



### **Oversight and Governance**

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## **PLANNING COMMITTEE**

Thursday 28 June 2018

4.00 pm

Council House, Plymouth

### **Members:**

Councillor Stevens, Chair

Councillor Tuohy, Vice Chair

Councillors Corvid, Derrick, Johnson, Kelly, Loveridge, Morris, Neil, Nicholson, Mrs Pengelly, Rebecca Smith and Winter.

Members are invited to attend the above meeting to consider the items of business overleaf.

This meeting will be webcast and available on-line after the meeting. By entering the Council Chamber, councillors are consenting to being filmed during the meeting and to the use of the recording for the webcast.

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**Tracey Lee**

Chief Executive

# Planning Committee

## AGENDA

### PART I – PUBLIC MEETING

#### 1. Apologies

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

#### 2. Declarations of Interest

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

#### 3. Minutes (Pages 1 - 6)

The Committee will be asked to confirm the minutes of the meeting held on 31 May 2018.

#### 4. Chair's Urgent Business

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

#### 5. Questions from Members of the Public

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

#### 6. Planning Applications for consideration

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

##### 1.1. 95 Durnford Street Plymouth PL1 3QW - 17/02444/FUL (Pages 7 - 22)

Applicant: Dominic Robinson  
Ward: St Peter & The Waterfront  
Recommendation: Grant Conditionally

##### 1.1. 16 Torland Road Plymouth PL3 5TS - 18/00508/FUL (Pages 23 - 36)

Applicant: Mr Michael Michaelides  
Ward: Peverell  
Recommendation: Grant Conditionally

I.I. Colebrook House 51 Newnham Road Plymouth PL7 4AW - (Pages 37 - 66)  
I7/02471/FUL

Applicant: Mr David Matthews  
Ward: Plympton St Mary  
Recommendation: Grant Conditionally

## **7. Planning Application Decisions Issued (Pages 67 - 84)**

The Assistant Director for Strategic Planning and Infrastructure, acting under powers delegated to him by the Council, will submit a schedule outlining all decisions issued since the last meeting, including –

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

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

## **8. Appeal Decisions**

A schedule of decisions made by the Planning Inspectorate on appeals arising from the decision of the City Council will be submitted. Please note that these Delegated Planning Applications are available to view online at:  
<http://www.plymouth.gov.uk/planningapplicationsv4/welcome.asp>

## **9. Exempt Business**

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

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**Planning Committee****Thursday 31 May 2018****PRESENT:**

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

Councillors Corvid, Derrick, Johnson, Morris, Neil, Nicholson, Mrs Pengelly, Rebecca Smith, Mrs Bridgeman (Substitute for Councillor Kelly) and Winter.

Apologies for absence: Councillors Loveridge and Kelly (Councillor Bridgeman Substituting)

Also in attendance: Peter Ford (Head of Development Management), Mark Lawrence (Lawyer), Jamie Sheldon (Democratic Advisor) and Helen Rickman (Democratic Advisor).

The meeting started at 4.00 pm and finished at 7.30 pm.

*Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.***1. Declarations of Interest**

The following declarations of interest was made in accordance with the code of conduct:

<b>Name</b>	<b>Minute Number and Item</b>	<b>Reason</b>	<b>Interest</b>
Councillor Mrs Bridgeman	Minute: 117 41 North Hill Plymouth PL4 8EZ - 17/02091/FUL	Objector registered to speak on this application is known to her.	Personal

**2. Minutes**Agreed the minutes of the meeting held on 5 April 2018.**3. Chair's Urgent Business**

The Committee would like to record their thanks to Councillor Wiggins and Councillor Mrs Bridgeman for their hard work as Chair and Vice Chair.

4. **Questions from Members of the Public**

There was one question from a member of the public.

<b>Question submitted by: Carmel Boyhan Irvine</b>
The number of HMOs within 100m radius of 95 Durnford Street is 16.7%, 21 HMO buildings in total number of 131 (photos supplied) not 3 in 189, according to land registry, electoral role and PCC Planning website information. Can you confirm that this exceeds the 10% threshold of Policy DEV11?
<b>Response: Councillor Bill Stevens Planning Committee Chair</b>
The Planning Authority calculates that the percentage of HMOs, as opposed to other accommodation such as self-contained flats, within a 100m radius of 95 Durnford Street is:  5.5% if the Core Strategy methodology is used 1.59% if the Joint Local Plan methodology is used.  These figures are based on the most up to date evidence available to the Planning Authority.  Therefore it is considered that the 10% threshold outlined in DEV11 has not been exceeded.  Further debate on this point may occur when the current planning application is referred back to Planning Committee.

5. **Planning Applications for consideration**

The Committee considered the following applications, development proposals by local authorities and statutory consultations submitted under the Town and Country Planning Act, 1990, and the Planning (Listed Buildings and Conservations Areas) Act, 1990.

6. **41 North Hill Plymouth PL4 8EZ - 17/02091/FUL**

Mr R Pillar

Decision:

Application GRANTED subject to S106 Obligation with delegated authority to Service Director for Strategic Planning & Infrastructure to refuse if timescales are not met. Condition 4 (Code of construction) and 16 (refuse) to be discharged in consultation with ward Members. Conditions 5 and 7 (materials) to be discharged in consultation with Chair, Vice Chair and lead opposition Member.

(A Planning Committee site visit was held on 30 May 2018 in respect of this application)

(The Committee heard from Councillor Singh, Drake Councillor)

(The Committee heard representations against this application)

(The Committee heard representations of support for this application)

7. **I The Moneycentre I Drake Circus Plymouth PLI IQH - 17/02141/FUL**

CPP London Properties Ltd

Decision:

Application GRANTED subject to S106 Obligation with delegated authority to Service Director for Strategic Planning & Infrastructure to refuse if timescales are not met.

(A Planning Committee site visit was held on 30 May 2018 in respect of this application)

(The Committee heard from the applicant)

8. **Presentation of Development Management performance in 2017/18**

The Committee received a presentation from Peter Ford (Head of Development Management) on Development Management performance in 2017/18. The Chair asked the Head of Development Management to pass on to officers the Committee's thanks for the excellent performance over the previous year.

9. **Planning Application Decisions Issued**

The Committee noted the report from the Service Director for Strategic Planning and Infrastructure on decisions issued since the last Committee.

10. **Appeal Decisions**

The Committee noted the schedule of appeal decisions made by the Planning Inspectorate.

11. **Exempt Business**

There were no items of exempt business.

**Schedule of voting (Pages 5 - 6)**

\*\*\* Please note \*\*\*

A schedule of voting relating to the meeting is attached as a supplement to these minutes.





## PLANNING COMMITTEE – 31 May 2018

## SCHEDULE OF VOTING

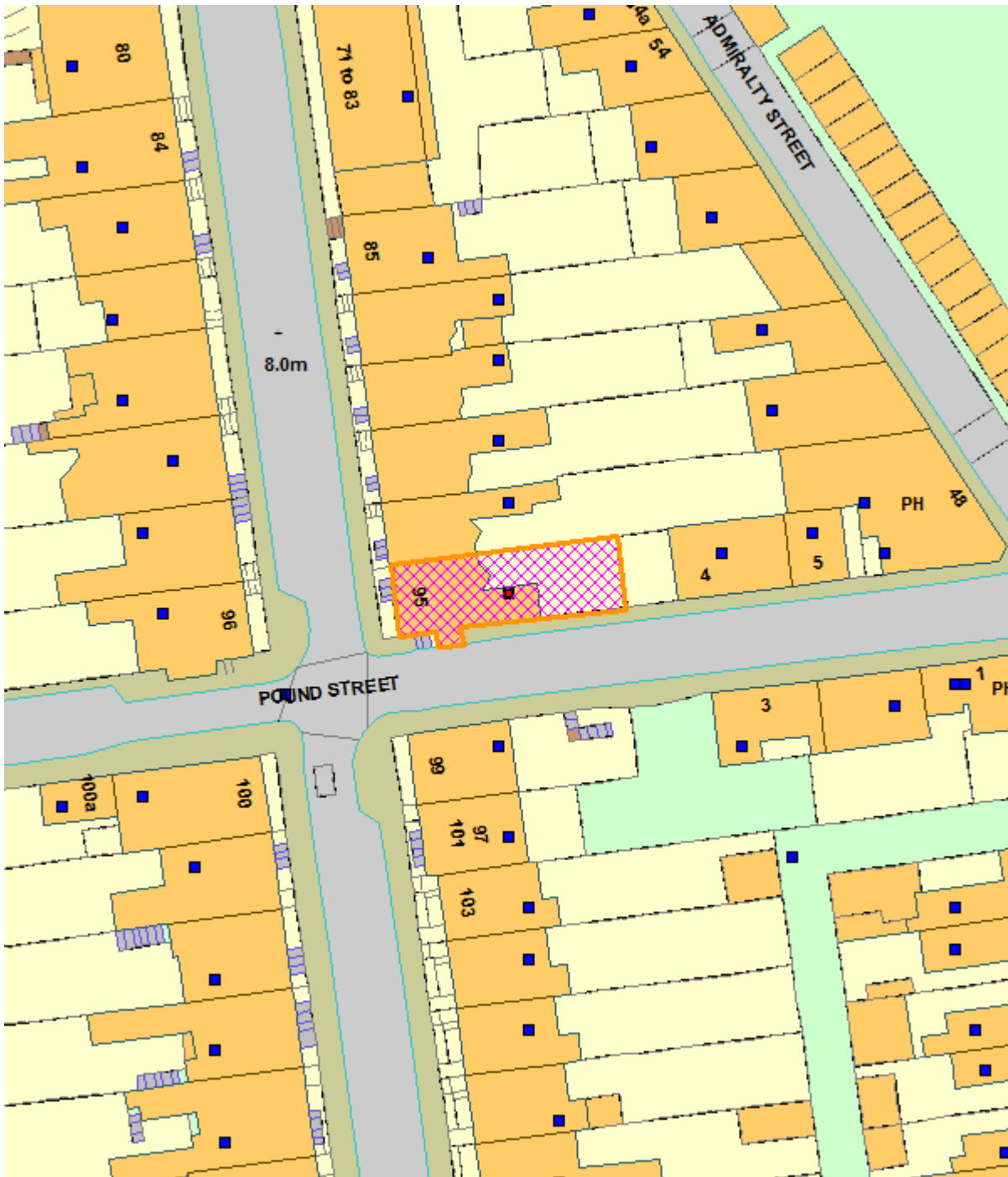
Minute number and Application		Voting for	Voting against	Abstained	Absent due to interest declared
6.1	Minute 117 41 North Hill Plymouth PL4 8EZ - 17/02091/FUL	Councillors Mrs Johnson, Mrs Pengelly, Nicholson, Derrick, Morris, Neil, Stevens, Tuohy and Winter.	Councillors Rebecca Smith and Corvid.	Councillor Mrs Bridgeman.	
6.2	Minute 118 1 The Moneycentre 1 Drake Circus Plymouth PL1 1QH - 17/02141/FUL	Councillors Corvid, Derrick, Morris, Neil, Stevens, Tuohy and Winter.	Councillors Mrs Bridgeman, Johnson, Mrs Pengelly, Nicholson and Rebecca Smith		

