately one metre above the building eaves.

Relevant Planning History

06/01603/FUL - Change of use of ground floor from class A1 (shop) to class A5 (hot food takeaway). This application relates to the adjoining premises, at 6 St. Maurice Road, and was refused for the following reason:

(1) In the opinion of the Local Planning Authority, the proposed hot food takeaway would have an unacceptable impact on residential amenity due to odours associated with the hot food takeaway being introduced into the local environment, contrary to policies ASR19, ASR20, ASR21 and AEV49 of the adopted City of Plymouth Local Plan First Alteration 1996.

Consultation Responses

Highway Authority

The proposal would provide three off-street car parking spaces within the private property to support the use, and use an existing vehicular access point and vehicle crossing. The proposed hot food takeaway would become part of the group of the two adjacent local shops, for which on-street car parking is available in the fronting Cotton Close. St Maurice Road is a residential feeder road and a bus route that has been traffic calmed and forms a part of the residential 20 mph zone, where vehicle speeds are considered to be generally low. The Highway Authority would not wish to raise any objections to the proposal and recommend that a condition relating to car parking provision be included in any grant of planning permission.

Public Protection Service (PPS)

Raises no objections subject to conditions relating to details of ventilation extract system, noise from plant and litter bin provision.

In response to the ventilation extract system details supplied by the applicant, PPS recommends the following condition wording:

“The extract ventilation system and odour control equipment indicated by the applicant shall be installed before the use hereby permitted commences and thereafter be operated and maintained in accordance with the manufacturer’s instructions.”

In the analysis section below, a revised wording is recommended.

Representations

The representations fall into two categories; those received before the additional plans of the extract were submitted, and those that were received afterwards. 13 letters were received initially, which raise objections on the following grounds:

1. Detrimental to highway safety – dangerous stretch of road – the parking spaces are on a roundabout.
2. The use of the proposed parking spaces will cause a hazard.
3. Obstruction to emergency vehicles.
4. The removal of the wall next to the footpath will be detrimental to pedestrian safety.
5. Parking problems – this use is in addition to parking for the shops and Longcause School, which has permission for a new sports hall.
6. Noise, odour and fume problems.
7. The use will encourage anti-social behaviour and litter.
8. Litter.
9. If opening times are the same as the local pub this will create problems.
10. An A5 use is not needed here.
11. The waste from the premises would be a fire risk.
12. Vermin problems.
13. Harmful to, and out of character with, the area.
14. A precedent has been set by refusing permission at the adjoining shop.
15. The proposals will detract from businesses in the Ridgeway.
16. Fish and chips are not a healthy option and this does not promote healthy eating.

A further eight letters were received following the publicity given to the extract details submitted by the applicant’s agent. These raise objections on the following grounds:

1. Odour nuisance.
2. Parking problems.
3. Noise and disturbance and litter.
4. Anti-social behaviour.
5. Detrimental to highway safety. The use of the parking spaces will be unsafe. Vehicles speed on the road despite traffic calming measures.
6. Buses and parking will be much worse when Longcause School builds their new sports hall.
7. The proposed extraction process will not prevent local residents suffering from the smell of frying. These systems never totally eliminate cooking odours. Filters will not eradicate the smell of fried food.

8. The extract system will be noisy. There will be noise that will have a detrimental affect on the use of neighbour's garden.
9. Detrimental to pedestrian safety.
10. The existing off-street car parking spaces are not adequate to cater for the proposed use.
11. This is a quiet residential area and there are existing outlets within walking distance of this area.
12. The proposals contradict the healthy living advocated as part of the proposals for the sports hall at the nearby school.
13. Loss of privacy.
14. Litter and vermin associated with litter.
15. Fast food is unhealthy.

Members were advised in April of a 209 signatory petition in support of the proposals and, since then, a further supporting petition of 21 signatures has been submitted. Six more letters were also received, which raise objections to the proposals on the grounds of:

1. The use would be harmful to other takeaway uses and shopping centres.
2. Causing a hazard on a busy road by a mini-roundabout and bus stop.
3. The three car parking spaces would block garages and their use puts traffic into the path of sometimes speeding traffic. The use of the spaces would be hazardous to young children and older pedestrians.
4. Parking is inadequate and will result in parking on the footways and surrounding streets.
5. Odours, litter and vermin. Odours would be in serious conflict with the healthy style of living. Litter gets dumped in neighbours' gardens.
6. Noise, increased traffic and antisocial behaviour. The premises will be operating from approximately 6.30am.
7. The extract flue should be above the roof-line of the main building.
8. The latent heat from the exhaust fumes would be detrimental to the surrounding area and trees. The hot fumes from the extract would damage the garage roofs. Would the hot extract flue be a fire risk?
9. The refusal of a takeaway at 6 St. Maurice Road does set a precedent for refusing this proposal because the two proposed extraction systems would be only 10 metres apart.
10. Loss of privacy due to customers looking into neighbouring garden.
11. The opening times should be 12-2 and 6-9, in order to allow children to be undisturbed; hang out washing and park cars before the premises opens. 10pm is later than the fish and chip shop at Chaddlewood shopping centre, which are only permitted to operate until 9pm.
12. The public were not notified of the proposed opening hours. The public haven't had sufficient time to comment on opening hours. The opening hours would be harmful to this quiet community.
13. The area is already overwhelmed with takeaways.
14. The proposals are not considered complimentary to residential uses and this location.
15. If the view, that fish and chips is unhealthy, is not a planning matter, then anything that leads to a healthy lifestyle shouldn't be considered either, but this was the case in respect of the application at Longcause School.

16. Have the users of the nine garages, adjacent, been notified of the application?
The proximity of the proposed extract flue will lead to damage to the garages and their contents.
17. The car park takes up garden space for the flat above the shop and is therefore 'garden grabbing', which is harmful to the appearance of the area.
The flat would be left with inadequate garden space.

Analysis

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.

The application turns on policies CS22, CS28 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007 and the main issues are the impact on highway safety; residential amenity, in terms of noise, disturbance, odours, litter and the character of the area.

With regard to highway safety, the proposal is relatively small scale and the level of parking proposed is considered adequate in the circumstances. Furthermore, the Highway Authority does not object to the proposals. The applicant has responded to concerns about parking and highway safety by stating that the premises would benefit from a potential 16 spaces; that the lunchtime opening hours would not generate significant parking demand for the shop, hairdressers and the proposed takeaway; that during the evening the shop and hairdressers will be closed and there will be a lot more space available; the premises would benefit from more parking spaces than many takeaways in the city.

With regard to residential amenity, the applicant has stated that the opening times would be 11.00 to 1400 hours and 17.00 to 22.00 hours on Mondays to Saturdays. On this basis, it is considered that the use would cease at a reasonable hour and would not lead to late night noise and disturbance from customers. The perceived potential otherwise for anti-social behaviour is not a planning matter and it would not be sustainable to refuse on these grounds. The use is not considered to result in an unreasonable loss of privacy for neighbours.

With regard to litter, it is considered that the provision of a litter bin in the grassed area next to the proposed parking spaces would adequately cater for discarded wrapping.

With regard to odour, it is considered that the submitted extraction details are sufficient to deal with odours emanating from the premises and the Public Protection Service (PPS) has recommended appropriate conditions to secure these facilities. From a visual point of view, the extract flue is a little too prominent and the applicant's agents have agreed to use a small stub flue instead, which they state can

be made to the required specification due to there being no gas extraction requirements. They confirm that changing the size of the discharge cowl will have no detriment to the effectiveness of the system in any way.

With regard to the character of the area, the proposals are relatively small and would not introduce a commercial use of a scale that would appear out of character in a residential area. In fact, appropriately located uses of this kind are considered complimentary to residential uses and this location, close to existing shops, would be in this category.

Waste (other than litter) from the premises and vermin would not be planning matters and would, if the need arose, be matters for the PPS. The issue of the hot fumes being damaging and the flue possibly being a fire risk are also not planning matters.

With regard to the presence of similar uses elsewhere and the perceived detrimental impact on the Ridgeway shopping centre, it is considered that the scale of the proposed hot food takeaway would not detract from the viability of other shopping centres and in this respect would not have any more impact than the existing shop and hairdressers nearby. The number of hot food takeaways in other areas of Plympton is also not considered a sustainable reason for refusing this application.

The view that fish and chips are not a healthy eating option is considered to be a matter that is outside the remit of land use planning considerations.

With regard to the application at No.6 St. Maurice Road, it is considered that the decision to refuse that application does not set a precedent to refuse the current proposals because that decision was based on the particular location of the proposed hot food takeaway in relation to residential neighbours.

With regard to notifying the users of the nearby garages, the application was publicised by neighbour letters and site notices, the latter being sufficient for these purposes.

With regard to the loss of garden space for the flat above the shop, the grassed area to the side of the property is not considered to be an amenable garden area, being situated so close to the road, and its use as parking for the proposed takeaway is not considered demonstrably harmful given that the affected property is a flat instead of a house.

Section 106 Obligations

None

Equalities & Diversities issues

None

Conclusions

The proposals are small scale and the opening times are reasonable; parking is adequate and extraction equipment is of a sufficient standard. On this basis the proposals are considered to be in accordance with policies CS22, CS28 and CS34 of

the Core Strategy and, subject to the submission of revised flue details, it is recommended that permission be granted subject to conditions.

Recommendation

In respect of the application dated **16/11/2010** and the submitted drawings 20103/01, 20103/02, 20103/03, AMQ48 (Sheet 1 of 2), AMQ48 (Sheet 2 of 2), EX-001 (Sheet 8 of 8), odour neutraliser, electrostatic precipitator and noise rating curves, it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) 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.

APPROVED PLANS AND DETAILS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans and details: 20103/01, 20103/02, 20103/03, AMQ48 (Sheet 1 of 2), AMQ48 (Sheet 2 of 2), EX-001 (Sheet 8 of 8) and details of the odour neutraliser, electrostatic precipitator and noise rating curves, subject to conditions (5) and (7).

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CAR PARKING PROVISION

(3) The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the details submitted to and approved by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway, in accordance with policies CS28 and CS34 of the Core Strategy of Plymouth's Local Development Framework April 2007.

OPENING HOURS

(4) The hot food takeaway hereby permitted shall not be open to customers outside the following times: 1100 to 1400 hours and 1700 to 2200 hours Mondays to Saturdays. It shall not be open to customers at any time on Sundays.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

EXTRACT EQUIPMENT

(5) Notwithstanding the submitted plans, details of a revised 'stub' type extract flue shall be submitted to and approved in writing by the Local Planning Authority and the approved extract ventilation system and odour control equipment shall be installed before the use hereby permitted commences and thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason:

To ensure that the use hereby permitted does not cause any adverse disturbance to the amenities of the residential properties near the premises, and any other properties, and the surrounding area, in accordance with policies CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework April 2007.

LITTER BIN

(6) A litter bin shall be provided on the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority before the use hereby permitted commences and thereafter retained at all times.

Reason:

For use by customers of the permitted hot food takeaway in order to reduce the spread of litter, in accordance with policies CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework April 2007.

NOISE

(7) The noise generated by the extract ducting/ventilation/air conditioning equipment (LAeqT) shall not exceed the background noise level (LA90) by more than 5 decibels, including the character/tonalities of the noise, at any time, as measured at the façade of the nearest residential property.

Reason:

To control noise levels generated by the use hereby permitted, in accordance with policies CS22 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact on highway safety; and residential amenity, in terms of noise, disturbance, odours, litter and the character of the area; the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of

these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

PPG24 - Planning and Noise

PPS23 - Planning & Pollution Control

CS28 - Local Transport Consideration

CS34 - Planning Application Consideration

CS22 - Pollution

SPDI - Development Guidelines

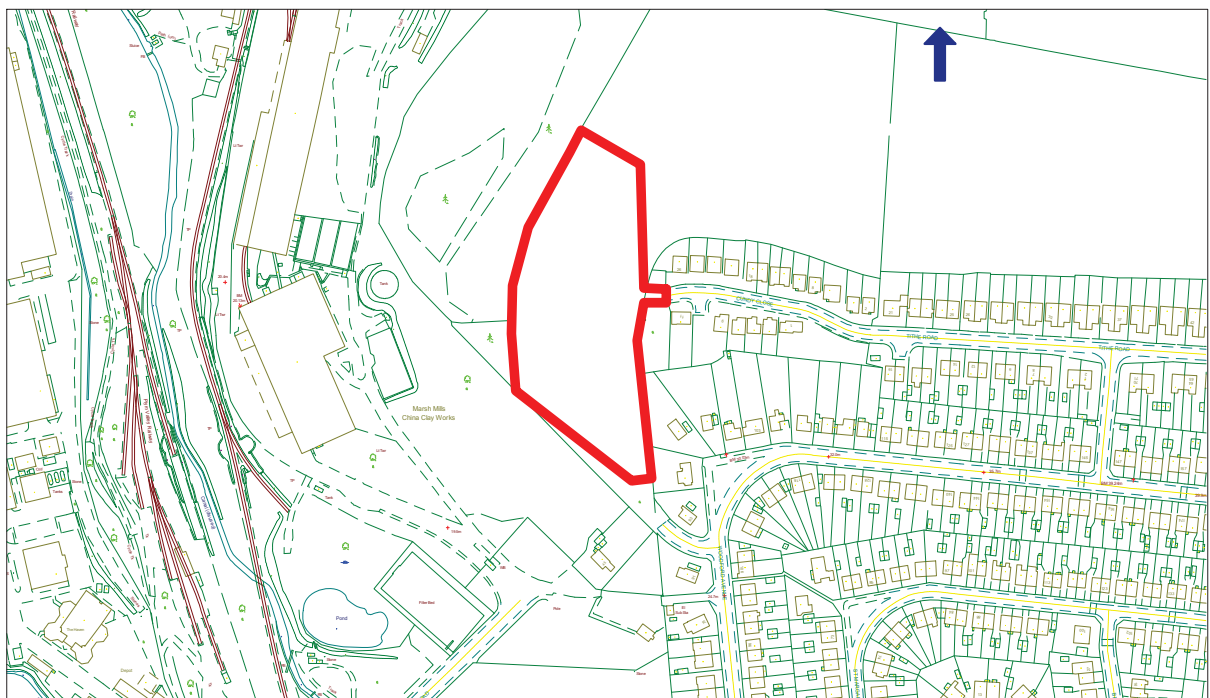
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PLANNING APPLICATION REPORT



ITEM: 03

Application Number:	I1/00149/FUL
Applicant:	Persimmon Homes South West
Description of Application:	Erection of 12 detached dwellings with garages and ancillary access road, landscaping and public open space
Type of Application:	Full Application
Site Address:	LAND OFF CUNDY CLOSE PLYMPTON PLYMOUTH
Ward:	Plympton St Mary
Valid Date of Application:	16/03/2011
8/13 Week Date:	15/06/2011
Decision Category:	Major Application
Case Officer :	Robert Heard
Recommendation:	Grant conditionally subject to S106 Obligation
Click for Application Documents:	www.plymouth.gov.uk



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Site Description

The site is located on the northern fringes of the residential area of Woodford. It slopes significantly from north to south and is part of a wider area of fields that are fairly open and mainly grassed. It is irregular in shape, measuring at a maximum approximately 180 metres in length and 76 metres in width, with a site area of 1.18 hectares.

The south and west boundaries of the site are defined by dense tree planting. Beyond this planting to the west of the site lies Marsh Mills China Clay works and to the south is existing residential development within the Woodford suburb. The north is open and immediately adjacent to the northern boundary is Boringdon Golf Course, which also extends to areas to the north east of the site and to the north of the existing properties on Cundy Close. Adjacent to the east of the site lies Cundy Close, which is a residential street characterised by detached 1980's houses. Access to the site is proposed to be from the west end of Cundy Close.

The site is approximately 3 miles to the east of Plymouth City Centre although there are a number of local amenities, including shops, schools and community facilities within walking distance of the site.

Proposal Description

This application proposes to develop the site for a residential development of 12 detached dwellings with private garages, including associated access road, landscaping and public space.

The dwellings proposed can be described as 'executive housing' with large plots and generous gardens, all with private garages and off street parking. The application proposes five 3 bed houses and seven 4 bed houses. All of the proposed dwellings are detached and 2 storey in height.

The application proposes that the site is accessed from Cundy Close, with the existing road being continued west into the site before turning south and terminating at the southern end of the site. The proposed access road is a shared surface street with a turning head at its end. All of the dwellings will be served by driveways leading from the proposed new street.

At the northern end of the site, between the development and Boringdon Golf Course, it is proposed to have an area of Public Open Space. This is proposed to remain open but will include planting. This area is intended to be a continuation of the existing 'strip' of open land between the existing dwellings on the northern side of Cundy Close and the golf course and its use will not be restricted to occupiers of the proposed new dwellings, as it will provide a link to the existing open land to the east.

Relevant Planning History

MA/57/PRE – Pre-app under DES for residential development. The application has evolved in accordance with the discussions held under this pre-app reference.