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# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	17/02444/FUL	<b>Item</b>	<b>01</b>
<b>Date Valid</b>	15.12.2017	<b>Ward</b>	ST PETER AND THE WATERFRONT
<b>Site Address</b>	95 Durnford Street Plymouth PL1 3QW		
<b>Proposal</b>	Change of use from no.3 flats (Class C3) to 10-bed HMO with office for visiting support worker (Sui Generis) and single storey rear extension		
<b>Applicant</b>	Dominic Robinson		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>09.02.2018</b>	<b>Committee Date</b>	<b>28.06.2018</b>
<b>Extended Target Date</b>	<b>N/A</b>		
<b>Decision Category</b>	Councillor referral		
<b>Case Officer</b>	Mr Chris Cummings		
<b>Recommendation</b>	Grant Conditionally		



**This application has been referred to Planning Committee by Cllr McDonald**

The application was deferred at Planning Committee on 5 April 2018 to "enable further discussions on the management plan and further consultation on the concentration of similar uses in the area."

Information was received from the Council's Community Connections department which identified drug/alcohol support sites within the city. Community Connections advise that this list may not include all sites, as depending on the exact use some properties may not be required to register with them. It was also advised that there would be expected to be a higher proportion in areas of Plymouth located close to the city centre.

30 sites were identified throughout the city, with 7 in Stonehouse, compared to 3 in Mutley and 9 in Greenbank. The other sites are spread through the Hoe/Barbican (4 sites), Morice Town (2 sites) and Mount Wise, Keyham, Barne Barton, Prince Rock and Pennycross (1 site in each location).

All of the sites identified in Stonehouse were located to the north of Union Street, with none located within the Stonehouse Peninsula.

The applicant has also confirmed that he is happy to work with the Planning Committee and local ward councillors to agree the details of the management plan.

### **1. Description of Site**

95 Durnford Street is an end terrace property situated on the corner of Durnford Street and Pound Street in the St Peter and the Waterfront ward of Plymouth. The attached terrace are Grade II Listed Buildings, however this site is not included within the listing. The site is also located within the Stonehouse Peninsula Conservation Area. The property is currently arranged as 3 flats, comprising of a 2-bedroom maisonette at lower ground and ground floor, and a 1-bedroom flat at each of the first and second floors. There is existing communal access at the rear.

### **2. Proposal Description**

Change of use from no.3 flats (Use Class C3) to 10-bed HMO (Sui Generis) with office for visiting support worker and single storey rear extension.

### **3. Pre-application Enquiry**

None

### **4. Relevant Planning History**

79/03790/FUL - Alterations to provide three dwelling units - Granted conditionally

80/00668/OUT - Outline application to erect a private motor garage - Granted conditionally

17/01078/MIN - Convert to a 10-bed HMO for use of men in abstinence based recovery - Supported in principal

### **5. Consultation Responses**

Local Highway Authority - No objection as the site is situated within a Controlled Parking Zone that operates 24 hours a day, 7 days a week. The development can therefore be considered car free and off-street parking is not required. The property is already excluded from parking permits and would continue to be so. A condition is recommended for provision of secure and covered storage for 5 bicycles.

Public Protection Service - No comments, but advice offered on management plan requirements

Historic Environment Officer - Property is not listed, but is in Conservation Area and should be considered non-designated heritage asset. They recommended that doors and windows should match wooden windows on existing dwelling and that details of the roof and rainwater goods should be supplied to the Council for approval.

Community Connections Service - No objection, and advised on Council HMO Licensing Guidelines regarding room sizes.

### **6. Representations**

36 letters of representation have been received objecting to the proposal, raising concerns regarding the following matters:

- Increase in parking
- Lack of staffing overnight and weekends and concerns over type of supervision
- Impact due to misuse of alcohol or drugs on local community
- Levels of occupancy too high, could see 2 people in each room.
- Increase in noise and anti-social behavior
- Increase in crime
- Increase in refuse generated
- Loss of three family homes
- Location of abstinence based premises close to existing pubs.
- Use is out of character with surrounding area
- Loss of property values
- High levels of existing HMOs in the area
- Use of property if organisation running it ceases
- Lack of consultation with local residents
- Use of uPVC for windows and doors would be out of character with Conservation Area

The loss of property value is not a material planning consideration. All other matters raised will be discussed in the analysis section of this report.

No community engagement was undertaken prior to the application being submitted. Following the submission, the applicants and the Stonehouse Residents Association (SRA) have been in contact, with one meeting between the applicants and the SRA and another public meeting with the residents.

A further meeting between the applicant and the Planning Officer is also scheduled prior to the Planning Committee meeting.

### **7. Relevant Policy Framework**

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004

Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the Core Strategy and other Plymouth Development Plan Documents as the statutory development plan for Plymouth once it is formally adopted.

Annex I of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For Plymouth's current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

- For the JLP which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at an advanced stage of preparation having now been submitted to the Planning Inspectorate for Examination, pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations. It is considered to be a sound plan, consistent with the policies of the Framework, and is based on up to date evidence. It is therefore considered that the JLP's policies have the potential to carry significant weight within the planning decision, particularly if there are no substantive unresolved objections. The precise weight will need to be determined on a case by case basis, having regard to all of the material considerations as well as the nature and extent of any unresolved objections on the relevant plan policies.

Other material considerations include the policies of the Framework itself, guidance in National Planning Practice Guidance (NPPG). Additionally, the following planning documents are also material considerations in the determination of the application:

- Development Guidelines SPD
- Stonehouse Peninsula Conservation Area Appraisal and Management Plan

The site is within the Stonehouse Peninsula Conservation Area and would fall under the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 where 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.

The position of the site adjacent to a listed building falls under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires any development that may affect the

setting of a listed building to 'have special regard to the desirability of preserving the building or its setting or any features of special or architectural or historic interest which it possesses'.

### **8. Analysis**

1. This application has been considered in the context of the legislative tests, development plan, the submitted Joint Local Plan, the Framework and other material policy documents as set out in Section 7.
2. The Policies of most relevance to the consideration of this application from the Core Strategy are CS01 (Development of Sustainable Linked Communities), CS02 (Design), CS03 (Historic Environment), CS15 (Housing Provision), CS22 (Pollution), CS26 (Sustainable Waste Management), CS28 (Local Transport Considerations).
3. The policies of most relevance to the consideration of this application from the Plymouth and South West Devon Joint Local Plan are DEVI (Protecting Health and Amenity), DEV2 (Air water, noise, soil and land), DEV10 (Delivering high quality housing), DEVI I (Houses in Multiple Occupation in the Plymouth Article 4 Direction Area) DEV20 (Place shaping and the quality of the built environment), DEV21 (Conserving the historic environment), DEV22 (Development affecting the historic environment), DEV31 (Specific provisions relating to transport) and DEV33 (Waste Management).
4. The main planning considerations in this case are considered to be the impact on the character and appearance of the conservation area, design the effect on residential amenity, parking and highway safety.

### **Principle of Development**

5. The proposed change of use is to create a 10-bedroom House in Multiple Occupation with office for a visiting support worker (Use Class Sui Generis) and a rear single storey extension.
6. The change of use would not be considered to fall under Use Class C2 as there is not 24 hour care being provided within the site, with the visiting support worker being present Monday to Friday 9.00 to 16.00 and an on-call service being provided at all other times.
7. The use of the property is as for adult males in abstinence based recovery from alcohol or drug abuse. The project operates a zero tolerance to drugs or alcohol on or off the property, with individual plans in place for the immediate removal of any resident who lapses.