07/01717/OUT - Outline application for 14 houses (2 storey in height) with garages and public open space. REFUSED.

Consultation Responses

Highway Authority

No objection subject to conditions.

Public Protection Service

No objections subject to conditions.

Representations

Seven letters of objection received, raising the following points:

- There appears no good reason to access the site from Cundy Close.
- The proposed development will be detrimental to highway safety.
- There has been no change in circumstances at the site since the last application was refused.
- Loss of further green space is not acceptable.
- The development will incur a loss of wildlife at the site.

One letter received, stating that it is not a letter of objection, as long as pedestrian access is always maintained to the open area adjacent to the golf course.

The issues raised will be discussed below in the Analysis section of this report.

Analysis

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.

As stated above, this application proposes to develop the site for a residential development of 12 detached two storey dwellings with private garages, including associated access road, landscaping and public space. It is considered that the main issues in the determination of this application are the principle of the proposed

development; the impact that it will have on the character and appearance of the area; impact upon nearby properties residential amenities and impact upon the surrounding highway network. These issues will now be addressed in turn:

Principle of Development

The site is presently an open grassed area that slopes significantly from north to south. It has previously been allocated within the City of Plymouth Local Plan First Deposit (1995 – 2011) as an area of protected greenscape and is recognised in the Adopted City of Plymouth Local Development Framework Core Strategy (2007) as land forming part of a strategic greenscape network. A previous outline application at the site for residential development (ref: 07/01717) was refused due to it causing unacceptable intrusion into the surrounding countryside, which is part of the city's allocated Strategic Greenscape Network.

However, since the previous application was refused Boringdon Golf Course has opened, which means that the land to the north of the site which was previously open countryside and available for agricultural use is now in use as a members only golf course. This has resulted in the site becoming an isolated pocket of land that is no longer potentially suitable for agricultural use, for which it was considered most valuable. The site is no longer connected to the wider countryside and has no value for agricultural use due to its small size.

The site's value as an access corridor to the wider countryside has also diminished due to the development of the golf course. It no longer provides access to the wider greenscape network and is a piece of land that has become cut off and isolated from the areas it used to provide a link to. Hence its role as providing access to the wider greenscape network has been severely compromised.

Policy CS18 (Plymouth's Green Space) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) seeks to protect areas of greenscape from development proposals that will conflict with the function or role of a greenscape area. However, it is considered that the function and role of this particular greenscape area has already been significantly compromised by the development of the golf course, and that it no longer fulfils the function for which it was allocated a greenscape area. Therefore this application is not considered to conflict with the function or characteristics of the greenscape area and is not considered to be contrary to Policy CS18.

The site is not constrained by any other restrictive planning policy and is not located within a Conservation Area. It is therefore considered that the development of this site for residential purposes is acceptable in principle and compatible with the surrounding development which is residential in character.

The Sustainable Neighbourhoods Development Plan Issues and Preferred Options consultation has recently been undertaken and five replies were received for the Woodford Area. These revealed no overwhelming objection to the development of the site. Specifically, two stated that they thought all green areas in the neighbourhood should be retained, two identified the site as a good site for future housing development and one made no comment on either subject.

Character and Appearance

Policy CS43 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) refers to siting, layout, orientation, local context and character. New development proposals are required to take account of the existing context and the criteria referred to. The form and use of existing development in the area is fairly consistent, the area is characterised by residential development mainly comprising of semi-detached and detached properties, on fairly large, generously proportioned plots.

Concerning issues of density and dwelling numbers, the density ratio at the site is just over 10 dph. Whilst previously this might have been considered low, in June last year the Government changed Planning Policy 3 (Housing) to remove reference to national minimum density levels. The proposed density level at the site is consistent with the surrounding area of Woodford, which is characterised by detached and semi detached lower than average density housing. This is considered acceptable, the site is on the fringes of the city and lower density housing with larger plots is most appropriate in these suburban, out of town locations.

Due to the application proposing 12 units, which is below the affordable housing threshold of 15 (as set out in Policy CS15 of the Core Strategy), issues of affordable housing avoidance need to be considered. Further to this, the councils Housing Strategy team have raised concerns that the proposed development is not an efficient use of land and that a higher density could ensure that Affordable Housing is delivered at the site. However, as described above, the proposed density level at the site is very similar to the existing density levels in this part of Plympton, and Woodford in particular is characterised by detached and semi detached dwellings on large plots with 91% of the housing stock being owner occupied. The development is therefore considered to be in keeping with the surrounding context and pattern of development, with larger plots and thus lower densities expected at edge of city sites such as this.

It is also not considered appropriate to seek the provision of off site affordable housing via this planning application. Due to the reasons outlined above, it is considered by officers that there has been no deliberate attempt to avoid having to provide affordable housing at the site, and that a low density 'executive' housing development is appropriate for the site due to the location and existing density and pattern of development in the surrounding areas. A higher density development is not considered suitable and the application is thus considered compliant with Policy CS15 of the Core Strategy.

Concerning the location of the site and context, it is located on high ground at the top of the Woodford suburb, on the very northern fringes of the existing built up area. Owing to the vegetation and built up nature of the context immediately to the east and south of the site, it is not prominent from the areas that are closest and is fairly well hidden, only becoming prominent when viewed from across the valley and areas of Merafield.

With regards to layout generally, the proposal is reflective of the existing built form in the area by providing detached dwellings in an area that is characterised by semi detached and detached family dwellings with large curtilages. The existing properties on the northern side of Cundy Close define the boundary between the urban environment of Woodford and the surrounding countryside beyond (and to the north). The proposed dwellings at the top (northern end) of the site respect this building line and ensure that when viewed from areas to the south and across the valley, the development will appear as a natural extension of the existing building line established by the properties on Cundy Close, and will not appear as an incursion into the countryside, thus respecting the established pattern of development in the area.

As stated above, the development appears as a natural extension of Cundy Close, opening up the existing cul de sac arrangement at the west end of Cundy Close and continuing the street to the west and into the site before turning south where the road terminates near the southern end of the site, marked by a turning head. The proposed dwellings are arranged either side of the new shared surface street, oriented so that they face inwards overlooking the street. This helps to ensure that the public areas within the site benefit from natural surveillance from the front elevations of the proposed dwellings. The proposed layout of the site and orientation of the dwellings has been arranged in accordance with the key principles of 'secured by design' with no back lanes or areas where there might be confusion over whether land is private or communal, and it is not possible to access back gardens from any public space within the site, ensuring that the risk of crime at the site is reduced.

The proposed area of Public Open Space at the top (northern end) of the site is proposed to be planted but will remain open, joining up with the existing strip of public amenity space that lies between the existing properties on the northern side of Cundy Close and Boringdon golf course. This is the most natural location for an on-site amenity area, it ensures that the amenity land behind the existing dwellings is continued and that the informal footpath that runs alongside the western end of the golf course remains accessible (this is not a formal footpath but is a well used route that the golf course owner has made available and provides access from the site to the wider countryside to the north and west via a gate at the north west corner of the site). A new footpath within the site will provide access to the Public Open Space (from the new shared surface street) and the amenity strip behind the existing dwellings. The location of the POS is thus considered appropriate and provides a welcome link to the existing amenity space in the area whilst also providing mitigation for loss of the site as an informal recreation and dog walking area.

With regards to massing, design and external appearance, the whole site follows the same design form and the different dwelling types contain some very similar features that ensure that the scheme has balance and a considered design approach, through subtle repetition of features and materials. The proposed dwellings are residential and domestic in character, respecting the scale and proportioning of the existing dwellings on Cundy Close, being 2 storey with pitched roofs. Whilst generally being of traditional form to reflect the existing surrounding development, an element of contemporary design is reflected in the provision of more modern canopy shelters for the front doors and simple window and door designs that avoid the fussy

detailing of past periods so that the development does not have too much of a pastiche feel to it. Glazed bays have been incorporated on the front elevation of some of the units and Juliet balconies are utilised to help give the development a modern appearance and to distinguish it from the surroundings.

The proposed dwellings are predominantly finished in render which is the dominant local material in this part of Plymouth, but generous use of timber cladding helps to blend the development into the surroundings, which are defined by an almost rural character with a nearby wood ensuring that the use of timber is appropriate and a suitable material for this area. Viewed against the backdrop of the golf course and woodland the materials palette is respectful of the surrounding landscape, whilst helping to introduce some minor contemporary features such as the Juliet balconies, glass bays and box windows, and generally the proposal is in keeping with the character and identity of the context in which it sits.

Overall, it is considered that the proposed development provides a good quality housing scheme that is sensitive to the character of the surrounding area, proposing a development that is traditional in form but with contemporary features that give it its own identity whilst respecting the character of the existing housing stock in the local area. The building line established by the existing dwellings on the northern side of Cundy Close is respected and the scale and massing of the dwellings and proportioning of the plots is considered acceptable. The development is therefore considered to make a positive contribution to local visual amenity and is compliant with Policy CS02 (Design) and CS34 (Planning Application Consideration) of the City of Plymouth Local Development Framework Core Strategy (2007).

Residential Amenity

It is important that all new residential development should be designed to ensure that the degree of privacy enjoyed by existing nearby properties is not unacceptably reduced and that new problems of overlooking are not created. It is also imperative that the relationship between the new dwellings proposed is acceptable and that each property has an adequate level of privacy and natural light.

The layout of the site has been arranged in order to minimise impact on the surrounding properties. The existing residential properties in closest proximity to the site are numbers 15 and 28 Cundy Close, which are adjacent to the site entrance on either side of Cundy Close. Number 28 is on the northern side of the street and is oriented facing south, on the same building line and orientation as the closest proposed dwelling. At the closest point there is a 21 metres separation distance between the 2 dwellings and this alone ensures that there will no impact from the proposed development on the residential amenities of 28 Cundy Close.

Number 15 Cundy Close is located on the south side of the street, adjacent to the western boundary of the site. The nearest dwelling to this property is 18 metres away at the nearest point, with garages proposed between them. They are both oriented facing north and therefore no residential amenity conflict will be created between the existing and proposed dwelling.

The layout of the site has been arranged so that the relationship between the proposed dwellings within the site is not unacceptable. In summary, it is considered

that there will be no significant residential amenity conflict created between the existing dwellings and proposed development and the application is therefore considered compliant with Policies CS14 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2007).

Highways Issues

As already stated, access to the site for vehicles and pedestrians would be via Cundy Close, which is a residential estate road currently in the form of a cul-de-sac. The proposed residential development would be laid out and served by a shared surface street with a turning head at its end, which would form a short extension to Cundy Close with some form of demarcation at the entrance to the new street, possibly in the form of a rumble strip. A footpath off the new street would provide pedestrian access to the area of public open space retained at the north end of the application site.

Each of the proposed dwellings will have the benefit of a double garage and driveway, and each dwelling will be served by at least two parking spaces. All of the driveways either meet or exceed the minimum length driveway requirement of 5.5 metres. The application indicates that the street would be designed and constructed to an adoptable standard as a shared surface street, but that the street would not actually become public highway because it would fail to link with an adopted street.

The Highways Officer has stated support for the application, recommending approval subject to conditions.

Letters of Representation

Seven letters of objection have been received, the points raised are listed above in the representations section and analyses below:

1. There appears no good reason to access the site from Cundy Close;
2. The proposed development will be detrimental to highway safety.
3. There has been no change in circumstances at the site since the last application was refused.
4. Loss of further green space is not acceptable.
5. The development will incur a loss of wildlife at the site.

With regards to these issues:-

1. The developer has proposed to access the site from Cundy Close and this is acceptable with regards to Highways policy. The Councils Highways Officer is supportive of the scheme and the main highways issues are discussed above in the Highways section of this report.
2. As above, the Highways Officer has considered the application and is supportive of the proposal. The application is not considered to be detrimental to highway safety.
3. The change in circumstances at the site are addressed above in the section concerning the principle of development.
4. Loss of green space has also been evaluated in the section of report concerning principle of development.

5. The application has been accompanied by an Ecological Assessment which makes recommendations for biodiversity gain at the site. This is considered in further detail below (other issues), but the Councils Ecologist has confirmed that the mitigation proposed for biodiversity gain is acceptable and this will be secured via planning condition.

Other Issues

Policy CS20 (Sustainable Resource Use) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) requires all new residential developments of 10 units or more to incorporate onsite renewable energy production equipment to off set at least 15% of predicted carbon emissions for the period 2010 – 2016.

In order to meet the requirement of Policy CS20 it is proposed to have Photovoltaic Panels installed on the roofs of the proposed dwellings. These will be almost flush with the roofline and will only have a minimal visual impact. Photovoltaic Panels generate electricity from light and their energy source is therefore sunlight, meaning that they do not require fuel to operate and produce no air pollution or hazardous waste. The use of Photovoltaic Panels is more than adequate to meet the 15% energy saving and the application is therefore compliant with Policy CS20.

Policy CS19 (Wildlife) requires that the application makes provision for protected species at the site and that it delivers a net biodiversity gain. The site is entirely covered by grassland and no rare, scarce, or notable plant species (at a national, regional or local level) have been recorded at the site. The Ecological Assessment submitted with the application includes a comprehensive evaluation of the site and recommends that mitigation in the form of specific planting (broadland scrub and a diverse grassland mix) and the provision of swift and bat boxes within the development be provided. This is considered acceptable and the Councils Ecologist has stated support for this form of mitigation, which will be secured via planning condition.

With regards to Lifetime Homes, 3 of the units proposed are being made available as Lifetime Homes. These are shown on the drawings submitted with the application. This is in accordance with Policy CS15 and is proposed to be secured via planning condition.

Section 106 Obligations

A planning obligation is required to mitigate the impacts of the proposal. The developers have asked for the development to be considered under Market Recovery and thus agree to the restrictions regarding making a substantial start on the development within 2 years of the date of any planning permission granted. They will benefit from a 25% reduction due to the site being Greenfield land. Impacts will arise in the following areas:

Local Infrastructure

Primary schools. The development provides for family accommodation which will generate a demand for school places. The Council's Children's Services have provided evidence that there is likely to be a deficiency of school places in the locality from 2012 given projected population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £25, 677.

Libraries. Library Services advise that development in this area will generate a pressure on existing library facilities which are already in need of additional capital investment as a result of the cumulative impact of population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £2, 097.

Childrens Play Space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact on existing play facilities, most specifically through the need for play facility improvements. The estimated cost of mitigating this impact is £4, 342.

Playing Pitches. The development is in a location that is deficient in terms of access to playing pitches. There is therefore an impact on infrastructure requirement that arises as a result of the development, namely the provision of improved access to playing pitches. The estimated cost of mitigating this impact is £11, 007.

Strategic Infrastructure

Strategic green space. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the quality of environmental sites protected by legislation, particularly through increased recreational demands. The Council's has an obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £13, 534.

European Marine Site. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the environmental quality of European Marine Site particularly through increased recreational demands. The Council's has an obligation through the Habitats Regulations Assessment of the LDF Core Strategy and relevant Development Plan Documents to seek mitigation for such cumulative impacts. The estimated cost of mitigating this impact is £320.

Strategic sports facilities. By reason of the increased population facilitated by the development and the increased demand for use of sports facilities, it will contribute to the cumulative impact of development on the city's sports infrastructure. The estimated cost of mitigating this impact is £8, 646.

Strategic transport. By reason of the increased population facilitated by the development and the increased demand for journeys, it will contribute to the cumulative impact of development on the city's strategic transport infrastructure.

This will bring the likelihood of increased congestion and pollution unless there is adequate mitigation. The estimated cost of mitigating this impact is £42, 532.

Strategic public realm. By reason of the increased population facilitated by the development, it will contribute to the cumulative impact of development on the City Centre's public realm. This is because there will be a greater level use of the City Centre which itself generates extra pressure on the existing infrastructure. The estimated cost of mitigating this impact is £1, 033.

The following Heads of Terms are proposed, each of which have been tested against Regulation 122 of the Community Infrastructure Levy Regulations 2010, to enable appropriate mitigation of the impacts identified above:

a. Local schools tariff: £25, 677, to be allocated to the provision of additional school places within the south east locality.

b. Libraries tariff. £2,097 to be allocated to the provision of improved library facilities in the area.

c. Playing pitches tariff. £11, 007, to be allocated to the provision of improved playing pitch facilities in the south sub-area, as identified in the Playing Pitch Strategy.

d. Local play space tariff. £4, 342 to be allocated to the improvement of local play facilities.

e. Strategic green space tariff. £13, 534 to be allocated to the provision of strategic green spaces that help to take pressure off the designated environmental sites, as identified in the Plymouth Green Infrastructure Delivery Plan.

f. European Marine Site tariff. £320 to be allocated to appropriate management measures for the Tamar Estuaries as identified in the Tamar Estuaries Management Plan.

g. Strategic sports facilities tariff. £8 646, to be allocated to the delivery of priority strategic sports facilities as identified in the Sports Facilities Strategy.

h.. Strategic transport tariff. £42, 532, to be allocated to the delivery of priority strategic transport interventions as identified in the LTP3 Transport Implementation Plan.

i. Public realm tariff. £1, 033, to be allocated to the delivery of priority City Centre public realm improvements as proposed in the City Centre & University Area Action Plan.

Therefore, to mitigate the impacts of the proposal, a total tariff contribution of £109, 188 is required.

Equalities & Diversities issues

The application proposes 12 new residential units that on completion should be offered for sale on the open market and therefore will be available to people from all backgrounds to purchase. Three of the units proposed will also be Lifetime Homes. No negative impact to any equality group is anticipated.

Conclusions

To summarise, this application will provide 12 new dwellings with associated car parking, landscaping and open space also provided as part of the development package. The applicant has agreed to pay the financial contributions considered necessary to mitigate the impacts of the proposal and comply with the requirements of the Councils Market Recovery Scheme.

It is considered that the application proposes a good quality housing development with a layout that is sensitive to the existing pattern of development in the area and constraints of the site. The design of the dwellings respects the existing local housing stock whilst introducing contemporary aspects of building design, ensuring consistency in appearance through subtle repetition of key features and materials. The layout is a positive response to the constraints of the site.

The proposed development would not impact significantly upon nearby properties residential amenities due to the layout and orientation of the proposed dwellings and would not harm the surrounding highway network, providing adequate levels of off street car parking. The application is therefore recommended for approval, subject to conditions and the satisfactory completion of a S106 legal agreement, with delegated authority sought to refuse the application if the Section 106 Agreement is not signed by the 14th June 2010.

Recommendation

In respect of the application dated **16/03/2011** and the submitted drawings Site Location Plan, I228-P-S3 Rev A, I264-P-S3 Rev A, I443-P-S3 Rev A, I475-P-S3 Rev A, I475-P-S4 Rev A, I475-P-S5 Rev A, I475-P-S6 Rev A, EF-02 Rev B, HT-02, TP-02 Rev B, SUR-01, Garage Blocks (1) and (2) and accompanying Design and Access Statement, Ecology Impact Assessment, Energy Statement and Contamination Assessment Report, it is recommended to: **Grant conditionally subject to S106 Obligation**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

(1) The development hereby permitted shall be begun before the expiration of two years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004, and due to concessions in Planning Obligation contributions/requirements under Plymouth's temporary Market Recovery measures.

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, I228-P-S3 Rev A, I264-P-S3 Rev A, I443-P-S3 Rev A, I475-P-S3 Rev A, I475-P-S4 Rev A, I475-P-S5 Rev A, I475-P-S6 Rev A, EF-02 Rev B, HT-02, TP-02 Rev B, SUR-01, Garage Blocks 1 and 2.

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

BOUNDARY TREATMENT

(3) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before first occupation of the first unit. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

BIODIVERSITY

(4) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Impact Assessment (dated January 2011) for the site. For the avoidance of doubt, details of any proposed landscaping and external lighting shall be previously submitted to and agreed in writing with the Local Planning Authority prior to its use on site. In addition, the following shall be installed within the built form under the eaves (precise locations to be agreed at a later date):

10 x Ibstock swift bricks (avoiding southern elevations)

5 x Ibstock Bat Box A

5 x Ibstock Bat Box B

5 x Ibstock Bat Box C

Reason

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in PPS9.

CODE OF PRACTICE

(5) Prior to the commencement of development approved by this planning permission the developer shall submit a Code of Practice for the site that outlines how they intend to prevent or control any nuisance arising from any work carried out. The Code of practice must comply with all sections of the Public Protection Service, Code of Practice for construction and demolition sites, with particular regards to the hours of working, crushing and piling operations, control of mud on roads and the control of dust. All sensitive properties surrounding the site boundary shall be notified in writing of the nature and duration of works to be undertaken, and

the name and address of a responsible person, to whom an enquiry/complaint should be directed.

Reason: To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SITE CHARACTERISATION

(6) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR II'.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

SUBMISSION OF REMEDIATION SCHEME

(7) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other

property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

(8) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

REPORTING OF UNEXPECTED CONTAMINATION

(9) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 6, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 7, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 8.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

EXTERNAL MATERIALS

(10) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

STREET DETAILS

(11) Development shall not begin until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (11) 2007.

ROAD ALIGNMENT AND DRAINAGE

(12) Development shall not begin until details of the vertical alignment for the new street areas have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

COMPLETION OF ROADS AND FOOTWAYS

(13) All roads and footways forming part of the development hereby permitted shall be completed in accordance with the details approved under conditions 11 and 12 above before the first occupation of the penultimate dwelling.

Reason:

To ensure that an appropriate and safe access is provided in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DRIVEWAY GRADIENT

(14)The driveway to the dwellings hereby permitted shall not be steeper than 1 in 10 at any point.

Reason:

To ensure that safe and usable off street parking facilities are provided in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CAR PARKING PROVISION

(15) The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the details submitted to and approved by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PROVISION OF PARKING AREA

(16) Each parking space shown on the approved plans shall be constructed, drained, surfaced and made available for use before the unit of accommodation that it serves is first occupied and thereafter that space shall not be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

SUSTAINABLE RESOURCE USE

(17) Unless otherwise agreed previously in writing with the Local Planning Authority, the development shall be completed in accordance with the Energy Report written by Carbon.gc Ltd. This identifies and proposes the use of Photovoltaic Cells as the preferred method of incorporating onsite renewable energy production.. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

Unless otherwise agreed in writing, the approved on-site renewable energy production methods (in this case Photovoltaic Cells) shall be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the period 2010-2016 in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and relevant Central Government guidance contained within PPS22.

LIFETIME HOMES

(18) The development shall be constructed strictly in accordance with the drawings hereby approved showing 3 units within the development to be constructed to Lifetime Homes standards. The layout of the floor plans hereby approved shall be permanently retained for so long as the development remains in existence, unless a further permission is granted for the layout of these units to change.

Reason:

In order to provide 20% Lifetime Homes at the site, in accordance with Policy CS15 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

FURTHER DETAILS

(19) No work shall commence on site until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz:-

Further details of the layout, planting, landscaping and boundary treatment of the proposed Public Open Space.

The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be the loss of green space, impact upon visual amenity, residential amenity and highway safety, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (1) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

CS28 - Local Transport Consideration
CS32 - Designing out Crime
CS33 - Community Benefits/Planning Obligation
CS34 - Planning Application Consideration
CS18 - Plymouth's Green Space
CS19 - Wildlife
CS20 - Resource Use
CS01 - Sustainable Linked Communities
CS02 - Design

CS15 - Housing Provision

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PLANNING APPLICATION REPORT



ITEM: 04

Application Number: 11/00634/FUL

Applicant: Secretary of State for Defence

Description of Application: The erection of two buildings to provide headquarters, engineering and training facilities. Construction of a marina including pontoons and berthing areas at the eastern end of Weston Mill Lake and a slipway and jetty at the western end. Associated works including a hardstanding area for boat storage, improvements to an access road, replacement vehicle parking, dredging and foreshore improvements, lighting and regrading/realignment of fencing

Type of Application: Full Application

Site Address: LAND AT WESTON MILL LAKE PLYMOUTH

Ward: St Budeaux

Valid Date of Application: 22/04/2011

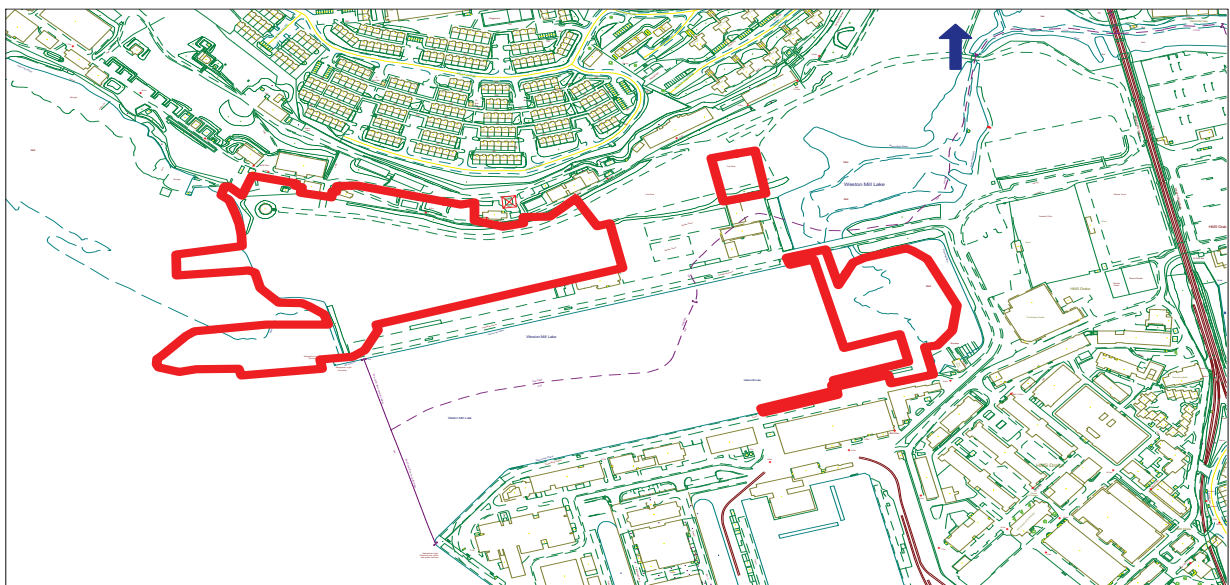
8/13 Week Date: **22/07/2011**

Decision Category: Major Application

Case Officer : Carly Francis

Recommendation: Grant Conditionally

Click for Application Documents: www.plymouth.gov.uk



Site Description

The application site is located to the north of the established naval site of Her Majesty's Naval Base (HMNB) Devonport; this is the largest Naval Base in Western Europe. It covers over 650 acres and has 15 dry docks, four miles of waterfront, 25 tidal berths and 5 basins. The Weston Mill Lake site being considered for the Devonport Landing Craft Co-Location Project (DLCCP) is situated on the northern boundary of the naval base.

The site is an irregular shaped parcel of land largely comprising a reclaimed part of Weston Mill Lake, which was reclaimed for development as Dockyard from the 1980s. Significant areas adjacent to the site have been landfilled and used for Naval or MOD purposes. The application site is spread across different parts of the Weston Mill Lake site; these can be split into the western, north eastern, and south eastern parts. The western end of the site encompasses an area of undeveloped reclaimed land within close proximity to the base Helicopter Landing Site (HLS). Part of the site is currently used for storage, while Wilsons Beach is already used as a training area. This part of the site is where the majority of proposed development will take place. The northeastern part of Weston Mill Lake includes the main car parking area and existing buildings on this part of the base. The southeastern part of Weston Mill Lake is marine based and includes an existing small scale boat pontoon berthing facility.

Towards the north of the application site is the residential area of Barne Barton, which was previously used for naval accommodation, something that is reflected in its proximity to the site and the views it enjoys over the base, most prominently from Furse Park. To the north and northwest of the site is the Bull Point area of the base, which follows the curve of the coast around and which sits beneath the higher lying Barne Barton estate. An existing access road passes along the northern boundary linking the Weston Mill Lake site with Bull Point to the north and northwest, all within the Naval Base boundary.

To the east of the site are numerous supporting functions of the base including the Camels Head Gate link to the local public highway network.

Proposal Description

The proposals are to provide a main training base for the Royal Marines to be located within the Dockyard. The proposed waterfront base would be at Weston Mill Lake and will allow the marines to be trained in the handling of amphibious craft. The development includes the erection of two buildings to provide headquarters, engineering and training facilities, together with the construction of a marina including pontoons and berthing areas at the eastern end of Weston Mill Lake, and a slipway and jetty at the western end. This will be achieved with dredging and foreshore improvements.

Other associated works include a hardstanding area for boat storage, improvements to an access road, replacement vehicle parking, lighting and regrading /realignment of fencing.

Relevant Planning History

Nil.

Consultation Responses

Highway Authority- no objection however suggest that conditions relating to street details, access details, car/ cycle parking provision, a code of practice for construction, a car parking management strategy and a travel plan be attached to any grant of planning permission.

Public Protection Service- no objection subject to conditions relating to land contamination, construction and operational noise and a code of construction.

Environment Agency- no objection subject to conditions relating to the need for adequate assessment of the risks to controlled waters, appropriate measures to reduce the impact of dredging and the need to secure the proposed mitigation/compensation strategies to ensure that the impacts to inter-tidal and subtidal habitats can be offset.

Natural England- no objections.

Tamar Estuaries- no objections.

Queens Harbour Master- no objections.

Cornwall County Council- no comments received.

Health and Safety Executive- no objections.

Representations

Nil.

Analysis

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.

The main policies relevant to this proposal include CS02, CS03, CS04, CS05, CS18, CS19, CS20, CS21, CS22, CS28, CS32, CS34 from the adopted Core Strategy and the 'Development Guidelines' SPD. Together with national guidance PPS1 'Sustainable Development and Climate Change', PPS9 'Biodiversity and Geological Conservation', PPG13 'Transport', PPS23 'Planning and Pollution Control', PPG24 'Noise', and PPS25 'Development and Flood Risk'.

The main considerations in determining this planning application include the impact on the neighbourhood of Barne Barton and the impact on the coastal habitat. The site lies adjacent to the River Tamar and the Plymouth Sound and Estuaries Special Area of Conservation (SAC). The Tamar Estuaries Complex is also designated a Special Protection Area (SPA) and the Tamar-Tavy Estuary is considered a Site of Special Scientific Interest (SSSI).

This is the second application that has been submitted, the previous application was withdrawn as amendments were made to the slipway position and design and the footprint of building 5.

Principle of land use

This proposal has been the subject of pre-application discussions and many options were considered in meeting the Royal Marines estate development requirements.

The primary justification for the Devonport Landing Craft Co-Location Project (DLCCP) is estate rationalisation, through the disposal of the Turnchapel base, the vacation of the Poole base by royal marine squadrons and its sole occupation by Special Boat Service. Long-term savings on operating costs and site maintenance will be achieved.

However not only will the scheme benefit marine operations through creating a main base for their training, but the project will also help to retain the viability of the Dockyard and have a beneficial effect to the area and local economy through the ongoing provision of local employment.

Local employment opportunities will be created during the construction phase. The proposed development will require a peak workforce of up to approximately 95 operatives for land based works and 30 operatives for marine works. These figures include managerial, skilled, semi-skilled, and unskilled and sub-contract workers. The project team will endeavour to use local labour and sub-contractors as far as possible, particularly for construction of the two new buildings, however the majority of the marine construction activities will involve specialists who will travel to site from outside the area.

In addition to direct employment creation, there will be a short-term minor indirect benefit on the local economy through the use of local service industries and suppliers of building materials such as sand and concrete products during construction. Accommodation for the workforce will temporarily bring business to local guest houses, bed and breakfast establishments, caravan sites and rented properties, plus supporting catering facilities (restaurants, small shops, etc.). Other services required will include plant hire, haulage, waste disposal and contractors. When the scheme is operational there will be a permanent beneficial impact on the local community through the expansion of operations. In addition, the DLCCP will provide employment opportunities for approximately one dozen personnel from the local community as only a few personnel will be moving from Royal Marines Poole. There will also be increased use of local services during operation.

In selecting the most appropriate location for the DLCCP base an Assessment Study Report was undertaken, which identified a range of potential alternative locations

and operating arrangements for the scheme. This site was chosen as the best option as it allows the Royal Marines to be located at one main base, and be within close proximity to the amphibious ship berths on 14 to 16 Wharves in Weston Mill Lake. It was also difficult to find another appropriate location as many of the docks are listed which does not allow them to be developed to meet requirements. This option was also the most cost effective and minimised the amount of dredging required, thereby minimising disturbance on the estuarine environment.

The existing use of the land is as an MOD depot, it is currently used for light industry, storage of equipment and as a helicopter landing area. There is already a small scale boat pontoon and berthing facility to the south east of the site and part of the site is already used for storage. Wilson's beach is also already used as a training area. The proposed uses are therefore very similar to those existing however the main differences are that there could now be noise and disturbance as a result of the training activities and the proposed marine works will also have some impact on the coastal environment. Therefore while the principle of using the land as proposed is supported it is important that the impacts can be suitably mitigated.

These impacts together with any others are therefore carefully examined throughout this report and mitigation measures assessed before reaching a recommendation.

Marine Based Proposals and Environmental Impacts

At the western end of Weston Mill Lake it is proposed to construct a new slipway on piles over Wilsons Beach to provide access to the water from building 4. The slipway would act as the primary means of launch and recovery of smaller craft subject to tidal constraint and is the only means of launch and recovery of hovercraft.