### **HMO Levels**

8. Policy CS15 of the Core Strategy requires that any new HMO does not harm the character of the area with regard to the existing number of converted and non-family dwellings in an area. This is supported by Paragraph 2.5.14 of the Development Guidelines SPD sets a threshold of 25% for



HMOs within 100 metres of the application site. The emerging Joint Local Plan has a specific policy, Policy DEV11, relating to HMO levels in an area, setting a threshold of 10% HMOs.

9. The Council's records show that the existing level of HMO's within 100 metres of the application property is 1.59%. If this property was approved the level would become 2.13%.

10. The HMO levels therefore fall below the thresholds set out in the Development Guidelines SPD and the emerging Joint Local Plan meeting the requirements of Policy CS15 of the Core Strategy and Policy DEV11 of the Joint Local Plan.

### Design

11. The proposed single storey extension will create a utility room positioned below the level of the main existing lower ground floor, at the level of the store within the rear tenement. It is proposed to extend approximately 2.5 metres from the rear elevation, with a width of 3.2 metres and a flat roof with a height of 2.55 metres.

12. Adjacent to it is a 2 storey tenement block, and the proposed extension will be set back by 3.15 metres from the rear tenement elevation, creating a subordinate extension.

13. The extension will protrude 0.15 metres above the existing boundary wall, which acts as screening from neighbouring properties. The extension is not considered to adversely impact on the amenity or privacy of neighbouring properties in line with Policy CS34 of the Core Strategy. Similarly, the inobtrusive nature of the extension is such that it would not have any harmful impact on the setting of the adjacent listed building.

14. The site is situated within the Stonehouse Peninsula Conservation Area and is adjacent to a Grade II Listed Building. The Council's Historic Environment Officer was consulted on the proposal and advised that the submitted plans showed upvc windows and doors, whilst the existing dwelling has timber windows and doors. These proposed materials would not match the existing timber materials of the existing dwelling. It was agreed with the applicant to amend the proposal so that timber would be used for the rear extension windows and doors. The Historic Environment Officer advised that slate would be preferred for the roof of the extension, however this is not possible on a flat roof and the proposed material is a fiberglass roof. Altering the roof height to allow slate would create a more visible extension, protruding higher above the boundary wall, affecting the setting of the adjacent listed building. The flat roof is therefore considered more suitable and fiberglass is an acceptable material providing the colour matches the roof colour of the existing house. It is therefore recommended that a condition is added to any approval to ensure the final materials are approved by the Council to ensure that they are suitable and match the materials of the existing dwelling.

15. No other external alterations are proposed to the building and the alterations are considered to respect the appearance of the property as a non-designated heritage asset and preserves the appearance in its setting of the Stonehouse Peninsula Conservation Area. The extension is considered acceptable and complies with Policies CS02 and CS03 of the Core Strategy and Policies DEV20, DEV21 and DEV22 of the emerging Joint Local Plan.

## Layout

16. Policy CS15 of the Core Strategy states that a conversion of properties into an HMO is only acceptable where the gross floor area is more than 115sqm. The floor space measured does not include the proposed extension in accordance with Paragraph 2.5.24 of the Development Guidelines SPD. The gross floor space of the existing dwelling is approximately 227 square metres, exceeding the requirements of Policy CS15.

17. There is some ambiguity as to whether the National Space Standards apply to changes of use to HMO's. On examination of the plans it was found that one of the second floor bedrooms did not meet National Space Standards. An amended floor plan was submitted and all bedrooms now exceed 7.5sqm in size, meeting National Space Standard requirements for bedroom sizes.

18. The Community Connections Service were consulted on the proposal and raised no objections, providing details of room sizes to meet the Council's HMO Licensing standards. Due to the size of the property an HMO License would be required and these HMO License standards are suitable for use as a guide to size requirements.

19. All of the bedrooms meet the minimum room size of 6.5sqm for a single occupant in a bedroom, with 9 of the 10 bedrooms meeting Community Connection guidelines for 2 occupants. However, due to the intensification of occupant numbers and use of the property for abstinence based recovery it is recommended to add a condition restriction occupancy of the property to a single occupant in each of the bedrooms shown on the proposed floor plans.

20. One of the rooms is to be used as an office for a visiting support worker. It is recommended to add a condition ensuring that this office is retained as an office at all times.

21. The Development Guidelines SPD recommends 50sqm of outdoor amenity space to be provided for a terraced dwelling. The outdoor amenity space provided at the property is approximately 50sqm, meeting this requirements.

22. The proposal is considered to provide adequate internal and external amenity space, meeting the requirements of Policies CS15, CS22 and CS34 of the Core Strategy and Policy DEV1, DEV2 and DEV10 of the emerging Joint Local Plan.

## Parking

23. The site does not have any off-street parking provision and the change of use could lead to an intensification of use of the property. The Local Highway Authority was consulted on the proposal and raised no objections, advising that the site is within a Controlled Parking Zone that operates 24 hours a day, 7 days a week. In accordance with Paragraph 8.5.2 the proposal can therefore be considered to be a car-free development. The property is currently excluded from obtaining parking permits, and this would remain should any approval be given.

24. It was raised with the Local Highway Authority that there would be a visiting support worker to the property and they confirmed that the proposal could still be considered car free development as the Controlled Parking Zone is in operation 24/7.

25. To promote sustainable transport in line with Policy CS28 of the Core Strategy and Policy DEV31 of the emerging Joint Local Plan it is recommended to add a condition requiring secure cycle storage for a minimum of 5 bicycles at the property.

### **Bin Storage**

26. Paragraph 6.2.1 of the Development Guideline SPD states that each occupant of a property would require space for 70 litres of space for refuse and 40 litres for recycling per week, creating a total requirement of 700 litres refuse space and 400 litres recycling space required for the 10 occupants.

27. Each of the existing three flats would have two 240 litre wheeled bins for refuse and recycling, providing a total of 1,440 litres (3 x 480 litres) of refuse and recycling space for the whole site.

28. This is in excess of the total 1100 litre level required for a 10-bed HMO and is therefore considered to meet the SPD recommended levels and Policy CS26 of the Core Strategy and Policy DEV33 of the emerging Joint Local Plan.

29. It is recommended to add a condition requiring that bins containing a minimum size of 700 litres of refuse space and 400 litres of recycling are provided and that they are stored in a bin storage area on-site and only placed outside this area on refuse collection days.

### **Neighbour Amenity**

30. Policy DEV11 of the emerging Joint Local Plan states that the application site should not sandwich a C3 dwelling unit between two HMO properties. The Council's records show that the change of use to an HMO would not result in the sandwiching of any C3 dwellings by HMOs.

31. The use of the property is as an HMO for adults engaging with an abstinence based drug/alcohol recovery model, operating with no tolerance for any drug or alcohol use by any resident on or off the property. Should any resident be found to have consumed alcohol or drugs on or off the property then they will leave the property immediately.

32. The property will have a staff member at the property Monday to Friday 09.00 to 16.00 and an on-call service in operation all other times.

33. Neighbour engagement is considered important due to the proposed use of the dwelling, potential impacts on the surrounding community and concerns raised by neighbours. No community

consultation was undertaken by the applicant prior to submission, but two meetings have been held during the application process. One meeting was with Stonehouse Residents Association and the other a public meeting.

34. It has been raised with the applicant that a community forum would be an appropriate method of meeting regularly to address any issues with the local community, councillors and involved stakeholders. A condition is therefore recommended requiring the creation of a community forum prior to occupation of the property with regularly scheduled meetings to resolve any issues that arise.

35. A full management plan will be submitted to the Council prior to the Planning Committee meeting, containing detailed information on site management when the support worker is present, site management when the support worker is absent, identification of relapsed residents, details of the exit strategy for any occupiers that relapse, as well as emergency contact details for local residents. If the management plan is found to be acceptable then a condition is recommended to ensure that any approved management plan is adhered to at all times to protect the amenity of the surrounding community.

36. A detailed management plan, combined with a community forum is considered to limit amenity impacts on the surrounding community in line with Policies CS01, CS15 and CS22 of the Core Strategy and Policies DEV2 and DEV10 of the emerging Joint Local Plan.

### **9. Human Rights**

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

### **10. Local Finance Considerations**

None

### **11. Planning Obligations**

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

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

### **12. Equalities and Diversities**

None

**13. Conclusions and reasons for recommendation**

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004, S66(1) and S72(1) of the Planning (Listed Building And Conservation Area Act) 1990 and concluded that the proposal accords with policy and national guidance and is therefore recommended for conditional approval.

In conclusion officers therefore consider the development will preserve the character and appearance of the Stonehouse Peninsula Conservation Area and the setting of the adjacent Listed Building. Officers consider the proposal provides suitable accommodation levels and will not have a significant detrimental impact on neighbouring amenity provided that all conditions are strictly adhered to, with particular attention drawn to the management plan and inclusion of local residents in a community forum. The application is therefore recommended for approval.

**14. Recommendation**

In respect of the application dated 15.12.2017 it is recommended to Grant Conditionally

**15. Conditions / Reasons**

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

**1      CONDITION: APPROVED PLANS**

Site Location Plan 15122017 - received 15/12/17

Block Plan 15122017 - received 15/12/17

Existing Floor Plans and Elevations DWG IOF2 - received 15/12/17

Proposed Floor Plans and Elevations DWG 2OF2 - received 31/01/18

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, and paragraphs 61-66 of the National Planning Policy Framework 2012.

**2      CONDITION: COMMENCE WITHIN 3 YEARS**

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

Reason:

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

**3 CONDITION: WINDOWS, DOOR AND ROOF DETAILS**

PRE-DAMP PROOF COURSE

No works shall commence on the installation of the new windows until details of the proposed new windows and any secondary glazing have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, policies DEV21 and DEV22 of the Plymouth and South West Devon Joint Local Plan and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

**4 CONDITION: ACCOMMODATION MANAGEMENT**

PRE-OCCUPATION

None of the rooms hereby permitted shall be occupied until details of the arrangements by which the accommodation is to be managed, including emergency contact details, support worker management, out-of-hours management, identification and handling of relapses, and exit strategies for occupants, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the property shall continue to be managed permanently in accordance with the approved management arrangements, unless the Local Planning Authority gives written approval to any variation of the arrangements.

Reason:

To assist in protecting the residential amenities of the area, in accordance with policies Policy CS22 of the adopted City of Plymouth Core Strategy Development Plan Document 2007, Paragraph 17 of the National Planning Policy Framework 2012 and Policy DEV2 of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034).

**5 CONDITION: COMMUNITY FORUM**

PRE-OCCUPATION

Details of the arrangement of the community forum meetings with the neighbours and other stakeholders shall be approved in writing by the Local Planning Authority in consultation with the chair, vice chair and opposition member prior to the occupation of the property.

The details shall include: The frequency, timing, and venue, of forum meetings, and ensuring neighbours and other stakeholders are informed of their occurrence. The forum shall continue to be operated in the agreed format at all times while the site continues to be used for the approved use unless there are subsequently any variations to the agreed forum details agreed in writing by the Local Planning Authority.

Reason:

To ensure that the facility is managed in an appropriate manner to avoid harm to the living conditions of nearby properties to comply with Policy CS22 of the adopted City of Plymouth Core Strategy Development Plan Document 2007, Paragraph 17 of the National Planning Policy Framework 2012 and Policy DEV2 of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034).

## **6      CONDITION: CYCLE PROVISION**

### PRE-OCCUPATION

The building shall not be occupied until space has been laid out within the site for a minimum of 5 bicycles to be securely parked in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The secure area for storing bicycles shall be provided in accordance with that approval prior to the occupation of the building for the purposes hereby approved, and 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:

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 and policy DEV31 of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034).

## **7      CONDITION: REFUSE STORAGE**

### PRE-OCCUPATION

Prior to occupation details of bin storage showing the design and location and external appearance shall be submitted to and approved by the Local Planning Authority. The total bin storage should provide space to store refuse bins with a minimum level of 700 litres for refuse and a minimum of 400 litres for recycling. The approved enclosures shall be provided before the commencement of the use and thereafter permanently retained. The refuse bins shall be kept in the refuse storage area at all times, with the exception of the allocated refuse collection day.

Reason:

To provide satisfactory refuse storage provision in the interests of the appearance of the site and locality in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Policies DEV1, DEV2 and DEV20 of the Plymouth and South West Devon Joint Local Plan

**8 CONDITION: VISITING SUPPORT WORKER OFFICE**

PRE-OCCUPATION

The visiting support worker office shall be provided prior to the occupation of any bedroom in the property and the office shown on the approved plan shall remain as a support workers office at all times unless the Local Planning Authority gives written approval to any variation of this requirement.

Reason:

To ensure the facility is managed in an appropriate way and protect residential amenities of the area in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Paragraphs 17 and 123 of the National Planning Policy Framework 2012 and Policies DEV1 and DEV2 of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034)

**9 CONDITION: NUMBER OF BEDROOMS AND OCCUPANTS**

No more than 10 rooms at the property shall be used as bedrooms, with only the rooms labelled "bedroom" on the approved plans to be used as bedrooms with a single occupant in each room unless the Local Planning Authority gives written approval to any variation of this requirement.

Reason:

The number of bedrooms and occupant numbers proposed in the application is considered to be the maximum that can reasonably be accommodated at the site. The proposed layout, together with the use of the remaining rooms for communal facilities, has been assessed and considered acceptable in planning terms and any other arrangement would need to be assessed on its merits. This condition is in accordance with policy CS15 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 of the National Planning Policy Framework 2012.

**Informatives**

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

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

**2 INFORMATIVE: CONDITIONAL APPROVAL NEGOTIATION**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning



Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

### **3      INFORMATIVE: RESIDENT PARKING PERMIT SCHEME**

The applicant should be made aware that the property lies within a resident parking permit scheme which is currently over-subscribed. As such the development will be excluded from obtaining permits and purchasing visitor tickets for use within the scheme.

### **4      INFORMATIVE: NON-DESIGNATED HERITAGE ASSET**

The site is not a listed building, however it is considered by the Council to be a non-designated heritage asset. If any historic details are present or uncovered during the works then it is preferred for them to be retained. If there are any doubts over the significance of any features then please contact the Council's Historic Environment Team.

### **5      INFORMATIVE: HMO LICENSE**

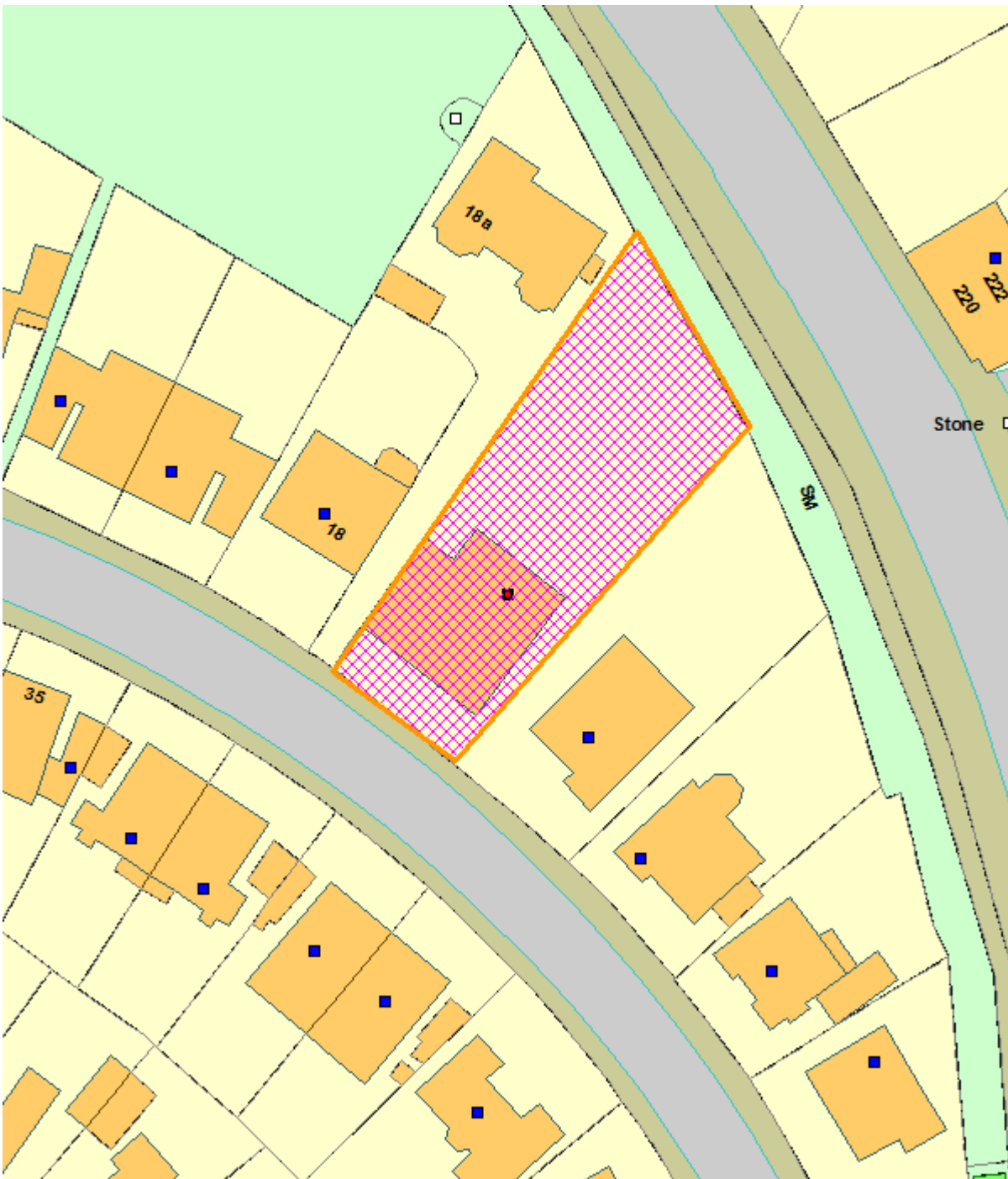
This property is likely to fall within the HMO licensing scheme and a licence must be obtained from the Council's Community Connections Department. Contact details and further information about licensing and the specific HMO standards that relate to licensable properties can be found at <https://www.plymouth.gov.uk/housing/privaterentedaccommodation/housesmultipleoccupationhmo/applyhousemultipleoccupationlicence> .