The slipway will extend from ground level down to approximately +4.4m at its lower edge to minimise disturbance to marine habitats and eliminate the need for dredging in this area. The slipway gradient is 1:10. This will provide access for the hovercraft providing, at very low tides, they can 'hover' across the mudflats to access the slipway. Other craft may be able to use the slipway for launch and recovery at certain states of the tide but access will be significantly restricted due to tidal constraints and therefore alternative provisions for the launch and recovery of all craft other than hovercraft have been allowed for at the finger jetty.

The slipway will be approximately 51m long by 23m wide, and supported on 20 precast concrete piles which are all above high water; all piles will be driven. The first section of the slipway, approximately 34 metres, is formed within the hardstanding storage area and is to be constructed as a ground bearing reinforced concrete slab and the remaining lower section, 17 metres long, is to be formed as an insitu reinforced concrete slab supported on 20 precast concrete piles. The toe of the slipway will be protected from scour by the placement of a short section of Reno Mattress (stone filled wire baskets).

The slipway scheme will cause the loss of approximately 135m² of intertidal mudflat where the toe of the proposed slipway will be lying in the mudflat at Wilson's Beach but no subtidal mudflat. Prior to the latest design changes, the habitat loss from the

toe of the slipway was to be entirely subtidal. However, following the reduction of slipway size and the shift in location inland, the habitat loss from the slipway toe will be mostly intertidal in an area which was previously to be shaded by the slipway. Overall the area of habitat affected by the slipway has been much reduced following the changes to design. The proposed new slipway design means that there would be no loss of subtidal habitat, a saving of 75m² over the original slipway design.

The Reno Mattressing that will be placed at the east end of Weston Mill Lake to provide bank support following dredging will occupy an area of approximately 2,350m² of intertidal mudflat. Nevertheless, it is anticipated that intertidal sediments will quickly establish over the top of this mattressing, so is not considered to pose significant impacts upon the intertidal area.

Significantly, the new slipway design will not now cause any shading of intertidal habitat due to it being a solid 'inland' structure. Therefore the original shading issue will no longer give rise to any significant effects upon the integrity of the intertidal community.

Minor losses of intertidal habitat will occur where piles are required for the pontoons and jetty, though losses would no longer be required for the slipway. No losses in subtidal areas through piling will be required with the new slipway design, equating to a reduction in approximately 45m² from the original proposed design.

The proposed slipway has the potential to impact on existing estuary of the intertidal area at Wilson's Beach. The main operational risk is from scour around the structure, caused by a localised change to wave and tidal currents. The proposed slipway will be designed to minimise adverse impacts on water and estuarine processes. Design measures include that the gradient of the slipway will be very shallow and will minimise the depth of scour around the structure.

A small jetty is also proposed to be constructed from the hardstanding area adjacent to 16 Wharf. It would incorporate a finger jetty, supported by steel piles due to the exposed location. The proposed finger jetty arrangement will enable the launch and recovery of larger landing craft (Landing Craft Utility (LCU) and Landing Craft Vehicle & Personnel (LCVP)) using a new 200T mobile craft hoist. The remaining smaller craft, up to and including Offshore Raiding Craft (ORCs) would be launched and recovered using a new forklift truck with 'negative lift' capability.

A refuelling berth has been allocated on pontoons immediately adjacent to the finger jetty; the facilities will also provide craft with a berth to allow wastewater from landing craft to be removed.

At the eastern end of Weston Mill Lake it is proposed to expand the existing marina to include new pontoons for the berthing of all the required craft. Where possible, the pontoon arrangement would take advantage of existing maintained deep-water areas to reduce the quantity of additional dredging works required. However capital dredging would still be required and the existing silt would be excavated / dredged and the resulting surrounding bank re-graded to a shallow self-supporting bank. The surface of the banks would be protected from erosion using Reno Mattressing. A

revetment will also be constructed along the bank to dissipate wave energy and protect the edge of the existing reclaimed land from further erosion.

Dredging works are necessary in order to allow the expansion of pontoon berthing space through the installation of new and reconfiguration of existing pontoons. There is also currently a maintained dredge box which would need to be extended and deepened to provide access at all states of the tide for all craft. It is anticipated that dredged material will be disposed of at the designated disposal site at Rame Head (outside Plymouth Sound) currently used for disposal of maintenance dredging material from HMNB Devonport. A Marine License issued by the Marine Management Organisation will be required to deposit material here. Dredging activity must comply with Part 2 of the Food and Protection Act 1985 and section 34 of the Coast Protection Act 1949, and is licensed through the Marine Licensing System as set out in the Marine and Coastal Access Act 2009 and is therefore beyond the remit of the Local Planning Authority.

The only impact as a result of the jetty and new pontoons would be minor losses of intertidal habitat where the piles are required.

Due to the size and location of the proposed Devonport Landing Craft Co-Location Project (DLCCP), an Environmental Impact Assessment (EIA) has been undertaken and an Environmental Statement prepared and submitted as part of this application. The Environmental Statement has not identified any significant impacts that cannot be effectively reduced by mitigation measures during construction or operation.

While the proposed works do not impact significantly on any designated sites, the location does contain the Biodiversity Action Plan (BAP) habitat, intertidal mudflats. Any damage or loss of BAP habitat should be avoided during construction. Although not significant there will be some impacts, however Natural England recognise that the mitigation and compensation proposed in the Environmental Statement to offset these impacts is sufficient.

The mitigation proposed for the effects upon intertidal and subtidal habitats, include:

- The removal of a careening grid located at Turnchapel to restore an area of intertidal mudflat, which will mitigate for the area lost through the footprint of structures and the area of intertidal converted to subtidal habitat through dredging at Weston Mill Lake;
- Removal of rubble at Weston Mill Creek and the clearing of debris at Wilson's Beach to improve existing intertidal areas; and
- The MOD has made reductions in maintenance dredging at Ernesettle Trot and Slip Jetty in recent years, which would offset the disturbance to subtidal habitats from maintenance dredging (and a small portion of the slipway toe) due to DLCCP.

Piling activities have also been timed to avoid the fish migratory season as far as possible. Quieter installation of steel sheet piles, where possible, will further reduce disturbance upon migratory fish and birds. In addition, measures have been identified to mitigate for potential water quality impacts that may have indirect effects upon

fish. In addition, vegetation will be cleared prior to the works to avoid impacts on nesting birds and reptiles in the vicinity.

Further to this a survey of abandoned craft in intertidal areas will be undertaken to identify the potential for removal of small wrecks or other structures on the foreshore of the Tamar Estuary that are not serving a purpose. Subject to the findings of the survey and implementation by key organisations, this enhancement measure has the potential to cause a net gain in the area of useable intertidal habitat within the Tamar Estuary through the removal of abandoned structures.

Despite these proposed mitigation measures, some concern was still had by some consultees regarding the impact to birds. Natural England comment that should there be an increase in amphibious activities on mudflats within the SPA during the winter, there could be significant impacts as a result of disturbance to bird features of interest particularly avocets. It has been advised that key areas should be avoided and no hovercraft shall be used between October and March every year to ensure that a harmful impact is not incurred. Therefore in order to alleviate concerns about craft use in the Tamar Estuaries and the impact of noise and potential increased traffic levels it has been agreed between all parties involved that a protocol be established between Natural England and the Queens Harbour Master (QHM) that sets out the location of the sensitive areas for both the overwintering birds and the vulnerable intertidal soft sediments, along with times when they should be avoided. QHM will then ensure that the craft of the DLCCP project adhere to the protocol.

The Marines that use the hovercraft are happy to comply with such a protocol and do not believe that this would affect their operational activities. The management of the water will actually therefore be improved to protect the coastal environment and wildlife. At the moment the Turnchapel based craft do not have any such restrictions in terms of when and where they go due to wildlife and for this reason this solution is supported by all parties.

No further concerns have been raised; the proposed development does not lie within a SSSI and Natural England does not consider that this project will be liable to damage any SSSI feature of special interest or disturb any flora, fauna or physiographical feature making up that interest. Natural England recognises that while birds and bats use the area, works affecting these species will be carried out outside of peak times of use which would negate any impacts.

It is deemed that the proposed mitigation measures are acceptable and it is therefore concluded that the proposals accord with Policy CS19.

Noise and Disturbance

The nearest noise sensitive receptors in the vicinity of Weston Mill Lake are the residences on Furse Park in Barne Barton located adjacent to the north of the HMNB Devonport site boundary.

The training proposed for the marines is a mixture of classroom, beach and water based training, including instruction on the maintenance and refuelling of vessels and number of water based training courses on the craft, some of which are after dark. A

total of approximately 86 vessels will be based at Weston Mill Lake for the DLCCP. The squadrons use five types of motor boat and one type of hovercraft.

Some noise will be caused by construction activities (particularly piling of steel sheets for the marine structures) and in the operation of the Engineering Facility. In terms of reducing the impacts of construction noise it is proposed that this be reduced through implementing a range of mitigation measures (including quieter installation of steel sheet piles where possible). During operation, noise impacts will be reduced by keeping doors on the north side of the Engineering Facility leading into the boat handling areas closed as far as possible, except when required for access. They will also select quieter equipment and keep it well maintained, and applying mufflers where necessary. These are considered to be suitable mitigation measures; particularly given the type of maintenance work that will be occurring on site, no heavy machinery would be used.

It is however the hovercraft during training exercises, that causes most concern in terms of noise pollution, particularly those exercises in the summer months after dark. The Public Protection Service were also concerned about the activity involved in getting the boats into the water as it is this that would be most likely to disturb nearby residents due to the proximity of properties. The Public Protection Service therefore requested further information on the movements and activity involved.

The applicant has confirmed that there would be no increased activity in hovercraft movements compared to those which have been occurring in Plymouth Sound since 1992 from the Turnchapel base. There are currently no restrictions on where craft can operate and this has never been highlighted as a problem due to highly trained coxswains and detailed planning and craft move management through QHM. Therefore the proposed restrictions would actually be an improvement on the existing arrangement. The craft have also recently been replaced with a newer version of the same craft type which incorporates more modern and environmentally friendly equipment. The only change to hovercraft operation under DLCCP will be the craft will be based from Weston Mill Lake instead of Turnchapel.

Hovercraft training will generally take place during the daytime relieving any significant concern. The process of launching craft would also be improved, as when compared to the Turnchapel base less craft would need to be launched as there would be the capacity at Weston Mill to keep more craft in the water. Any night time activity will be kept to a minimum and will rarely operate post 2300 (exception 3 times per year- 2/3 days). Also the marines have agreed that if any night time activities are required then hovercraft will be positioned at the bottom of the slip and/or alongside the pontoon prior to nightfall in order to minimise any 'noise' within the Dockyard. All craft will also have minimum idling times prior to slipping (10 mins) and engine revs of the vessels will be turned down on the approach to the slip way on Wilson's Beach during training. It is considered that these measures will ensure that any noise is kept to an absolute minimum and this shall be secured by way of condition.

The only additional movements would be by smaller boats. Additional boats would now be based at Weston Mill but these do not cause concern from noise pollution perspective.

The impacts and the proposed mitigation measures have been carefully assessed by our Public Protection Service and it is concluded that there would not be a significant harm caused to the amenity of nearby residents, the proposal therefore accords with Policies CS22 and CS34.

Other impacts may include potential noise disturbance coming from the proposed construction storage area for the Energy for Waste Plant. This would be in the area known as 'table top mountain' which is next to where building 5 is proposed. This does not cause concern to the MOD who would be using this building for training purposes as the building will be built to high specification due to security issues and therefore would have adequate sound proofing.

A new access road is also proposed as part of the Energy for Waste Plant, this would be positioned next to building 5, but again it is not considered that it would have a detrimental impact on the use of the building- the layout of the building is such that no classrooms are proposed on the ground floor elevation adjacent to where the road would be constructed and there would be adequate sound insulation. If this road is built the development could make use of it for access.

Proposed Buildings

Building 4

Building 4 would be a two-storey engineering facility located at the western end of Weston Mill Lake. It would principally contain workshops for both boats and military vehicles with associated stores and offices, lunchtime facility and changing facilities. An external single storey canopy to create covered parking is proposed abutting the eastern end of the building. Building 4 is positioned northwest of Weston Mill Lake close to the head of the proposed slipway in order to minimise the amount of travel craft need to do over land. The building is orientated to allow for the adjacent external storage of landing craft and ensures that the helicopter landing site is not affected.

This building would be large and functional; it would have metal cladding to the roof and first floor, with brick cladding to the ground floor providing robustness and durability required for a building of this type. This industrial style of the building is common to the younger dockyard buildings which form the backdrop to the site. The insulated panel doors into the building vary in size due to the nature of the spaces to be found within the building. The larger double height workshop spaces provide space for craft and vehicle access, with normal personnel doors beside them. Where possible there are some first floor spaces resulting in windows and fire escape staircases from this level. Most of the entrances into the building are in the north elevation, from the main hardstanding area, where craft and vehicles can manoeuvre. There would also be some large insulated panel doors to the south of the building which are for secondary access/egress from the building.

Building 5

This would be a three-storey building located in the north eastern part of Weston Mill Lake adjacent to a group of existing buildings and on the site of existing car parking. The building would house offices, training classrooms, planning/briefing facilities, sea survival equipment storage and drying and changing facilities.

Building 5 would be positioned to the north of the existing cluster of buildings it will cut into the slope which runs up to the existing Weston Mill Lake parking area. The lower floor will be partly built into the bank to lower the overall height of the building. A flat roof has been used to minimise the height of the building in relation to its surroundings and also to reduce the operational impact on the helipad landing strip to the west. The surrounding buildings are a mixture of heights, some single and some double storey with a variety of pitched, mansard and curved roofs. Again, this industrial style of building is common to the younger dockyard buildings which form the backdrop to the site.

It is proposed to clad Building 5 in metal to the upper floors, with brick cladding to the ground floor, in order to again provide robustness and durability. These materials are common in this area of the dockyard and colours will be chosen to blend in with the existing building stock. Roof lights are proposed to the large, deep, open plan offices to ensure adequate daylighting levels within this working environment, and to minimise the amount of artificial lighting and electricity consumption required.

Both buildings 4 and 5 are deemed to be acceptable in design terms; they are not buildings of great architectural merit, however given their environment it is more important that they are built for purpose and are functional and efficient for the uses proposed. The buildings would be sympathetic in appearance to surrounding MOD buildings and for these reasons it is considered that they would accord with policies CS02 and CS34.

Historic Environment

The Environmental Statement accompanying this application includes a thorough assessment of the known Historic Environment from the proposed site and surrounding area.

The Weston Mill Lake site has one listed building which dates from 1804. This is a Grade II gunpowder mixing house, which was later a store and is now an office.

The likely implications of the proposals on this listed building have been assessed and are deemed to be low or minimal due to the proximity of the works to the listed building. The only potential impact suspected could be at the eastern end of the site, earlier dockland structures could be exposed during regrading. Therefore although it is suspected that there is minimal likelihood of any sites of archaeological interest being present at the site, archaeological monitoring of ground works and dredging works shall take place as per the recommendations of the Environmental Statement. This shall be secured by condition in order to comply with Policy CS03.

Landscaping

There are nine new trees proposed to replace the existing two trees, which will be lost by the extension of the existing hardstanding area to the west of the site. These include three groups of three pine trees, which have been proposed due to durability, security and visual reasons. The proposed mitigation is deemed reasonable and additional tree planting supported in accordance with Policy CS18.

New security fencing is proposed where existing fencing is required to be realigned, principally along the north and west sides of the site. The proposed security fencing is of a welded mesh variety and would typically measure around 3.85m in height. The style of fencing would match that which is currently installed elsewhere around the Naval Base and therefore this fencing is deemed acceptable in accordance with CS32 and CS34.

Renewable Energy

An Energy Report has been submitted to accompany this application; this report demonstrates that the proposed development is capable of incorporating onsite renewable energy production equipment to offset at least 15% of predicted carbon emissions through a number of different options.

The overall intention for the development with respect to sustainable resource use is to link it with the incinerator waste plant that is proposed and to offset carbon emissions through district heating via waste heat CHP. Using the energy from the waste plant would also represent a considerable cost saving on having to supply other alternative forms of renewable energy. However, as the waste plant has not yet received planning permission, an alternative proposal has been suggested, this is the installation of photo-voltaic cells.

Both of these proposals are capable of meeting the aims of Policy CS20 therefore given that the incinerator application has not yet been determined an appropriate condition shall be attached to any grant of approval, agreeing the actual method of energy production in detail prior to construction.

Flood Risk/ Drainage

The proposed site at Weston Mill Lake lies fully within an area classified as Flood Zone 1, which is an area of 'Low Flood Risk'. SUDS are proposed as part of the drainage scheme and rainwater will be harvested from the roof of Building 4 using a gravity surface water drainage system. The water will be used for flushing toilets, along with boat and vehicle washdown. The foul water drainage scheme for Building 4 would provide a new pumping station and rising main that will discharge to a further new upstream pumping station adjacent to existing Building W008. Building 5 will be provided with a positive surface water drainage system and foul water drainage from Building 5 will also be collected from this pumping station. It will then be pumped to an existing pumping station via a new rising main.