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# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	18/00508/FUL	<b>Item</b>	<b>02</b>
<b>Date Valid</b>	25.04.2018	<b>Ward</b>	PEVERELL
<b>Site Address</b>	16 Torland Road Plymouth PL3 5TS		
<b>Proposal</b>	Outbuilding with balcony to existing treehouse above (part retrospective)		
<b>Applicant</b>	Mr Michael Michaelides		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>20.06.2018</b>	<b>Committee Date</b>	<b>28.06.2018</b>
<b>Extended Target Date</b>	<b>N/A</b>		
<b>Decision Category</b>	Councillor referral		
<b>Case Officer</b>	Mr Chris Cummings		
<b>Recommendation</b>	Grant Conditionally		



**This application has been referred to Planning Committee by Councillor Ball**

**I. Description of Site**

16 Torland Road is a detached dwellinghouse in the Peverell ward of Plymouth. The site slopes down towards the rear (north) boundary, which is in an elevated position above Mannamead Road.

The application relates to an existing treehouse that is positioned at the rear of the site.

## **2. Proposal Description**

Part retrospective application for outbuilding at ground level, with a balcony on part of the roof accessed from the existing treehouse.

The balcony and supports underneath have been constructed, with the outbuilding not yet fully erected.

The outbuilding is positioned beneath the tree and has a height of 3.9 metres, width of 5.55 metres and depth of 2.8 metres with a flat roof. It will be clad in timber weatherboarding to match the existing tree house and is for storage use ancillary to the dwellinghouse.

The balcony will be positioned on a small part of the outbuilding flat roof to the rear of the existing tree house. It will have a length of 0.85 metres and a width of 1.75 metres, surrounded by a timber balustrade with a height of 1.1 metres.

## **3. Pre-application Enquiry**

None

## **4. Relevant Planning History**

84/02879/FUL - Erection of private motor garage - Granted conditionally

92/01474/FUL - Retention of tree house - Granted conditionally

95/00733/FUL - Retention of tree house - Granted conditionally

97/01385/FUL - Retention of tree house - Granted conditionally

11/00905/TPO - Cedar overhanging 14 Torland Road, crown lift to similar height of crown in No 16 - Granted conditionally

16/00881/TPO - Cedar - Fell - Granted conditionally

17/00391/ENF - Alleged unauthorised works to tree house - Pending outcome of this application.

### **5. Consultation Responses**

Tree Officer - Confirmed that cedar tree (in which the tree house is built) was granted permission to be felled in 2016 following loss of several large limbs. The tree is effectively dead as once all live branches are removed the species does not regenerate.

### **6. Representations**

Three letters of representation have been received objecting to the application on the following grounds:

- Loss of privacy from balcony to neighbouring properties
- Siting and size of outbuilding is excessive and overbearing and creates adverse effect on visual amenity of neighbouring properties
- Unclear if outbuilding will be separate from existing treehouse
- Unclear if outbuilding will be supporting the treehouse
- Work has already been undertaken prior to applying for planning permission.
- Previous applications have not approved a balcony and had restrictions on the front door and obscure windows on the side elevations.
- Unclear if window will be placed in outbuilding as application mentions this, but plans do not show.
- Other applications for sheds at properties backing onto Mannamead Road have been refused.
- Height and scale of outbuilding would block light into properties on Mannamead Road.
- Concern over additions to a protected tree.
- Concern over weight of new structure (the weight of the new structure is not a material planning consideration).

### **7. Relevant Policy Framework**

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the Core Strategy and other Plymouth Development Plan Documents as the statutory development plan for Plymouth once it is formally adopted.

Annex I of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For Plymouth's current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

- For the JLP which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at an advanced stage of preparation having now been submitted to the Planning Inspectorate for Examination, pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations. It is considered to be a sound plan, consistent with the policies of the Framework, and is based on up to date evidence. It is therefore considered that the JLP's policies have the potential to carry significant weight within the planning decision, particularly if there are no substantive unresolved objections. The precise weight will need to be determined on a case by case basis, having regard to all of the material considerations as well as the nature and extent of any unresolved objections on the relevant plan policies.

Other material considerations include the policies of the Framework itself, guidance in National Planning Practice Guidance (NPPG). Additionally, the following planning documents are also material considerations in the determination of the application:

- Development Guidelines Supplementary Planning Document

In this case the following policies are relevant to the consideration of these proposals:

The letters of support/objections received in respect of these policies, as a result of consultations on the Plymouth and South West Devon Joint Local Plan, and the weight it is considered can be attached to them are set out as follows:

DEV1 Received 3 letters of support and 9 raising partial objections. Objections include suggestion that policy should only apply where significant adverse impact has been identified. In this case it is considered that moderately significant weight can be attached to the policy.

DEV2 Received 2 letters of support and 5 letters making general comments on the proposal, but not making significant objections, therefore in this case it is considered that significant weight can be attached to the policy

DEV20 (Place shaping and the quality of the built environment) received 11 letters generally support 1 questioning the Building for Life Criteria as a barrier to development. In this case it is considered that moderately significant weight can be attached to the policy.

### **8. Analysis**

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

2. The Policies of most relevance to the consideration of this application from the Core Strategy are CS02 (Design), CS03 (Historic Environment) and CS34 (Planning Application Considerations)

3. The policies of most relevance to the consideration of this application from the Plymouth and South West Devon Joint Local Plan are DEVI (Protecting Health and Amenity), DEV2 (Air water, noise, soil and land) and DEV20 (Place shaping and the quality of the built environment).

### Background of existing tree house and balcony

4. The existing tree house was first granted retrospective planning permission at the site in 1992 (92/01474/FUL) for a temporary period of three years. Consents permitting the retention of the tree house for temporary periods were then approved in 1995 (95/00733/FUL) and 1997 (97/01385/FUL). The 1997 approval (97/01385/FUL) contained a condition that the tree house should be removed by 1st January 2001 unless a further planning permission was subsequently granted for its retention. Following that permission no further applications were submitted to the Council for the retention of the tree house past January 2001.

5. The time limit in which planning compliance action can be taken against a development of this nature is 4 years. However no planning compliance action was taken during this timeframe against the unauthorised retention of the tree house. As such, the tree house itself is outside of the time in which planning compliance action can be taken and its retention is now considered to be lawful.

6. Letters of Representation were received raising concerns regarding the condition of the tree that the existing tree house is sited on. The tree was protected by Tree Preservation Order 272, but was granted permission to be felled under application 16/00881/TPO.

7. The tree house is set on the remains of the tree trunk and has supporting timbers going to ground level. As stated above, the tree house is now considered a lawful development and is not being assessed as part of this application. The aspects to be considered with this application are therefore the outbuilding and balcony.

### Outbuilding

8. The proposed outbuilding will be at the rear of the garden, located to the rear of the existing treehouse. It is proposed to have a height of approximately 3.9 metres, with a width of 5.55 metres and a depth of 2.8 metres. There are no windows shown on the submitted plans, with a single door on the north-west elevation allowing access.

9. The outbuilding requires planning permission due to its height, roof design and positioning in relation to a boundary of the property.

### Visual Impacts

10. The proposed outbuilding is considered to be of a significant height, however it's positioning and the slope of the site limits the visual harm. It will be set down at the bottom of the sloped garden, stepped down from an existing terraced garden aspect. This sloped garden, combined with the positioning to the rear of the existing treehouse will limit the visibility from nos.14 and 18 Torland Road and from the public highway on Torland Road.



11. To the west no.18a Torland Road will be approximately 18 metres from the side elevation of the outbuilding, with an existing wall along the site boundary that will partially screen the outbuilding view. To the north, the outbuilding will be sited beneath the tree house and although it is in an elevated position it will be primarily screened from Mannamead Road by existing trees.

12. The outbuilding materials are proposed to match that of the existing tree house, of timber weatherboarding . It is recommended that a condition be placed on any approval requiring these materials to match those of the existing tree house and be retained in this manner in the future.

13. Although the outbuilding is of some size, it is not considered to create significant enough visual impact on the existing street scene or character of the area to warrant a refusal. It is therefore considered, on balance, acceptable in line with Policy CS02 of the Core Strategy and Policy DEV20 of the emerging Joint Local Plan.

### Neighbour Amenity

14. The outbuilding does not have any windows proposed, with a single door on the north-west elevation. There is not considered to be any significant impact on the privacy of neighbouring properties from this outbuilding, however it is recommended that a condition be added restricting the installation of any window on the south-eastern elevation in the future to protect the privacy of no.14 Torland Road, without the written consent of the Council.

15. A letter of representation raised objections due to potential loss of light to no.220 Mannamead Road. There are existing high trees bordering the application site, and the existing treehouse positioned above the outbuilding. The proposal is therefore not considered to significantly impact on the sunlight to the dwelling on Mannamead Road,

### Balcony.

16. The submitted plans make reference to 'reinstate balcony as previously approved', however there is no record of a balcony on any approved plans for the previously approved applications for the tree house and it is unclear if approval was ever granted for it.

17. Photos from Google Street View show that there has previously been a balcony at the site (from at least April 2009). The balcony has been removed recently to allow the outbuilding to be constructed and would require planning permission to be re-installed.

18. The proposed balcony will be positioned on part of the roof of the proposed outbuilding, attached to the rear (north) elevation of the treehouse. It has a depth of 0.85 metres and a width of 1.75 metres. Although the roof of the outbuilding is much larger, the proposed balcony will only be positioned on a small part of this.

### Amenity

19. Paragraphs 2.2.26 and 2.2.27 of the Development Guidelines SPD advises that balconies will be assessed against the degree of overlooking and impacts created on neighbouring properties.