The applicant has submitted a Flood Risk Assessment with the application to demonstrate that flood risks will not be increased by these proposals.

The Environment Agency support the conclusions of the Assessment and raise no concerns regarding the proposed drainage or flood risk. The proposal is therefore in accordance with Policy CS21.

Highway Considerations

An extensive new concrete hardstanding area is required to the western end of the site to provide parking for craft and access to the new Building 4, jetty and slipway. It is also proposed to construct an extension to the existing car park immediately west of existing building W007 and realign the internal access road immediately north of the site. The Highway Authority raise no concerns regarding the realignment of the access road however in terms of the car parking proposed there are some concerns regarding an over provision of spaces.

A Transport Statement (TS) has been submitted in support of this application which suggests that the proposed Landing Craft Facility will generate some 62 trips (combined arrivals and departures) in both the am and pm peak traffic hours. Such a small number of movements is unlikely to give rise to any cause for concern from a highway capacity viewpoint, particularly as the primary means of access to the site is via the A38 Parkway and then along the St Budeaux By-Pass (a relatively direct route although busy in the peak traffic hours). Furthermore it is noted that the proposal results in the relocation of some existing facilities based at Turnchapel and therefore not all of these traffic movements will be 'new' trips on the highway network. The level of car parking serving the Landing Craft Project is the primary cause for concern in respect of the transport implications of this proposal as a total of 140 parking spaces are proposed yet the TS suggests that the use would only generate around 60 movements in the peak hours. The applicant's traffic consultant has sought to justify the number of spaces proposed by stating that these spaces would not only be used on a daily basis by staff etc but also by personnel away on operations/exercises (long-stay spaces). However without suitable control measures being in place to limit the use of these longer-stay spaces, there is the potential that all staff travelling to and from the proposed facility would chose to drive (rather than walk, cycle etc) due to the availability of car parking on-site. This would undermine various measures/initiatives included within any Travel Plan which promote the use of sustainable modes of transport. The Highway Authority are therefore seeking a condition which relates to the control/management of all on-site car parking areas, with long-stay spaces being physically separated from those providing short-stay parking. Included within the TS are the details of a Framework Travel Plan which is very much welcomed by the Highway Authority. Whilst the introduction of such has been subject to much recent discussion, to date there is no Travel Plan in place for the remainder of the existing Dockyard. However there should be the ability for the Travel Plan produced for the Landing Craft Project to be incorporated within any site-wide Dockyard Travel Plan should such a plan come into being at a later date. The applicant proposes to provide a total of 80 secure and covered cycle parking spaces which reflects the high level of cycling which takes place within the Dockyard. A condition shall therefore be attached relating to the need for these spaces to be both secure and covered. It is not currently clear from the layout plans submitted how pedestrians and cyclists would safely access the development from the existing internal road layout which serves the Dockyard; these details shall therefore be secured by way of condition. The Highway Authority support this application providing these conditions and conditions relating to street details, access details,

car/ cycle parking provision, a code of practice for construction, a car parking management strategy and a travel plan be attached to any grant of planning consent. The proposals are therefore deemed to comply with Policy CS28.

Section 106 Obligations

It is not deemed that the development tariff is required for this proposal as it is deemed a public infrastructure project.

Equalities & Diversities issues

The topography of the site is relatively level and vehicular access will be available up to and around all sides of both buildings, although car parking (including accessible spaces) may be a restricted distance from the buildings due to Counter Terrorism Measures. These will be positioned as near the buildings and their main entrances as possible. Level access will be provided up to and into both buildings.

Pedestrians arriving to the dockyard by bus and cyclists/motor cyclists will be provided for by bus stops and secure/covered parking shelters being located near each building. There will be walkways of sufficient width, of firm, durable and slip resistant surfaces, and adequate lighting up to and between each building.

No ramps or steps will be required for access into the buildings, and passenger lifts will be provided within each of the buildings to allow inclusive access to all floors. Existing external stepped access up to the Weston Mill Lake car park will require replacement and will conform to current regulation requirements with necessary landings and handrails, and all hazards on access routes to and around the buildings will be 'designed out'. Entrances (main and service) and fire exits will all be clearly indicated and recognisable, sign posted where necessary, with level thresholds and landings as required. Vision panels, sensors and safety features will be fitted where required. Manifestation will be provided to glazing where necessary and door/window projections will not obstruct access routes around the buildings. A generous internal entrance lobby will be provided to the main building for wheelchair access with an appropriate floor finish. The building and spaces around them have been carefully designed to incorporated safe and easy access for all and therefore the proposals are deemed to meet the aims of Policy CS34.

Conclusions

There are many benefits to be had as a result of the proposed development. It would lead to considerable operational efficiencies for the MOD, economies of scale and predicted reductions in costs in a number of areas, through the centralised provision of training facilities. It would also have beneficial effects upon local economy through ongoing provision of local employment and creation of jobs for local people. The proposal would acknowledge the port's importance to the economy of the area through naval activities and help to retain the viability of the Dockyard in accordance with Area Vision 10 of the adopted Core Strategy.

Adequate mitigation is proposed to ensure that there would not be a detrimental impact to marine habitats or to residential amenity in the neighbourhood of Barne Barton and it is therefore recommended that this application be approved subject to conditions.

Recommendation

In respect of the application dated **22/04/2011** and the submitted drawings 30033_082_SK605_Revised site plan, 30033_082_SK610_Proposed building 5 lower ground floor, 30033_082_Sk611 A, 033_082_Sk612 A, 30033_082_SK613 I, P9218_HI36(a) details of slipway, 30033_082_P11, 30033_082_P12, 121502 1500-0201 PH, 121502 1400-0202 PG, 121502 1400-0203 PE, 30033_082_P06, 121-1500-0502 PB, P9218- HI23 E, 121502 1400-0204 PC, ISF/MESH/001 I, ISF/MESH/002 I, ISF/MESH/003 I, HI36 A, 30033_082_P01 A, P9218-HI24 E, 300_082_P03, 30033_082_P13, 30033_082_P14, 30033_082_P05 and accompanying Design and Access Statement, EIA and Environmental Statement prepared by Balck and Veatch Limited, it is recommended to: **Grant Conditionally**

Conditions

APPROVED PLANS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: 30033_082_SK605_Revised site plan, 0033_082_SK610_Proposed building 5 lower ground floor, 30033_082_Sk611 A, 033_082_Sk612 A, 30033_082_SK613 I, P9218_HI36(a) details of slipway, 30033_082_P11, 30033_082_P12, 121502 1500-0201 PH, 121502 1400-0202 PG, 121502 1400-0203 PE, 30033_082_P06, 121-1500-0502 PB, P9218- HI23 E, 121502 1400-0204 PC, ISF/MESH/001 I, ISF/MESH/002 I, ISF/MESH/003 I, HI36 A, 30033_082_P01 A, P9218-HI24 E, 300_082_P03, 30033_082_P13, 30033_082_P14, 30033_082_P05 and accompanying Design and Access Statement, EIA and Environmental Statement prepared by Balck and Veatch Limited

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LAND CONTAMINATION ASSESSMENT

(2) Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- (a) A preliminary risk assessment which has identified:
- all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- (b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(c) The results of the site investigation and detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

REPORTING OF UNEXPECTED CONTAMINATION

(3) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CODE OF PRACTICE

(4) Prior to the commencement of development approved by this planning permission the developer shall submit a Code of Practice for the site that outlines how they intend to prevent or control any nuisance arising from any work carried out. The Code of practice must comply with all sections of the Public Protection Service, Code of Practice for construction and demolition sites, with particular regards to the hours of working, crushing and piling operations, control of mud on roads and the control of dust. The Code of Practice must also include a site waste management plan with a full method statement prepared for all the works.

All sensitive properties surrounding the site boundary shall be notified in writing of the nature and duration of works to be undertaken, and the name and address of a responsible person, to whom an enquiry/complaint should be directed.

Reason:

The proposed site is in immediate vicinity to existing residential properties, whose occupants will likely be disturbed by noise and/or dust during demolition or construction work and to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

STREET DETAILS

(5) Development shall not begin until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ACCESS (CONTRACTORS)

(6) Before any other 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.

PEDESTRIAN/CYCLE ACCESS

(7) The building shall not be occupied until a means of access for both pedestrians and cyclists has been constructed in accordance with the approved plans.

Reason:

To ensure that an appropriate and safe access is provided 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

CAR PARKING PROVISION

(8) The development shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a maximum of 140 cars to be parked.

Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE PROVISION

(9) The development shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 80 bicycles to be parked.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE STORAGE

(10) The secure area for storing cycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building. in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

TRAVEL PLAN

(11) No occupation of any of the buildings shall take place until a Travel Plan (TP) has been submitted to and approved in writing by the Local Planning Authority. The said TP shall seek to encourage staff to use modes of transport other than the private car to get to and from the premises. It shall also include measures to control the use of the permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the TP; and the name, position and contact telephone number of the person responsible for its implementation. From the date of the commencement of the use the occupier shall operate the approved TP.

Reason:

In the opinion of the Local Planning Authority, such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CAR PARKING MANAGEMENT STRATEGY

(12) No occupation of any of the buildings hereby proposed shall take place until a Car Parking Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The said strategy shall provide information relating to the control and management of all car parking areas taking into account the function of those spaces (be they long or short-stay spaces).

REASON:-

In the opinion of the Local Planning Authority, although some provision needs to be made the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

ARCHAEOLOGICAL RECORDING PROGRAMME

(13) No part of the development allowed by this permission shall be commenced until the applicant (or their agent or his successors in title) has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation (VSI) which has been submitted by the applicant and approved by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme and in accordance with

other such details as may subsequently be agreed in writing by the Planning Authority.

Reason:

In accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CRAFT ACTIVITY PROTOCOL

(14) No part of the development allowed by this permission shall be commenced until a protocol is submitted to and agreed in writing by the Local Planning Authority. The protocol, that must be agreed between Natural England and the Queens Harbour Master, shall set out the location of the sensitive areas for both the birds and the vulnerable intertidal soft sediments along with times when they should be avoided. The agreed protocol shall thereafter be strictly adhered to by the applicant.

REASON:

To alleviate concerns about craft use in the Tamar Estuaries and the impact of noise and potential increased traffic levels to accord with Policy CS22 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

OPERATIONAL NOISE RESTRICTIONS

(15) Except in the event of extraordinary operational necessity or without the prior written approval of the Local Planning Authority, all operational boats and hovercraft, associated with and operated from within the curtilage of the application site shall be launched from or positioned prior to launch at the bottom of slipways and/or alongside jetties or floating pontoons, where possible, during day time hours (07:00 – 23:00), and at all times during night-time hours (23:00- 07:00).

In addition all operational boats and hovercraft are to restrict engine idling time to a maximum of 10 minutes and to ensure that engines are throttled back on leaving and approach to the site.

Reason:

To ensure that the use hereby permitted does not cause any adverse disturbance to the amenities of the residential properties near to the application site and minimise adverse noise levels generated by the use hereby permitted, in accordance with policies CS22 and CS34 of the adopted core strategy.

MITIGATION STRATEGY

(16) No part of the development allowed by this permission shall be commenced until a final mitigation strategy and a programme for implementation is submitted to and agreed in writing by the Local Planning Authority. The agreed mitigation strategy shall thereafter be strictly adhered to by the applicant.

Reason

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in PPS9

INFORMATIVES

(1) Site Waste Management Plan

The applicant should note that the site waste management plan (SWMP) required as part of condition 14 will help to ensure that the duty of care for waste is complied with.

The applicant should adhere to the advice contained within the Environment Agency's Pollution Prevention Guidelines (PPGs), particularly PPG5 Working in and near watercourses. These can be accessed via the following weblink:
<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact to residential amenity in Barne Barton and the impact to the coastal habitat, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

PPG13 - Transport
PPG24 - Planning and Noise
PPS9 - Biodiversity and geological conservation
PPS1 - Delivering Sustainable Development
PPS23 - Planning & Pollution Control
CS28 - Local Transport Consideration
CS32 - Designing out Crime
CS34 - Planning Application Consideration
CS22 - Pollution
CS18 - Plymouth's Green Space
CS19 - Wildlife
CS20 - Resource Use
CS21 - Flood Risk
CS03 - Historic Environment
CS05 - Development of Existing Sites
CS02 - Design
CS04 - Future Employment Provision
PPS25 - Development and Flood Risk
SPD1 - Development Guidelines

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PLANNING COMMITTEE

Decisions issued for the following period: 16 April 2011 to 22 May 2011

Note - This list includes:

- Committee Decisions
- Delegated Decisions
- Withdrawn Applications
- Returned Applications

Item No 1

Application Number: 10/01228/FUL **Applicant:** Mr C Master-Curtis
Application Type: Full Application
Description of Development: Erection of a two-storey dwellinghouse with detached private motor garage and two parking spaces
Site Address WOODVIEW 14 MOWHAY ROAD PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 18/04/2011
Decision: Application Withdrawn

Item No 2

Application Number: 10/01385/LBC **Applicant:** Urban Splash South West (Ltd)
Application Type: Listed Building
Description of Development: Listed building consent for works to the building associated with the proposed change of use to mixed use for a range of uses comprising: B1 business, A1 shops, A2 financial and professional services, A3 restaurants and cafes, A4 drinking establishments, A5 hot food takeaways, D1 non residential institutions and D2 assembly and leisure, internal alterations and removal of external escape staircase
Site Address NEW COOPERAGE, ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 06/05/2011
Decision: Grant Conditionally

Item No 3

Application Number: 10/01492/FUL **Applicant:** Mrs Pari Smith
Application Type: Full Application
Description of Development: First floor rear extension including internal alterations.
Site Address 45 CROWNHILL ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 03/05/2011
Decision: Grant Conditionally

Item No 4

Application Number: 10/01702/FUL **Applicant:** Mr & Mrs Carson
Application Type: Full Application
Description of Development: Construction of porch and single storey rear extension
Site Address 68 COMPTON AVENUE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 03/05/2011
Decision: Grant Conditionally

Item No 5

Application Number: 10/01832/FUL **Applicant:** Mr Paul Sutcliffe
Application Type: Full Application
Description of Development: Retention of garage and associated roof terrace at rear
Site Address 5 SEFTON AVENUE LIPSON PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 19/04/2011
Decision: Refuse

Item No **6**

Application Number: 10/01839/FUL **Applicant:** Denwood Developments Limited
Application Type: Full Application
Description of Development: Redevelopment of site by erection of 2/3 storey building containing 6 flats, with associated car parking (renewal of 05/01247/FUL)
Site Address 61A EMMA PLACE STONEHOUSE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 18/05/2011
Decision: Application Withdrawn

Item No **7**

Application Number: 10/01840/CA **Applicant:** Denwood Developments Limited
Application Type: Conservation Area
Description of Development: Redevelopment of site by erection of 2/3 storey building containing 6 flats, with associated car parking (renewal of 05/01248/CAC)
Site Address 61A EMMA PLACE STONEHOUSE PLYMOUTH
Case Officer: Janine Warne
Decision Date: 18/05/2011
Decision: Application Withdrawn

Item No **8**

Application Number: 10/01860/FUL **Applicant:** Urbis Developments Ltd
Application Type: Full Application
Description of Development: Conversion of existing house into two dwellings (including removal of existing two-storey side/rear extension and replacement with two-storey side extension and single-storey rear extension, and erection of 11 new dwellings with associated parking and landscaping (renewal of 07/01397/FUL)
Site Address 273 TAVISTOCK ROAD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 04/05/2011
Decision: Grant Subject to S106 Obligation - Full

Item No 9

Application Number: 10/02006/FUL **Applicant:** Town House (Plymouth) Ltd
Application Type: Full Application
Description of Development: Demolition of existing public house and redevelopment of the site to provide student accommodation comprising of 44 bed spaces in 9 cluster flats together with associated refuse and cycle storage
Site Address THE TOWN HOUSE,32 HARWELL STREET PLYMOUTH
Case Officer: Mark Evans
Decision Date: 09/05/2011
Decision: Refuse

Item No 10

Application Number: 11/00019/RE **Applicant:** Cavanna Homes (Cornwall) Ltd
Application Type: Reserved Matters
Description of Development: Erection of 105 dwellings with associated garages, parking, footpaths, roads and open space; application for reserved matters pursuant to outline planning permission 08/01968
Site Address PLYMOUTH AIRPORT FORMER RUNWAY, PLYMBRIDGE LANE PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 03/05/2011
Decision: Application Withdrawn

Item No 11

Application Number: 11/00021/TPO **Applicant:** Mr A Rudd
Application Type: Tree Preservation
Description of Development: Prune side branches of tree overhanging garden
Site Address 8 GLADE CLOSE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 20/04/2011
Decision: Refuse

Item No 12

Application Number: 11/00024/TC **Applicant:** Debut Southwest (MoD)
Application Type: Trees in Cons Area
Description of Development: Tree pruning works
Site Address ROYAL CITADEL, HOE ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 05/05/2011
Decision: Grant Conditionally