20. The treehouse is positioned on the boundary with no.14 Torland Road and the balcony has the potential to impact on the rear garden of the property, which cannot readily be seen from the existing site. A condition was agreed with the applicant on site that, if the application is approved, a screen of a minimum 1.7 meters in height would be installed on the south-east elevation of the balcony to protect the privacy of no.14.

21. To the north of the site the ground drops down considerably to Mannamead Road, where there is a dwelling to the north east that is opposite the site, at a distance of approximately 24 metres from the balcony. There are trees on the north eastern boundary of the application site, however they do not provide adequate screening at this point in time to prevent the rooms being seen from the balcony.

22. Although the balcony position does allow a view of the first floor rooms in no.220 Mannamead Road, a site visit by the Case Officer found that there was significant existing overlooking of no.220 Mannamead Road from the garden of the application site itself, due to the elevated position above Mannamead Road and the sloped garden. It is considered that, on balance, due to the existing overlooking from the application garden, the balcony does not generate a significant increase in the amenity and privacy impacts to no.220.

23. To the north west of the site there is another dwelling, no.18a Torland Road. The windows of this property are already subject to overlooking from the north-west window of the existing treehouse and from the existing application site garden.

24. The window of the treehouse had a planning condition that it should be obscure glazed at all times, however there is no evidence that this was ever implemented and the clear pane would now be considered lawful due to the amount of time it has been in place taking it outside of the timeframe in which planning compliance action can be taken. In a similar view to that of no.220 Mannamead Road, there is already a high level of existing overlooking of no.18a Torland Road from the application site rear garden and treehouse window and officers do not consider that the balcony will significantly increase this.

25. The balcony is therefore considered to comply with Policy CS34 of the Core Strategy and Policies DEVI and DEV2 of the emerging Joint Local Plan.

### Visual

26. The balcony will be positioned to the rear of the existing treehouse and will not be visible from Torland Road. It will be visible from Mannamead Road with the level varying depending on the tree coverage. The existing treehouse is a large visual presence on the street scene and it is considered that the addition of the balcony will not create significant additional visual harm to the

street scene or character of the area in line with Policy CS02 of the Core Strategy and Policy DEV20 of the emerging Joint Local Plan.

### Other Considerations

27. The roof of the outbuilding is larger than the area proposed for the balcony. To prevent use of the whole of the outbuilding roof as a balcony area it is recommended that a condition be placed on any approval restricting the balcony to the area shown on the approved plans only. This will help protect both neighbour amenity and the visual impact of the balcony in line with Policies CS02 and CS34 of the Core Strategy and Policies DEVI and DEV20 of the emerging Joint Local Plan.

### Other Considerations

28. A letter of representation mentioned other applications for sheds at the rear of properties on Mannamead Road. The planning history for the immediate surrounding area was assessed, but no relevant planning applications or decisions were found.

### Intentional Unauthorised Development

29. Since August 2015 national planning policy requires consideration to be given as to whether intentional unauthorised development has been carried out. The new policy applies to all relevant planning decisions made by Local Planning Authorities and Planning Inspectors. The policy has been introduced largely as a result of Government concerns about the harm caused by unauthorised developments in the Greenbelt, but applies equally elsewhere.

30. The policy does not indicate exactly how much weight should be afforded to this in relation to the weight to be given to other material planning considerations. Neither does the policy clarify exactly what evidence is required to demonstrate the unauthorised development has been carried out intentionally.

31. It is clearly highly undesirable for any development to take place before planning permission has been properly sought, and obtained, in any circumstances. However, it should be noted that this new policy only applies where unauthorised development has taken place with the full knowledge of the person(s) undertaking the work that it lacks the necessary consent. In reality, given the difficulties in interpreting these points, it is considered that little or no weight can be given to this aspect, unless the Council has clearly indicated to the applicant that unauthorised development is being carried out, and that works have then continued beyond that point, or where there is some other compelling evidence that such work has intentionally been carried out.

32. Neither of these factors appear to apply in this case, and so it is considered that no weight should be afforded to this particular point in the determination of this application.

## **9. Human Rights**

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

## **10. Local Finance Considerations**

None

## **11. Planning Obligations**

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

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

## **12. Equalities and Diversities**

The proposal does not raise any equalities or diversities issues.

## **13. Conclusions and Reasons for Decision**

On balance, due to the existing tree house, overlooking from the existing sloped garden and use of conditions, the proposal is considered visually acceptable and will not significantly impact on the amenity or privacy of neighbouring properties.

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

## **14. Recommendation**

In respect of the application dated 25.04.2018 it is recommended to Grant Conditionally

**15. Conditions / Reasons**

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

**1      CONDITION: APPROVED PLANS**

Site Plan 2018.01.00 - received 21/03/18

Location Plan 2018.01.01 - received 21/03/18

Sketch Proposals 2018.01.04 - received 21/03/18

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, and paragraphs 61-66 of the National Planning Policy Framework 2012.

**2      CONDITION: COMMENCE WITHIN 3 YEARS**

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

Reason:

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

**3      CONDITION: ENCLOSURE AND SCREENING**

**PRE-USE**

Prior to first use of the balcony hereby approved, a 1.7 metre screen shall be installed along the south-west elevation of the balcony, constructed of close-board timber to match the existing treehouse. The screen shall thereafter be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To protect neighbouring properties from overlooking and loss of privacy in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV1 of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

**4 CONDITION: USE OF BALCONY**

Areas of the roof of the outbuilding that are not identified as the balcony on the approved plans shall not be accessed at any time apart from for maintenance purposes.

Reason:

To protect neighbouring properties from overlooking and loss of privacy in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV1 of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

**5 CONDITION: OUTBUILDING MATERIALS**

The materials to be used in the construction of the external surfaces of outbuilding hereby permitted shall match those of the existing tree house of closeboard timber.

Reason:

To ensure that the materials used are in keeping with the appearance of the tree house in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

**6 CONDITION: OUTBUILDING WINDOW RESTRICTIONS**

No windows shall be inserted in the south-east elevation of the outbuilding hereby approved at any time unless agreed in writing by the Local Planning Authority prior to their installation.

Reason:

In order to protect the privacy enjoyed by the occupiers of adjacent dwellings in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 as permitted by article 4 paragraph 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

**Informatives**

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

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

**2      INFORMATIVE: CONDITIONAL APPROVAL NO NEGOTIATION**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

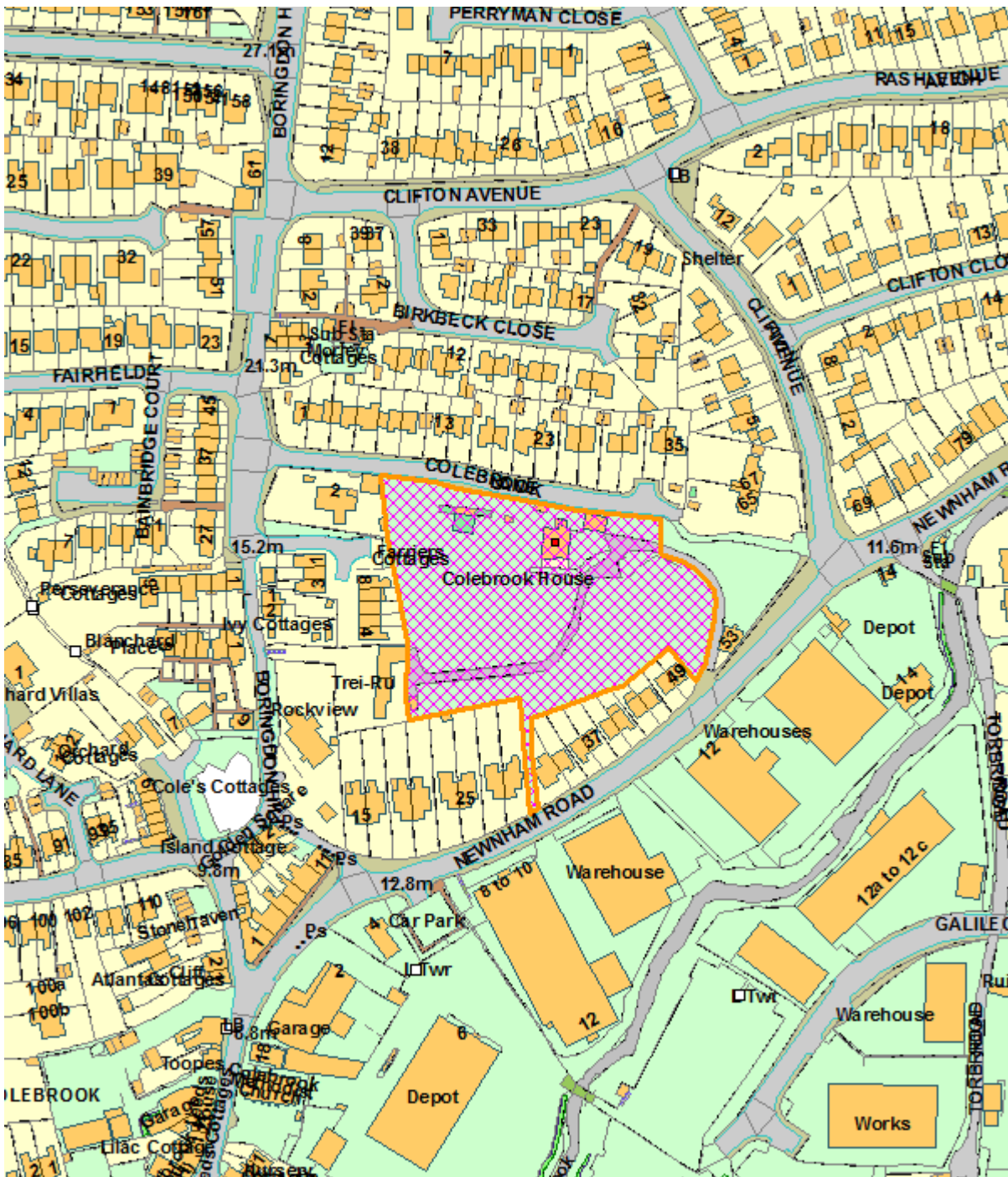
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# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	17/02471/FUL	<b>Item</b>	<b>03</b>
<b>Date Valid</b>	10.01.2018	<b>Ward</b>	PLYMPTON ST MARY
<b>Site Address</b>	Colebrook House 51 Newnham Road Plymouth PL7 4AW		
<b>Proposal</b>	Demolition of existing buildings and erection of 14 dwellings and associated works		
<b>Applicant</b>	Mr David Matthews		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>11.04.2018</b>	<b>Committee Date</b>	<b>28.06.2018</b>
<b>Extended Target Date</b>	<b>06.07.2018</b>		
<b>Decision Category</b>	More than 15 Public Comments		
<b>Case Officer</b>	Mr Chris King		
<b>Recommendation</b>	Grant Conditionally		