Item No 13

Application Number: 11/00028/FUL **Applicant:** United Reformed Church South
Application Type: Full Application
Description of Development: Re-develop site by erection of 14 two bed apartments with associated car parking, cycle and refuse storage (demolition of existing church and building)
Site Address LAIRA UNITED CHURCH, 247 OLD LAIRA ROAD PLYMOUTH
Case Officer: Robert Heard
Decision Date: 03/05/2011
Decision: Grant Subject to S106 Obligation - Full

Item No 14

Application Number: 11/00065/FUL **Applicant:** Mr Anthony Dorrian
Application Type: Full Application
Description of Development: Alteration to roof to form a two bedroom flat
Site Address 49 HADDINGTON ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 11/05/2011
Decision: Grant Conditionally

Item No 15

Application Number: 11/00085/LBC **Applicant:** Urban Splash (South West) Ltd
Application Type: Listed Building
Description of Development: Alterations to the Listed Building, the main ones including; enlarging 10 openings on the eastern façade by dropping the cills; new single height glazed entrance; and raised access floor at first floor
Site Address NEW COOPERAGE ROYAL WILLIAM YARD PLYMOUTH
Case Officer: Robert McMillan
Decision Date: 09/05/2011
Decision: Grant Conditionally

Item No 16

Application Number: 11/00093/TPO **Applicant:** Mrs Clare Copplestone
Application Type: Tree Preservation
Description of Development: Oak T2 - Reduce lower branches over Millwood Drive by 2-3m
Oak T3 - Remove
Site Address 9 BEECHWOOD RISE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 26/04/2011
Decision: Grant Conditionally

Item No 17

Application Number: 11/00096/FUL **Applicant:** Mrs Charmaine Buijns
Application Type: Full Application
Description of Development: Raised decking area with access steps to rear garden with pergola style roof and PVC sheets
Site Address 46 CRESSBROOK DRIVE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 19/04/2011
Decision: Grant Conditionally

Item No 18

Application Number: 11/00101/FUL **Applicant:** Mr Jock Easton
Application Type: Full Application
Description of Development: Erection of four-storey, 72 unit accommodation block for the rehabilitation of injured services personnel plus ancillary classrooms, interview rooms and communal facilities including courtyard and bin store
Site Address ROYAL NAVY HMS DRAKE, SALTASH ROAD KEYHAM PLYMOUTH
Case Officer: Jon Fox
Decision Date: 18/04/2011
Decision: Grant Conditionally

Item No 19

Application Number: 11/00108/LBC **Applicant:** Mr Ian Coleman
Application Type: Listed Building
Description of Development: Replacement of sub main cables with internal wiring including the installation of flush and surface mounted trunking
Site Address 8 THE ESPLANADE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 20/05/2011
Decision: Grant Conditionally

Item No 20

Application Number: 11/00117/EXU **Applicant:** Mrs Tracey Whittingham
Application Type: LDC Existing Use
Description of Development: Use of property as two office suites on ground floor and four student bedrooms on upper floors
Site Address 5 HEADLAND PARK PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 27/04/2011
Decision: Issue Certificate - Lawful Use

Item No 21

Application Number: 11/00119/EXU **Applicant:** Mrs Tracey Whittingham
Application Type: LDC Existing Use
Description of Development: Use of property as student accommodation (6 student bedrooms) (application for certificate of lawfulness for existing use)
Site Address 7 HEADLAND PARK PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 28/04/2011
Decision: Issue Certificate - Lawful Use

Item No 22

Application Number: 11/00122/FUL **Applicant:** Mr Mark Dingley
Application Type: Full Application
Description of Development: First-floor side extension including rear dormer and single storey rear extension (existing conservatory to be removed)
Site Address 114 LALEBRICK ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 21/04/2011
Decision: Grant Conditionally

Item No 23

Application Number: 11/00124/PR **Applicant:** Devon & Cornwall Housing Asso
Application Type: LDC Proposed Use
Description of Development: Lawful development certificate application for the use of the second floor as 2 flats and for associated alterations
Site Address 2 NELSON GARDENS PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 19/04/2011
Decision: Issue Certificate - Lawful Use

Item No 24

Application Number: 11/00132/FUL **Applicant:** Mr James Woodley
Application Type: Full Application
Description of Development: Change of use, conversion and alterations from dwellinghouse to student accommodation (9 study/bedrooms), with rear extension at second floor level, and basement level refuse storage and cycle parking
Site Address 110 NORTH ROAD EAST PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 19/04/2011
Decision: Grant Conditionally

Item No 25

Application Number: 11/00141/FUL **Applicant:** Scott Bader Ltd
Application Type: Full Application
Description of Development: Installation of additional windows, and erection of peroxide store and metal acetone storage container, including additional security fencing to yard
Site Address UNIT D PLYMOUTH TRADE PARK, MACADAM ROAD CATTEDOWN PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 27/04/2011
Decision: Grant Conditionally

Item No 26

Application Number: 11/00142/ADV **Applicant:** Scott Bader Ltd
Application Type: Advertisement
Description of Development: Non-illuminated signage
Site Address UNIT D PLYMOUTH TRADE PARK, MACADAM ROAD CATTEDOWN PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 27/04/2011
Decision: Grant Conditionally

Item No 27

Application Number: 11/00177/PR **Applicant:** House to Home Improvements
Application Type: LDC Proposed Develop
Description of Development: Loft conversion and rear dormer
Site Address 50 TREWITTHY DRIVE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 03/05/2011
Decision: Issue Certificate - Lawful Use

Item No 28

Application Number: 11/00195/FUL **Applicant:** Mr MD Blampied
Application Type: Full Application
Description of Development: first floor side and rear extension
Site Address 51 WINDERMERE CRESCENT PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 11/05/2011
Decision: Grant Conditionally

Item No 29

Application Number: 11/00202/FUL **Applicant:** Mr S Ingle
Application Type: Full Application
Description of Development: Two-storey side extension
Site Address 221 CROWNHILL ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 19/04/2011
Decision: Refuse

Item No 30

Application Number: 11/00203/PR **Applicant:** Miss Karen Jones
Application Type: LDC Proposed Develop
Description of Development: Garage to the rear
Site Address 32 ST GEORGES TERRACE PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 18/05/2011
Decision: Issue Certificate - Lawful Use

Item No 31

Application Number: 11/00216/FUL **Applicant:** Mrs J Donovan
Application Type: Full Application
Description of Development: Replace window at first floor level to rear and installation of door and external stairs to ground level
Site Address 1 RAMSEY GARDENS PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 19/05/2011
Decision: Grant Conditionally

Item No 32

Application Number: 11/00227/FUL **Applicant:** Opal Portfolio 3 Ltd
Application Type: Full Application
Description of Development: Alterations to roof, windows, doors and external walls
Site Address 6 WINDSOR VILLAS, LOCKYER STREET PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 21/04/2011
Decision: Grant Conditionally

Item No 33

Application Number: 11/00228/LBC **Applicant:** Opal Portfolio 3 Ltd
Application Type: Listed Building
Description of Development: Alterations to roof, windows, doors and external walls
Site Address 6 WINDSOR VILLAS, LOCKYER STREET PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 21/04/2011
Decision: Grant Conditionally

Item No 34

Application Number: 11/00231/FUL **Applicant:** Mr C Alarcon
Application Type: Full Application
Description of Development: Extension to approved rear dormer
Site Address 15 MILEHOUSE ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 19/04/2011
Decision: Refuse

Item No 35

Application Number: 11/00238/FUL **Applicant:** Barratt Homes (Exeter Division)
Application Type: Full Application
Description of Development: Re-develop site by erection of 14 dwellings with associated access, parking, landscaping and drainage (demolition of existing buildings)
Site Address 3 to 5 MARKET ROAD PLYMOUTH
Case Officer: Robert Heard
Decision Date: 11/05/2011
Decision: Grant Subject to S106 Obligation - Full

Item No 36

Application Number: 11/00250/FUL **Applicant:** Debut South West
Application Type: Full Application
Description of Development: The erection of two buildings to provide headquarters, engineering and training facilities. Construction of a marina including pontoons and berthing areas at the eastern end of Weston Mill Lake and a slipway and jetty at the western end. Associated works including a hardstanding area for boat storage, improvements to an access road, replacement vehicle parking, dredging and foreshore improvements, lighting and regrading/realignment of fencing
Site Address LAND AT WESTON MILL LAKE HMNB DEVONPORT PLYMOUTH
Case Officer: Carly Francis
Decision Date: 26/04/2011
Decision: Application Withdrawn

Item No 37

Application Number: 11/00253/EXU **Applicant:** Mr Tim Marler
Application Type: LDC Existing Use
Description of Development: To establish existing use of property as C3 (c) residential (small religious community)
Site Address ST ANNE'S CONVENT, 32 WYNDHAM SQUARE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 18/04/2011
Decision: Issue Certificate - Lawful Use

Item No 38

Application Number: 11/00256/FUL **Applicant:** Mr N Pitts
Application Type: Full Application
Description of Development: Change of use to allow Use Class B2 (in addition to Use Classes B1 and B8)
Site Address 14 LISTER CLOSE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 27/04/2011
Decision: Grant Conditionally

Item No 39

Application Number: 11/00257/FUL **Applicant:** Mrs Susan Soper
Application Type: Full Application
Description of Development: Change of use from two self-contained flats to single dwellinghouse
Site Address 4 PROSPECT STREET PLYMOUTH
Case Officer: Mike Stone
Decision Date: 10/05/2011
Decision: Grant Conditionally

Item No 40

Application Number: 11/00260/FUL **Applicant:** Mr Jermey Tozer
Application Type: Full Application
Description of Development: Erection of two-storey mid-terrace dwelling (removal of existing private motor garage)
Site Address 4 ANSON PLACE STOKE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 26/04/2011
Decision: Refuse

Item No 41

Application Number: 11/00261/LBC **Applicant:** Mr Salam Fawzi
Application Type: Listed Building
Description of Development: Retention of gas pipe on front elevation
Site Address 52 SOUTHSIDE STREET PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 11/05/2011
Decision: Grant Conditionally

Item No 42

Application Number: 11/00262/FUL **Applicant:** Mr David Turner
Application Type: Full Application
Description of Development: First-floor side and rear extension
Site Address COMMONWOOD HOUSE, RIVERFORD, ESTOVER
CLOSE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 21/04/2011
Decision: Grant Conditionally

Item No 43

Application Number: 11/00264/FUL **Applicant:** Mr Cork
Application Type: Full Application
Description of Development: Remove existing single-storey tenement and erect two-storey extension
Site Address 38 WAVERLEY ROAD ST BUDEAUX PLYMOUTH
Case Officer: Mark Utting
Decision Date: 18/04/2011
Decision: Grant Conditionally

Item No 44

Application Number: 11/00265/FUL **Applicant:** Sutton Harbour Services Limited
Application Type: Full Application
Description of Development: Change of use of building (ground, first and second floors) from shops (A1 use) to shops (A1 use) or financial and professional services (A2 use) or restaurant/café (A3 use) with associated ancillary managers accommodation, together with new ground floor windows and doors, new rooflights and associated works
Site Address JAMAICA HOUSE, 82 to 84 VAUXHALL STREET
PLYMOUTH
Case Officer: Mark Evans
Decision Date: 18/04/2011
Decision: Grant Conditionally

Item No 45

Application Number: 11/00266/LBC **Applicant:** Sutton Harbour Services Limited
Application Type: Listed Building
Description of Development: Conversion of building to shops, and/or financial and professional services and/or restaurant/café use incorporating associated internal and external refurbishment works and replacement of ground floor windows and doors, together with construction of new rooflights
Site Address JAMAICA HOUSE, 82 to 84 VAUXHALL STREET
PLYMOUTH
Case Officer: Mark Evans
Decision Date: 18/04/2011
Decision: Grant Conditionally

Item No 46

Application Number: 11/00267/FUL **Applicant:** Mr Steve Morgan
Application Type: Full Application
Description of Development: First floor side extension with open throughway below (alterations to extension permitted under planning reference 09/01603/FUL)
Site Address 2 LLANTILLIO DRIVE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 18/04/2011
Decision: Refuse

Item No 47

Application Number: 11/00271/TPO **Applicant:**
Application Type: Tree Preservation
Description of Development: TREE WORKS
Site Address 17 CORNWOOD ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 21/04/2011
Decision: Grant Conditionally

Item No 48

Application Number: 11/00272/FUL **Applicant:** Mr Andrew Smith
Application Type: Full Application
Description of Development: Rear conservatory
Site Address 7 BIRCH POND ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 16/05/2011
Decision: Grant Conditionally

Item No 49

Application Number: 11/00276/ADV **Applicant:** JCDecaux UK Ltd
Application Type: Advertisement
Description of Development: Internally illuminated signage for bus shelter
Site Address ROYAL PARADE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 21/04/2011
Decision: Grant Conditionally

Item No 50

Application Number: 11/00282/FUL **Applicant:** Mr Phil Chevis
Application Type: Full Application
Description of Development: Erection of two-storey detached dwelling
Site Address 12 ELFORD CRESCENT PLYMOUTH
Case Officer: Jon Fox
Decision Date: 03/05/2011
Decision: Grant Conditionally

Item No 51

Application Number: 11/00285/ADV **Applicant:** Blacks Leisure Group
Application Type: Advertisement
Description of Development: Non-illuminated hanging banner
Site Address 71 NEW GEORGE STREET PLYMOUTH
Case Officer: Mark Utting
Decision Date: 19/04/2011
Decision: Refuse

Item No 52

Application Number: 11/00288/FUL **Applicant:** Vospers Motor House
Application Type: Full Application
Description of Development: Re-configuration of external parking layout and re-alignment of site access road
Site Address VOSPERS MOTOR HOUSE LTD, LONGBRIDGE ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 20/04/2011
Decision: Grant Conditionally

Item No 53

Application Number: 11/00300/FUL **Applicant:** Mr & Mrs Mario and Kate Curtis
Application Type: Full Application
Description of Development: Erection of a two-storey dwellinghouse (amended version of 10/01640/FUL)
Site Address 15 SHUTE PARK ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 21/04/2011
Decision: Application Withdrawn

Item No 54

Application Number: 11/00309/FUL **Applicant:** Mrs N Vernon
Application Type: Full Application
Description of Development: Single-storey side extension
Site Address 3 CRESSBROOK CLOSE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 21/04/2011
Decision: Grant Conditionally

Item No 55

Application Number: 11/00310/FUL **Applicant:** Mr Martin Clift
Application Type: Full Application
Description of Development: Single storey rear/side extension
Site Address 56 SHIRBURN ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 05/05/2011
Decision: Grant Conditionally

Item No 56

Application Number: 11/00312/FUL **Applicant:** Mr & Mrs Bassett
Application Type: Full Application
Description of Development: Develop land by erection of detached dwelling with attached private motor garage
Site Address LAND NORTH OF 88 THIRLMERE GARDENS PLYMOUTH
Case Officer: Janine Warne
Decision Date: 21/04/2011
Decision: Grant Conditionally

Item No 57

Application Number: 11/00330/FUL **Applicant:** Mr and Mrs Brady
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 4 CHURCH HILL ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 19/04/2011
Decision: Grant Conditionally

Item No 58

Application Number: 11/00331/FUL **Applicant:** Mr & Mrs Richards
Application Type: Full Application
Description of Development: Develop part of garden by erection of detached dwelling house with double private motor garage (renewal of 07/01140/FUL)
Site Address 44 RESERVOIR ROAD PLYMSTOCK PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 21/04/2011
Decision: Grant Conditionally

Item No 59

Application Number: 11/00334/ADV **Applicant:** Telfonica UK
Application Type: Advertisement
Description of Development: 1 internally illuminated fascia sign
Site Address 19 NEW GEORGE STREET PLYMOUTH
Case Officer: Mark Utting
Decision Date: 18/04/2011
Decision: Grant Conditionally

Item No 60

Application Number: 11/00335/EXU **Applicant:** Mr Paul Body
Application Type: LDC Existing Use
Description of Development: Use of property as house in multiple occupation consisting of four non self-contained flats
Site Address 30 HILL PARK CRESCENT PLYMOUTH
Case Officer: Paul Steen
Decision Date: 20/04/2011
Decision: Issue Certificate - Lawful Use

Item No 61

Application Number: 11/00336/FUL **Applicant:** Mr Duncan James
Application Type: Full Application
Description of Development: Two-storey side extension and attached single-storey private motor garage (existing garage to be removed)
Site Address 27 TERN GARDENS PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 21/04/2011
Decision: Grant Conditionally

Item No 62

Application Number: 11/00338/FUL **Applicant:** Mr Roger Kelly
Application Type: Full Application
Description of Development: Change of use of first and second floors of building from offices to four, two-bedroomed self-contained flats, new front access door, and associated rear amenity space (ground floor offices to be retained)
Site Address 114 - 116 RIDGEWAY PLYMOUTH
Case Officer: Jon Fox
Decision Date: 28/04/2011
Decision: Refuse

Item No 63

Application Number: 11/00339/ADV **Applicant:** Mr Tim Liao
Application Type: Advertisement
Description of Development: Internally illuminated fascia sign
Site Address 72-84 ROYAL PARADE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 20/04/2011
Decision: Grant Conditionally

Item No 64

Application Number: 11/00341/FUL **Applicant:** Mr S Dunstan
Application Type: Full Application
Description of Development: Two-storey extension to side elevation to form new garage and utility on ground floor with new bedroom and bathroom on first floor
Site Address 21 ROSPEATH CRESCENT PLYMOUTH
Case Officer: Mark Utting
Decision Date: 20/04/2011
Decision: Grant Conditionally

Item No 65

Application Number: 11/00343/TPO **Applicant:** Mrs Julie Cook
Application Type: Tree Preservation
Description of Development: Sycamore - Crown reduced by 2m
Site Address 26 ALBION DRIVE BEACON PARK PLYMOUTH
Case Officer: Jane Turner
Decision Date: 19/04/2011
Decision: Grant Conditionally

Item No 66

Application Number: 11/00355/FUL **Applicant:** Enterprise Inns Ltd
Application Type: Full Application
Description of Development: Replacement of existing windows with bi-folding doors and erection of timber pergola and smoking shelter, with paved area to provide beer garden
Site Address PLYMSTOCK INN, 88 CHURCH ROAD PLYMSTOCK PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 28/04/2011
Decision: Grant Conditionally

Item No 67

Application Number: 11/00356/FUL **Applicant:** Mr Richard Baker
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 4 TOR CLOSE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 28/04/2011
Decision: Grant Conditionally

Item No 68

Application Number: 11/00359/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: New ramped access to St Helens Walk
Site Address ST HELENS WALK PLYMOUTH
Case Officer: Adam Williams
Decision Date: 19/04/2011
Decision: Grant Conditionally

Item No 69

Application Number: 11/00363/FUL **Applicant:** Mr D Hutchinson
Application Type: Full Application
Description of Development: Front porch, two-storey rear extension and erection of double private motor garage (existing garage to be removed)
Site Address 13 WEMBURY ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 27/04/2011
Decision: Grant Conditionally

Item No 70

Application Number: 11/00364/FUL **Applicant:** Mr & Mrs D Allison
Application Type: Full Application
Description of Development: Develop land by erection of two-storey building containing two self-contained flats with associated parking area (existing garage to be removed)
Site Address LAND TO REAR OF 19 SUTHERLAND ROAD PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 28/04/2011
Decision: Grant Conditionally

Item No 71

Application Number: 11/00365/FUL **Applicant:** Mrs Oates
Application Type: Full Application
Description of Development: Front conservatory
Site Address 37 LAIRA PARK ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 28/04/2011
Decision: Grant Conditionally

Item No 72

Application Number: 11/00367/TPO **Applicant:** Mr Paul Foulkes
Application Type: Tree Preservation
Description of Development: Fir tree - Fell
Site Address WHITE OAKS, WIDEWELL LANE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 21/04/2011
Decision: Grant Conditionally

Item No 73

Application Number: 11/00369/FUL **Applicant:** Persimmon Homes Ltd
Application Type: Full Application
Description of Development: Renewal of permission for engineering works comprising site trials and monitoring, including trial blast (pre-split and bulk) to the north face, trial excavations, trial scaling to the south face, trial excavations at the clay pocket and trial grubbing of existing foundations to facilitate/inform the consented remodelling works
Site Address PLYMSTOCK QUARRY PLYMOUTH
Case Officer: Alan Hartridge
Decision Date: 03/05/2011
Decision: Grant Conditionally

Item No 74

Application Number: 11/00370/ADV **Applicant:** Yellowbird Media
Application Type: Advertisement
Description of Development: Advertising hoarding for the display of vinyl posters
Site Address THORNBURY ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 10/05/2011
Decision: Grant Conditionally

Item No 75

Application Number: 11/00373/FUL **Applicant:** Mr/s P Jewell
Application Type: Full Application
Description of Development: First-floor rear extension and associated roof terrace
Site Address 30 ROSEBERY AVENUE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 26/04/2011
Decision: Refuse

Item No 76

Application Number: 11/00374/PR **Applicant:** Mr/s P Jewell
Application Type: LDC Proposed Develop
Description of Development: Hip to gable extension and rear dormer
Site Address 30 ROSEBERY AVENUE PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 26/04/2011
Decision: Issue Certificate - Lawful Use

Item No 77

Application Number: 11/00375/EXU **Applicant:** Absolute Recycling Co
Application Type: LDC Existing Use
Description of Development: Use of premises within class B8 for storage and distribution of waste electrical goods
Site Address UNIT K2 9 BURRINGTON WAY PLYMOUTH
Case Officer: Janine Warne
Decision Date: 03/05/2011
Decision: Issue Certificate - Lawful Use

Item No 78

Application Number: 11/00376/FUL **Applicant:** Mr Stephen Hicks
Application Type: Full Application
Description of Development: Enclosure of rear yard to create garage and storage area
Site Address 56 WILTON STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 04/05/2011
Decision: Grant Conditionally

Item No 79

Application Number: 11/00378/FUL **Applicant:**
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 19 CARDINAL AVENUE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 21/04/2011
Decision: Grant Conditionally

Item No 80

Application Number: 11/00379/FUL **Applicant:** Ms Heidi Collins
Application Type: Full Application
Description of Development: Second-floor rear extension and formation of room in roofspace including rear dormer, and single storey rear extension
Site Address 20 LANHYDROCK ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 04/05/2011
Decision: Refuse

Item No 81

Application Number: 11/00380/EXU **Applicant:** Mr G Fletcher
Application Type: LDC Existing Use
Description of Development: Use as two self-contained flats
Site Address 4 ESSEX STREET PLYMOUTH
Case Officer: Mark Utting
Decision Date: 28/04/2011
Decision: Issue Certificate - Lawful Use

Item No 82

Application Number: 11/00382/FUL **Applicant:** Plymouth One Ltd and Plymouth
Application Type: Full Application
Description of Development: Change of use to A3 (café/restaurant uses) on ground, first and second floors
Site Address 19 RALEIGH STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 04/05/2011
Decision: Grant Conditionally

Item No 83

Application Number: 11/00383/FUL **Applicant:** Mr David Bevan
Application Type: Full Application
Description of Development: First-floor rear extension
Site Address 61 DESBOROUGH ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 28/04/2011
Decision: Grant Conditionally

Item No 84

Application Number: 11/00388/FUL **Applicant:** Mr Kevin Buckley
Application Type: Full Application
Description of Development: Erection of detached dwelling and detached double private motor garage (revisions to dwelling approved at plot 1 on planning application 10/00648/FUL)
Site Address LAND REAR OF 42 TO 46 (EVENS) COLESDOWN HILL PLYMOUTH
Case Officer: Jon Fox
Decision Date: 04/05/2011
Decision: Grant Conditionally

Item No 85

Application Number: 11/00390/ADV **Applicant:** Goodrich
Application Type: Advertisement
Description of Development: Free standing sign board
Site Address GOODRICH, CLITTAFFORD ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 12/05/2011
Decision: Grant Conditionally

Item No 86

Application Number: 11/00392/FUL **Applicant:** Mr and Mrs John Davis
Application Type: Full Application
Description of Development: Detached garage to rear (amendment to previously approved scheme 00/00849/FUL)
Site Address KEMPS HOUSE, TAMERTON FOLIOT ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 20/04/2011
Decision: Refuse

Item No 87

Application Number: 11/00395/FUL **Applicant:** Mr & Mrs Irving
Application Type: Full Application
Description of Development: Change of use from two flats to a single dwelling
Site Address 16 THORNHILL WAY PLYMOUTH
Case Officer: Mark Utting
Decision Date: 20/04/2011
Decision: Grant Conditionally

Item No 88

Application Number: 11/00396/FUL **Applicant:** Nando's Chickenland Ltd
Application Type: Full Application
Description of Development: Installation of new shop front
Site Address 15-19 OLD TOWN STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 12/05/2011
Decision: Grant Conditionally

Item No 89

Application Number: 11/00397/ADV **Applicant:** Nando's Chickenland Ltd
Application Type: Advertisement
Description of Development: Installation of fascia sign
Site Address 15 - 19 OLD TOWN STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 12/05/2011
Decision: Grant Conditionally

Item No 90

Application Number: 11/00399/FUL **Applicant:** Mrs Elizabeth Bailey
Application Type: Full Application
Description of Development: Retrospective application for an external lift
Site Address 26 CONRAD ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 21/04/2011
Decision: Grant Conditionally

Item No 91

Application Number: 11/00400/FUL **Applicant:** Miss E Newbold
Application Type: Full Application
Description of Development: Installation of external step lift and associated works
Site Address 40 GRENVILLE ROAD ST JUDES PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 28/04/2011
Decision: Grant Conditionally

Item No 92

Application Number: 11/00405/EXU **Applicant:** Mr & Mrs Dowling
Application Type: LDC Existing Use
Description of Development: Application for a certificate of lawfulness for the use of the property as three self-contained flats and two bed-sits.
Site Address 28 ALBERT ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 09/05/2011
Decision: Issue Certificate - Lawful Use

Item No 93

Application Number: 11/00410/FUL **Applicant:** Mr R Lowe
Application Type: Full Application
Description of Development: Change of use and conversion of guest house (Use Class C1) to form dwellinghouse (Use Class C3)
Site Address 69 HERMITAGE ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 09/05/2011
Decision: Grant Conditionally

Item No 94

Application Number: 11/00411/FUL **Applicant:** Mr Essy Kamaie
Application Type: Full Application
Description of Development: Two additional apartments (amendment to existing planning permission 09/01443/FUL)
Site Address CARPARK, WOODSIDE PLYMOUTH
Case Officer: Robert Heard
Decision Date: 19/04/2011
Decision: Application Withdrawn

Item No 95

Application Number: 11/00413/FUL **Applicant:** Mr Colin Hill
Application Type: Full Application
Description of Development: Two-storey rear extension (existing conservatory to be removed) and conversion of existing attached workshop to habitable guest accommodation (existing garage to be removed)
Site Address 128 PLYMSTOCK ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 10/05/2011
Decision: Grant Conditionally

Item No 96

Application Number: 11/00414/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Variation of condition 2 of reference 10/01861/FUL to amend approved plans. Amended plans show 4 natural ventilation features on the roof and re-position rooflights and photovoltaic panels
Site Address FORMER PLYMPTON LIBRARY, RIDGEWAY PLYMPTON PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 28/04/2011
Decision: Grant Conditionally

Item No 97

Application Number: 11/00416/FUL **Applicant:** Mr Chris Horsefield
Application Type: Full Application
Description of Development: Part-two storey, part single storey rear extension (demolition of store and w.c.)
Site Address 70 HYDE PARK ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 06/05/2011
Decision: Grant Conditionally

Item No 98

Application Number: 11/00418/EXU **Applicant:** Gowerdew Ltd
Application Type: LDC Existing Use
Description of Development: Use of property as motor vehicle repair garage/workshop and related store
Site Address REAR OF 186 EXETER STREET CATTEDOWN PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 10/05/2011
Decision: Issue Certificate - Lawful Use

Item No 99

Application Number: 11/00421/ADV **Applicant:** University College Plymouth St
Application Type: Advertisement
Description of Development: 1 non-illuminated fascia sign
Site Address MARJON, PLYMBRIDGE LANE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 05/05/2011
Decision: Grant Conditionally

Item No 100

Application Number: 11/00422/FUL **Applicant:** Consol Suncentre (Franchise) Lt
Application Type: Full Application
Description of Development: Use of property as a retail unit (front of ground-floor) and solarium (ground and lower ground-floor) including alterations to shop front
Site Address 60 MUTLEY PLAIN PLYMOUTH
Case Officer: Jon Fox
Decision Date: 11/05/2011
Decision: Grant Conditionally

Item No 101

Application Number: 11/00423/LBC **Applicant:** Mr M Gladdish
Application Type: Listed Building
Description of Development: Replacement of timber windows at rear with uPVC double glazed windows
Site Address 25 UNDERWOOD ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 20/05/2011
Decision: Refuse

Item No 102

Application Number: 11/00424/TC **Applicant:** N.J.C. Tree Services
Application Type: Trees in Cons Area
Description of Development: Prune Monterey Cypress
Site Address 123 WINGFIELD ROAD STOKE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 21/04/2011
Decision: Grant Conditionally

Item No 103

Application Number: 11/00426/TC **Applicant:** N.J.C. Tree Services
Application Type: Trees in Cons Area
Description of Development: Beech Tree - Prune side branches by 2-3 metres
Site Address 3 ALBEMARLE VILLAS STOKE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 20/04/2011
Decision: Grant Conditionally

Item No 104

Application Number: 11/00428/PR **Applicant:** House to Home Improvements
Application Type: LDC Proposed Develop
Description of Development: Loft conversion and rear dormer
Site Address 5 FORTESCUE PLACE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 04/05/2011
Decision: Issue Certificate - Lawful Use

Item No 105

Application Number: 11/00429/FUL **Applicant:** Mr V Babolhavaeji
Application Type: Full Application
Description of Development: Change of use, conversion and alteration of hot food takeaway (use class A5) to combined use as café (use class A3), drinking establishment (use class A4) and hot food takeaway (use class A5) and erection of railings to form outdoor seating area to front
Site Address 429A CROWNHILL ROAD PLYMOUTH
Case Officer: Janine Warne
Decision Date: 12/05/2011
Decision: Grant Conditionally

Item No 106

Application Number: 11/00430/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Erection of glass solar dome for use as teaching resource space and greenhouse
Site Address ESTOVER COMMUNITY COLLEGE, MILLER WAY PLYMOUTH
Case Officer: Mark Utting
Decision Date: 04/05/2011
Decision: Grant Conditionally

Item No 107

Application Number: 11/00431/PR **Applicant:** Mr Dan Swift
Application Type: LDC Proposed Develop
Description of Development: Hip to gable roof extension, rear dormer and single storey extension
Site Address 6 STANDARHAY VILLAS PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 11/05/2011
Decision: Issue Certificate - Lawful Use

Item No 108

Application Number: 11/00432/ADV **Applicant:** Pizza Express
Application Type: Advertisement
Description of Development: Internally illuminated fascia sign, menu display boxes, and illuminated window signage
Site Address UNIT 2, BARBICAN LEISURE PARK, BARBICAN APPROACH PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 28/04/2011
Decision: Grant Conditionally

Item No 109

Application Number: 11/00433/ADV **Applicant:** Mr J Sweeney
Application Type: Advertisement
Description of Development: Display of poster panel on Virgin Media cabinet
Site Address Virgin Media Cabinet 32 NEW GEORGE STREET PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 11/05/2011
Decision: Refuse

Item No 110

Application Number: 11/00434/FUL **Applicant:** Pizza Express
Application Type: Full Application
Description of Development: Installation of new shopfront
Site Address UNIT 2, BARBICAN LEISURE PARK, BARBICAN APPROACH PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 28/04/2011
Decision: Grant Conditionally

Item No 111

Application Number: 11/00435/TPO **Applicant:** Mrs Michele Crapnell
Application Type: Tree Preservation
Description of Development: Sycamore - Fell
Site Address 218 DUNRAVEN DRIVE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 12/05/2011
Decision: Refuse

Item No 112

Application Number: 11/00438/FUL **Applicant:** Plymouth City Council
Application Type: Full Application
Description of Development: Installation of two air handling units on roof
Site Address LIFE CENTRE, MAYFLOWER DRIVE PLYMOUTH
Case Officer: Robert Heard
Decision Date: 13/05/2011
Decision: Grant Conditionally

Item No 113

Application Number: 11/00439/PR **Applicant:** Mrs Rachal Ash
Application Type: LDC Proposed Develop
Description of Development: Rear conservatory
Site Address 13 FARNLEY CLOSE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 03/05/2011
Decision: Issue Certificate - Lawful Use

Item No 114

Application Number: 11/00441/FUL **Applicant:** Mr N Phillips
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 245 FORT AUSTIN AVENUE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 11/05/2011
Decision: Grant Conditionally

Item No 115

Application Number: 11/00443/FUL **Applicant:** Mrs E Adams
Application Type: Full Application
Description of Development: Change of use, conversion and extension of dwellinghouse to form 4 self-contained flats, change of use and conversion of garden store/stables to form single dwellinghouse, and provision of associated car parking facilities (renewal of 08/00290/FUL)
Site Address 3 HAROLDSLEIGH AVENUE PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 12/05/2011
Decision: Grant Conditionally