**I. Description of Site**

The application site measures 0.9ha and is located in the Colebrook part of Plympton, to the east of the City. The application site comprises Colebrook House and its curtilage garden, dating mid-19th Century.

Located in a predominately residential area, the site is bound by a mix of 20th Century dwellings (of varying styles and sizes), most of which are found along the southern and western boundaries. The northern boundary is with Colebrook lane, but is separated by an existing stone wall.

The principle access to the site is via an existing lane (single width) that connects the site to Newnham Road to the south east. However, this access does not form part of the application site

boundary, preserved solely for access to the gate house, also outside of the application boundary. An additional access point links the south of the site to Newnham Lane which is included in the application site.

Along with the existing dwelling, numerous old, dilapidated outbuildings/glasshouses remain. The garden has been maintained reasonably well and contains a number of protected Trees (TPOs) along with a wide range of typical garden shrubs, bushes and hedges. The site slopes from north (Colebrook lane) to south (Newnham Road).

### **2. Proposal Description**

Demolition of existing buildings and erection of 14 Open Market dwellings, each detached and with generous frontage and private amenity space and off street parking. High quality landscaping proposals, including a private resident's open spaces is also included.

### **3. Pre-application Enquiry**

A pre-application enquiry (17/01795/MAJ) was submitted in 2017 seeking guidance from the Local Planning Authority as to whether the principle of the proposed development of this site would be acceptable. The pre-application also sought guidance on various matters such as highway, ecology, heritage and drainage. The Local Planning Authority confirmed that the principle of 14 executive dwellings was acceptable subject to the submission of suitable information, designs and layout.

### **4. Relevant Planning History**

None

### **5. Consultation Responses**

Environment Agency (EA) – No objections in principle to this application however the EA recommends that it is not determined until the Lead Local Flood Authority has indicated whether they are satisfied with the design and calculations of the proposed surface water drainage scheme.

Historic Environment Officer – Disappointed with the loss of the existing dwelling however recognises that there is no policy requirement to retain it. Does recognise the potential redevelopment of the site.

Lead Local Flood Authority – No objections subject to conditions

Local Highway Authority – No Objections

Low Carbon Team – No Objections subject to conditions

Natural Infrastructure Team – No Objections Subject to conditions

Plympton St Mary Neighborhood Forum – No Comments received

Police Architectural Liaison Officer – No Objections subject to conditions

Public Protection Service – No Objections subject to conditions

Tree Officer – No Objections subject to conditions

## **6. Representations**

The Local Planning Authority received 45 letters of representation during the initial 21 day consultation period. Of these 45 letters, all object to proposal either in full or in part however none specifically support the proposed development. The 45 letters are summarised as follows, outlining the key issues amongst the local community:

### *Loss of Heritage Assets*

- Insufficient justification for the loss of Colebrook House
- Will be detrimental to the historic character if the area if Colebrook House is knocked down
- Plympton has few heritage assets, such as this dwelling and so it should be preserved for the future
- Building should be saved and converted into flats for local people
- Loss of historic limestone wall along Colebrook Lane

### *Impact on Local Highways and Parking*

- Access should be from Newnham Road, utilising the existing driveway
- Will compound parking and traffic matters in Colebrook Road
- The roads in the area are already at capacity
- Junction with Borrington Hill is dangerous
- Will prevent existing residents from parking on the highway
- Increased traffic will result in a loss of amenity, both during the day and at night with headlights shining into existing dwellings at the junction
- Construction traffic would be detrimental to the area
- The existing access from Newnham Road should be expanded to take all the traffic.
- Colebrook is already heavily congested
- Mitigation though S106 is required to deal with traffic issues
- Unsafe for pedestrians

### *Impact towards Ecology and Biodiversity*

- Loss of trees has already taken place which has impacted the area
- Impact on protected species – birds, bats etc.
- Loss of natural habitat for wildlife
- Wildlife needs to be mitigated for through the development process

### *Design and Residential Amenity Concerns*

- Houses are too big for the local area – out of character
- Will affect the quiet character of the area
- Loss of amenity to all surrounding dwellings
- Too close to dwellings in Newnham Road
- Site should not have been partitioned leaving part of the site outside of the redline
- Will open the door for more dwellings in the future
- Loss of peace and privacy
- Loss of outlook for numerous dwellings

## *General Comments*

- Colebrook does not need more dwellings
- Flooding is an issue in the area
- Development of 14 bedroomed detached houses is by its nature 'exclusive' and so does not fit with the mixed nature of housing required in this area

Following the end of the initial consultation period, numerous design issues were highlighted to the applicant that required amendment to overcome officer objection. In addition, a summary of the letters of objection was provided to the applicant for consideration. The Local Planning Authority received a revised package of information to overcome the design matters raised by technical consultees and to address, where possible, the concerns of the local community. The application was therefore re-advertised / re-consulted upon for a further 21 days (site notice / press advert / letters to residents and ward Cllrs)

During this additional 21 day consultation period the Local Planning Authority received a further 19 Letters. Officers have reviewed the letters that have been submitted; however no new issues have been raised, with numerous letters reinforcing previous concerns. Additionally, however, some of the letters have questioned the accuracy of the supporting information in relation to the demolition of Colebrook House.

Since the end of the second consultation period a further 3 letters have been received although no new comments have been made.

## **7. Relevant Policy Framework**

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the Core Strategy and other Plymouth Development Plan Documents as the statutory development plan for Plymouth once it is formally adopted.

Annex I of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For Plymouth's current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

- For the JLP which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at an advanced stage of preparation having now been submitted to the Planning Inspectorate for Examination, pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations. It is considered to be a sound plan, consistent with the policies of the Framework, and is based on up to date evidence. It is therefore considered that the JLP's policies have the potential to carry significant weight within the planning decision, particularly if there are no substantive unresolved objections. The precise weight will need to be determined on a case by case basis, having regard to all of the material considerations as well as the nature and extent of any unresolved objections on the relevant plan policies.

Other material considerations include the policies of the Framework itself, guidance in National Planning Practice Guidance (NPPG). Additionally, the following planning documents are also material considerations in the determination of the application:

Development Guidelines Supplementary Planning Document (First Review) 2013

### 5 Year Housing Land Supply

When determining applications for residential development it is important to give consideration to housing supply.

Paragraph 47 of the NPPF stipulates that "to boost significantly the supply of housing, local planning authorities should...identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land"

Paragraph 49 of the NPPF states that "housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

For the reasons set out in the Authority's Annual Monitoring Report, when measured against the housing requirement in the adopted development plan (the Core Strategy), Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2017-22 against the housing requirement set out in the Core Strategy which was set prior to the economic downturn. Plymouth can however identify a net supply of some 4,163 dwellings which equates to a supply of 2.17 years when set against the housing requirement as determined by the requirements of the NPPF or 1.8 years supply when a 20% buffer is also applied.

It should be noted, however, that the Local Planning Authority is at an advanced stage in the preparation of the Plymouth and South West Devon Joint Local Plan. The pre-submission version of

the JLP has been formally approved by Plymouth City Council, West Devon Borough Council and South Hams District Council and has since been submitted to the Planning Inspectorate for Examination, pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations.

Nonetheless, the council's current position on this matter is that the pre submission draft JLP sets out that a five year supply of deliverable housing sites can be demonstrated for the whole plan area, for the Plymouth Policy Area and for the Thriving Towns and Villages Policy Area, when measured against the new housing requirements set out in the JLP. Guidance on the amount of weight to be applied to the JLP is contained elsewhere in this report. It should, however, be considered that since the five year land supply elements of the JLP are likely to attract significant representation which are to be considered at the Examination into the JLP, only limited weight should be given to the emerging five year land supply position.

The NPPF (footnote 11) also specifies that to be considered deliverable, a site must be:

- Available to develop now
- Suitable for residential development in terms of its location and sustainability; and
- Achievable, with a reasonable prospect that homes will be delivered on the site within five years and in particular that the development of the site is viable.