Item No 116

Application Number: 11/00444/FUL **Applicant:** Mr Mike Knox
Application Type: Full Application
Description of Development: Two-storey side extension with rooms in roofspace
Site Address 14 VANGUARD CLOSE PLYMOUTH
Case Officer: Adam Williams
Decision Date: 13/05/2011
Decision: Grant Conditionally

Item No 117

Application Number: 11/00445/FUL **Applicant:** Mr Jason Edmonson
Application Type: Full Application
Description of Development: First-floor rear extension
Site Address 17 LEATFIELD DRIVE PLYMOUTH
Case Officer: Mark Utting
Decision Date: 05/05/2011
Decision: Grant Conditionally

Item No 118

Application Number: 11/00446/FUL **Applicant:** Mr P Mortimore
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 54A GLENHOLT ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 05/05/2011
Decision: Grant Conditionally

Item No 119

Application Number: 11/00447/FUL **Applicant:** Notemachine
Application Type: Full Application
Description of Development: Installation of ATM on shop front
Site Address 55 EBRINGTON STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 12/05/2011
Decision: Grant Conditionally

Item No 120

Application Number: 11/00449/ADV **Applicant:** Notemachine
Application Type: Advertisement
Description of Development: ATM sign on shopfront
Site Address 55 EBRINGTON STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 12/05/2011
Decision: Grant Conditionally

Item No 121

Application Number: 11/00450/FUL **Applicant:** Mr Gordon Snell
Application Type: Full Application
Description of Development: Two storey side extension (including removal of existing garage)
Site Address 297 OUTLAND ROAD PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 11/05/2011
Decision: Refuse

Item No 122

Application Number: 11/00453/FUL **Applicant:** Mr Oliver Renon
Application Type: Full Application
Description of Development: Change of use from Use Classes B1, B2 and B8 to Use Class D2
Site Address 34 VALLEY ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 16/05/2011
Decision: Refuse

Item No 123

Application Number: 11/00455/FUL **Applicant:** Mrs Vanessa Woods
Application Type: Full Application
Description of Development: Retention of decking
Site Address 123 SPRINGFIELD ROAD PLYMOUTH
Case Officer: Richard Webb
Decision Date: 11/05/2011
Decision: Refuse

Item No 124

Application Number: 11/00458/ADV **Applicant:** Mainet
Application Type: Advertisement
Description of Development: Rebranding of ATM
Site Address 145 ARMADA WAY PLYMOUTH
Case Officer: Mark Utting
Decision Date: 13/05/2011
Decision: Grant Conditionally

Item No 125

Application Number: 11/00460/TPO **Applicant:** Mrs Emma Dallas
Application Type: Tree Preservation
Description of Development: Re-pollard 3 lime trees
Site Address 3 CHARLES TERRACE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 03/05/2011
Decision: Grant Conditionally

Item No 126

Application Number: 11/00461/FUL **Applicant:** Lloyds Pharmacy
Application Type: Full Application
Description of Development: Siting of 2 no. new air conditioning units and new external customer entrance door
Site Address LLOYDS PHARMACY DERRIFORD HOSPITAL,
DERRIFORD ROAD PLYMOUTH
Case Officer: Adam Williams
Decision Date: 18/05/2011
Decision: Grant Conditionally

Item No 127

Application Number: 11/00463/FUL **Applicant:** Mr and Mrs G Tolman
Application Type: Full Application
Description of Development: Change of flat roof dormers to pitched roofs
Site Address 65 ST EDWARD GARDENS PLYMOUTH
Case Officer: Mark Utting
Decision Date: 09/05/2011
Decision: Grant Conditionally

Item No 128

Application Number: 11/00464/TPO **Applicant:** Hooe Primary School
Application Type: Tree Preservation
Description of Development: 1 Beech - remove
1 Beech - reduce branch over garden by 1.5m
2 Beech - remove broken branch (exempt work)
Site Address HOOE PRIMARY SCHOOL, HOOE ROAD HOOE
PLYMOUTH
Case Officer: Jane Turner
Decision Date: 11/05/2011
Decision: Grant Conditionally

Item No 129

Application Number: 11/00467/FUL **Applicant:** Mrs J Sheehey
Application Type: Full Application
Description of Development: Construction of garage and studio flat including the erection of gates
Site Address 23 BENBOW STREET PLYMOUTH
Case Officer: Karen Gallacher
Decision Date: 18/05/2011
Decision: Refuse

Item No 130

Application Number: 11/00469/FUL **Applicant:** Mr Nicholas Burrows
Application Type: Full Application
Description of Development: Rear conservatory
Site Address 60A COMPTON AVENUE PLYMOUTH
Case Officer: Kirsty Barrett
Decision Date: 19/05/2011
Decision: Grant Conditionally

Item No 131

Application Number: 11/00471/FUL **Applicant:** Mr Ron Sinclair
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 22 PEMROS ROAD PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 20/05/2011
Decision: Grant Conditionally

Item No 132

Application Number: 11/00485/FUL **Applicant:** The Restaurant Group
Application Type: Full Application
Description of Development: Installation of external kitchen extract ductwork and mechanical ventilation equipment to rear elevation of property
Site Address CHIQUITO RESTAURANT 16 BARBICAN APPROACH
PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 04/05/2011
Decision: Grant Conditionally

Item No 133

Application Number: 11/00488/FUL **Applicant:** Mr Chapman
Application Type: Full Application
Description of Development: First floor side extension
Site Address 2 BRISMAR WALK PLYMOUTH
Case Officer: Mark Utting
Decision Date: 05/05/2011
Decision: Grant Conditionally

Item No 134

Application Number: 11/00489/FUL **Applicant:** Miss M M Tudor and Mrs J M E
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 68 MOUNT BATTEN WAY PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 11/05/2011
Decision: Grant Conditionally

Item No 135

Application Number: 11/00490/FUL **Applicant:** Mr & Mrs A Dodd
Application Type: Full Application
Description of Development: First-floor rear extension
Site Address 53 PLYMSTOCK ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 11/05/2011
Decision: Grant Conditionally

Item No 136

Application Number: 11/00491/FUL **Applicant:** Mr B Fox
Application Type: Full Application
Description of Development: First floor rear extension
Site Address FLAT 1, 47 EBRINGTON STREET PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 20/05/2011
Decision: Grant Conditionally

Item No 137

Application Number: 11/00494/ADV **Applicant:** Regus
Application Type: Advertisement
Description of Development: Halo illuminated logo sign
Site Address SALT QUAY HOUSE, NORTH QUAY STREET SUTTON HARBOUR PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 17/05/2011
Decision: Grant Conditionally

Item No 138

Application Number: 11/00508/FUL **Applicant:** Mr Daniel Baker
Application Type: Full Application
Description of Development: Formation of HIP to gable roof and installation of an additional front dormer window
Site Address 97 ALMA ROAD PLYMOUTH
Case Officer: Mark Utting
Decision Date: 19/05/2011
Decision: Grant Conditionally

Item No 139

Application Number: 11/00509/FUL **Applicant:** Mr & Mrs Burt & Maher
Application Type: Full Application
Description of Development: Formation of room in roofspace with side dormer
Site Address 76 RAMSEY GARDENS PLYMOUTH
Case Officer: Mark Utting
Decision Date: 06/05/2011
Decision: Refuse

Item No 140

Application Number: 11/00510/FUL **Applicant:** Mr Gary Studley
Application Type: Full Application
Description of Development: Single-storey rear extension
Site Address 3 HARRIET GARDENS PLYMOUTH
Case Officer: Mark Utting
Decision Date: 05/05/2011
Decision: Grant Conditionally

Item No 141

Application Number: 11/00511/FUL **Applicant:** Mrs Elizabeth Barwick
Application Type: Full Application
Description of Development: Single-storey side extension
Site Address 5 KINGSWAY GARDENS PLYMOUTH
Case Officer: Mark Utting
Decision Date: 04/05/2011
Decision: Grant Conditionally

Item No 142

Application Number: 11/00512/CA **Applicant:** Sisters of Nazareth
Application Type: Conservation Area
Description of Development: Demolition of St Augustine care home in association with proposed redevelopment (Planning Permission reference 05/01575)
Site Address NAZARETH HOUSE,163 to 165 DURNFORD STREET
PLYMOUTH
Case Officer: Jeremy Guise
Decision Date: 19/05/2011
Decision: Grant Conditionally

Item No 143

Application Number: 11/00515/FUL **Applicant:** Langage Construction Ltd
Application Type: Full Application
Description of Development: Redevelopment of site with the construction of 12 detached dwellings behind a proposed high stone wall fronting Haye Road, including highway works and alterations to vehicular access arrangements for two neighbouring dwellings
Site Address FORMER GARDEN CENTRE/NURSERY SITE, HAYE ROAD PLYMOUTH
Case Officer: Alan Hartridge
Decision Date: 10/05/2011
Decision: Application Withdrawn

Item No 144

Application Number: 11/00518/FUL **Applicant:** Mr & Mrs Crawford
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 146 SPRINGFIELD ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 16/05/2011
Decision: Grant Conditionally

Item No 145

Application Number: 11/00520/FUL **Applicant:** Mr Jason Williams
Application Type: Full Application
Description of Development: Single storey side/rear extension and associated raised decking
Site Address 18 FURZEHATT ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 16/05/2011
Decision: Grant Conditionally

Item No 146

Application Number: 11/00523/FUL **Applicant:** Mr Colin Parker
Application Type: Full Application
Description of Development: Single-storey rear extension (application for new planning permission to replace extant planning permission 08/00624/FUL)
Site Address 136 OLD LAIRA ROAD PLYMOUTH
Case Officer: Mike Stone
Decision Date: 19/05/2011
Decision: Grant Conditionally

Item No 147

Application Number: 11/00529/FUL **Applicant:** Mr N O'Neill
Application Type: Full Application
Description of Development: Single storey rear extension (existing structure to be removed)
Site Address 16 PLYMSTOCK ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 16/05/2011
Decision: Grant Conditionally

Item No 148

Application Number: 11/00530/FUL **Applicant:** Mrs Vivien Scawn
Application Type: Full Application
Description of Development: Rear conservatory
Site Address 27 YEOMANS WAY PLYMOUTH
Case Officer: Mike Stone
Decision Date: 20/05/2011
Decision: Grant Conditionally

Item No 149

Application Number: 11/00532/FUL **Applicant:** Mr Stephen Lock
Application Type: Full Application
Description of Development: Alterations and extensions to dwelling including extension on south west elevation (existing conservatory to be removed), extension to northwest elevation, and raised decking, and provision of pitched roof to existing garage
Site Address 66 SHERFORD ROAD PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 16/05/2011
Decision: Grant Conditionally

Item No 150

Application Number: 11/00534/TPO **Applicant:** Caroline Cozens
Application Type: Tree Preservation
Description of Development: Fell 2 Beech and 1 Sycamore
Site Address NOTRE DAME SCHOOL, LOOSLEIGH LANE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 13/05/2011
Decision: Grant Conditionally

Item No 151

Application Number: 11/00535/FUL **Applicant:** Mr Christopher May
Application Type: Full Application
Description of Development: Develop part of garden by erection of dwellinghouse (existing garage and extension on existing dwelling to be removed)
Site Address 33 DUNSTONE VIEW PLYMOUTH
Case Officer: Stuart Anderson
Decision Date: 18/05/2011
Decision: Grant Conditionally

Item No 152

Application Number: 11/00543/TPO **Applicant:** Mrs Jayne Millar
Application Type: Tree Preservation
Description of Development: Sycamore - reduce to previous pruning points
Site Address 28 ALBION DRIVE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 18/05/2011
Decision: Grant Conditionally

Item No 153

Application Number: 11/00552/TPO **Applicant:** Mr R Cleary
Application Type: Tree Preservation
Description of Development: Oak - thin lower crown, reduce branches over no. 11 and prune over extended side lateral branches
Site Address 15 CAMERON WAY CROWNHILL PLYMOUTH
Case Officer: Jane Turner
Decision Date: 18/05/2011
Decision: Grant Conditionally

Item No 154

Application Number: 11/00554/TC **Applicant:** Mr Andrew West
Application Type: Trees in Cons Area
Description of Development: Eucalyptus - Reduce by 1/3
Cherry - Reduce by 1/3
Site Address 13 WELLINGTON STREET STOKE PLYMOUTH
Case Officer: Jane Turner
Decision Date: 09/05/2011
Decision: Grant Conditionally

Item No 155

Application Number: 11/00559/FUL **Applicant:** Mr & Mrs M Butson
Application Type: Full Application
Description of Development: Replacement roof to form gable ends at front and rear including raising the ridge, rear juliet balcony and side rooflights, and single-storey rear extension and front porch
Site Address 49 FURZEHATT ROAD PLYMSTOCK PLYMOUTH
Case Officer: Simon Osborne
Decision Date: 20/05/2011
Decision: Grant Conditionally

Item No 156

Application Number: 11/00585/TPO **Applicant:** Mr Andrew James
Application Type: Tree Preservation
Description of Development: 3 Maple trees - reduce by 25%
Site Address 79 ST BONIFACE CLOSE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 20/05/2011
Decision: Refuse

Item No 157

Application Number: 11/00716/CA **Applicant:** Mr Allen Murray

Application Type: Conservation Area

Description of Development: SOLAR PANELS

Site Address 14 WINDSOR PLACE PLYMOUTH

Case Officer:

Decision Date: 12/05/2011

Decision: CAC Not Required

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The following decisions have been made by the Planning Inspectorate on appeals arising from decisions of the City

Application Number

Appeal Site

Former Bayly's Yard, Bayly's Road, Oreston, Plymouth, PL9 7NQ

Appeal Proposal

Planning Enforcement Notice against unauthorised slipway

Appeal Category

Planning Enforcement Notice

Appeal Type

Appeal Decision

Appeal dismissed and planning enforcement notice upheld.

Appeal Decision Date

04 May 2011

Conditions

Award of Costs

No

Awarded To

Appeal Synopsis

A planning enforcement notice was issued on 13 August 2010 in respect of a slipway that was being constructed at a commercial boatyard at Bayly's Road, and which differed very significantly to a slipway that had been given planning permission by the Council in 2003 (Notice 02/01767/FUL). The slipway has been constructed in an unusually piecemeal way over several years, and neighbours objected that this differed from the approved scheme, and was not being constructed in the approved position to the significant detriment of their own properties. The owner of the slipway had been warned on several occasions that he should not proceed with the unauthorised development, and in 2008 a planning application seeking approval for the development under construction was refused (Notice 08/00801/FUL).

No appeal was lodged against the refusal of application 08/00801/FUL, and as a last resort a planning enforcement notice was issued on the owner. The owner appealed against the planning enforcement notice and argued that the development under construction was not materially different in terms of its impact than the scheme approved in 2003. The Planning Inspector has disagreed, however, and has supported the Council's view that the development is harmful to the appearance of the locality, and has eroded a significant area of inter-tidal and sub-tidal land, which has adverse implications for this sensitive, unique, and specialised habitat and the species that depend on it.

The owner of the slipway has been given 9 months to either remove the unauthorised slipway or substantially modify it to accord with the 2003 approved scheme. Failure to do one or the other, by the expiry of this period, will constitute an offence in law.

Note:

Copies of the full decision letters are available to Members in the Ark Royal Room and Plymouth Rooms. Copies are also available to the press and public at the First Stop Reception.

The following decisions have been made by the Planning Inspectorate on appeals arising from decisions of the City

Application Number		
Appeal Site	83-85 Citadel Road, The Hoe, Plymouth, PL1 2QS	
Appeal Proposal	Planning Enforcement Notice against unauthorised second floor extension	
Appeal Category	Planning Enforcement Notice	
Appeal Type		
Appeal Decision	Appeal dismissed and planning enforcement notice upheld.	
Appeal Decision Date	15 April 2011	
Conditions		
Award of Costs	No	Awarded To
Appeal Synopsis		

A planning enforcement notice was issued on 21 July 2010 in respect of an unauthorised second floor extension that has been constructed above a Grade II Listed Building at the junction of Athenaeum Street and Citadel Road, within the Hoe Conservation Area.

The owner of the building applied for planning permission for a second floor extension in 2009 (09/00286/FUL) but the application was refused because of concerns about the appearance of the proposed extension, and its impact on the Conservation Area. However, in the meantime work had commenced on building an extension, which differs slightly from the refused scheme, but which was considered to be similarly unacceptable.

No appeal was lodged against the refusal of application 09//00286/FUL, and the owner declined to remove the unauthorised development. As a last resort a planning enforcement notice was issued on the owner. The owner appealed against the planning enforcement notice and argued that the development as constructed was compatible with the appearance and listed status of the building and the Conservation Area. The Planning Inspector has disagreed, though, and has supported the Council's view that the development is harmful to the appearance of the locality, and detrimental to the listed status of the building.

The owner of the extension has been given 6 months to remove the unauthorised extension. Failure to do so, by the expiry of this period, will constitute an offence in law.

Note:

Copies of the full decision letters are available to Members in the Ark Royal Room and Plymouth Rooms. Copies are also available to the press and public at the First Stop Reception.