Paragraph 14 of the NPPF states "At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking...

For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted"

As Plymouth cannot demonstrate a 5 year supply when set against the housing requirement as set out in the adopted Core Strategy, the city's housing supply policy should not be considered up-to-date. Paragraph 14 of the NPPF is therefore engaged and substantial weight must be accorded to the need for housing in the planning balance when determining housing applications.

Due to the need to accelerate housing delivery a 2 year consent rather than a 3 year consent has been secured by condition. This is in accordance with Strategic Objective 10(8) (Delivering Adequate Housing Supply) and paragraphs 10.34, 17.1 and 7.13 of the Core Strategy and Policy 46 of the Plymouth Plan

## **8. Analysis**

1. This application has been considered in the context of the development plan, the submitted Joint Local Plan, the Framework and other material policy documents as set out in Section 7.
2. The principle issues in relation to this application are considered to be the Loss of Existing Dwelling and Heritage assets, Highways and Parking matters, Ecology and Biodiversity (including trees), Flooding and Drainage considerations, Design and Layout considerations, Residential Amenity, Contamination, Sustainable Energy and Secure by Design principles.
3. Therefore this planning application turns upon policies CS01 (Development of Sustainable Linked Communities); CS02 (Design); CS03 (Historic Environment); CS15 (Overall Housing Provision); CS16 (Spatial Distribution of Housing Sites); CS18 (Plymouth's Green Space); CS19 (Wildlife); CS20 (Sustainable Resource Use); CS21 (Flood Risk); CS22 (Pollution); CS28 (Local Transport Considerations); CS32 (Designing Out Crime and CS34 (Planning Application Considerations) of the Local Development Framework Core Strategy.
4. Additionally, this planning application turns upon policies SPT1 (Delivering sustainable development); SPT2 (Sustainable linked neighbourhoods and sustainable rural communities); SPT3 (Provision for new homes); DEV1 (Protecting health and amenity); DEV2 (Air, water, soil, noise and land); DEV7 (Meeting local housing need in the Plymouth Policy Area); DEV9 (Meeting local housing need in the Plan Area); DEV10 (Delivering high quality housing); DEV20 (Place shaping and the quality of the built environment); DEV21 (Conserving the historic environment); DEV22 (Development affecting the historic environment); DEV28 (Protecting and enhancing biodiversity and geological conservation); DEV29 (Green and play spaces (including Strategic Green Spaces, Local Green Spaces and undesignated green spaces)); DEV30 (Trees, woodlands and hedgerows); DEV31 (Specific provisions relating to transport); DEV34 (Delivering low carbon development) and DEV37 (Managing flood risk and water quality impacts) of the Plymouth and South West Devon Joint Local Plan.

### Principle of Development – Loss of Existing Dwelling

5. Colebrook House is an unusual survivor in this part of Plymouth, due to being hidden away and accessed via a private driveway adjacent to the gate lodge. The detached house built in the 1850's stands within a large, secluded walled garden containing a number of outbuildings and garden structures, including several glasshouses of which some date from the 19th century. Although the garden is now very overgrown, it is still possible to discern elements of its formal layout. There are a number of mature trees across the entire site, protected through a Tree Protection Order.
6. Officers note that the site in terms of its scale is not representative of the local pattern of development, and there is no one defined building character, but a mix of building styles and layouts that contributes to the areas eclectic identity and is reflection of the growth of Plympton over the last 60 years or so.
7. Retaining and enhancing the character of an area is a core theme of the adopted Core Strategy and the approved Joint Local Plan, as well as the NPPF. In this case the Local Planning Authority recognises that the application site contributes to the character of the area, however the site is not within a conservation area and the property itself is not Listed.



8. Colebrook House was considered for listing by Historic England in March 2017 and the decision was taken not to list due to the extensive alterations undertaken in the latter part of the 20th Century. Additionally, should the applicant so choose, they could demolish the building under Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015.

9. Officers have sought to negotiate the retention of the dwelling and have been provided reasonable justification as to why the premises cannot be saved, both financially and practically. Whilst it would be clearly preferable that the existing dwelling be retained, as is the wish of the local community, it is the view of officers that this cannot be enforced given the status of the premises and the legislative powers at the disposal of the applicant. As such the principle of the demolition of Colebrook House to facilitate this development is acceptable, and in officers' view the benefits of 14 new dwellings outweighs the harm of its loss.

### Principle of Development – Garden Development / Character

10. Paragraph 53 of the NPPF states that 'Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area'. The Local Planning Authority has created policies to assess such matters. It is important to prevent inappropriate and harmful backland development and to protect gardens that significantly contribute to the established character of the area.

11. The application site is large measuring 0.9ha in area and is occupied by one large dwelling. The proposal is to provide 14 'executive' dwellings that reflect the character of the site. This particular point was discussed during the pre-application process and given initial support by officer's.

12. Officers recognise that the proposed level of housing is just below the trigger of 15 units where S106 contributions would be required. However, the site has numerous constraints, primarily TPOs and access which significantly impacts a feasible layout and has reduced the amount of 'executive' dwellings that can be provided. Had a different housing model been proposed then more units could possibly be accommodated however that is not what the application proposed in this case.

13. The Joint Local Plan seeks to promote the increase of large and/or executive housing and in this case it is considered that the most efficient use of the site has been found. This has been discussed with the Council's Housing Delivery Team, who agrees that the level of housing / density is appropriate in this location, reflecting the past to some degree. A low density development is proposed and is considered an appropriate form of development by officers, thus according with policies CS15, CS16 and DEV7.

14. Furthermore, Policy DEV10(6) of the approved Joint Local Plan states that 'to protect the quality of the urban environment and prevent 'town cramming', development of garden space within Plymouth and the towns will only be permitted where it does not adversely affect the character and amenities of the area, and where the proposal can demonstrate that it contributes to the creation of sustainable linked neighbourhoods'.

15. As noted the application site is very large and is occupied by one large dwelling that is for the most part obscured from the street scene by the existing northern boundary wall. By virtue of the significant modifications to Colebrook House over time (as highlighted in the submitted Heritage Statement), and having assessed the street scene officers are of the view that it is in fact the Limestone wall that provides the predominant character feature of the street, not Colebrook House itself, and this is being enhanced.

16. Therefore and on balance, officers are of the view that the dwellings located in the northern part of the application site (plots 1, 11 and 14), whilst visible, will not adversely impact character of the street scene. They will be predominantly obscured by the retention of a stone wall that is being retained in addition to the section being proposed east of the new access. Furthermore, the rest of the dwellings further into the site (south of plots 1, 11 and 14) will generally be out of public view due to the topography of the site, the obscurity created by plots 1, 11 and 14, the existing stone wall and trees that are being retained. The loss of outlook for residents located on the northern side of Colebrook Lane looking south into the site is not considered harmful and given that the site is not within a conservation area the character of the area or street scene will not be adversely harmed.

17. The relationship of the proposed dwellings to existing properties along Newnham Road to the south is now considered acceptable following some design modifications with views and relationships preserved through strong boundary treatment that will mature overtime. The relationship with dwellings to the west of the site is considered acceptable due to the significant separation distances and boundary treatment that is proposed. The boundary treatment will be conditioned to ensure this is maintained in perpetuity so as to retain the character of the area and not advisory impact the surroundings that existing residents have come to enjoy.

18. Backland development and the development of existing residential gardens must be considered carefully against both local and national policy. In this case officers have balanced the harm (or perceived harm) that the development could cause to the character and amenity of the area against the weight given by the NPPF to sustainable development and housing supply. Para 14 of the NPPF states that 'there is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking' and 'for decision-taking this means... approving development proposals that accord with the development plan without delay'. As the council cannot demonstrate a 5 year housing land supply para 49 of the NPPF is relevant. It states 'housing applications should be considered in the context of the presumption in favour of sustainable development and relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'.

19. Having considered the key points outlined above the Local Planning Authority considers that the principle of this development is acceptable. In officers' view it will not adversely harm the character or amenity of the area despite the loss of the existing dwelling, proposing an efficient use of what has become an unattractive parcel of land within a well-established residential area. The development therefore accords with polices CS01, CS02, CS15 and CS34 of the LDF Core Strategy, polices DEV1, DEV7, DEV10 and DEV20 of the Joint Local Plan the paragraph 14, 17, 49 and 53 of the NPPF for providing sustainable development of an appropriate scale in a suitable location.

### Design and Appearance

20. The Design and Access Statement (DAS) describes the proposed development as traditional in appearance, which officer agree with. The DAS adds that the design 'is a reflection of the design concepts of the redundant Colebrook House' and this approach is supported by officers.

21. With respect to materials, the development proposes *"the use of grey stone on lower levels and hung slate to upper levels mixed with white render is in keeping with the House, as well as other nearby precedents. Windows are white UPVC, again in an appealing traditional style. Their large sizes not only allow plenty of natural light into the homes but also have appealing proportions which give interest to the facades. A render band further enhances these proportions by distinguishing between ground and first floor levels. A variation in materials throughout the scheme has been used to produce an appealing streetscape of interesting and attractive buildings. Pitched, slate roofs are used throughout for a quality feel, which are hipped in areas to reduce their apparent mass to neighbouring properties"*.

22. It is the view of officers that the proposed materials are of a high standard that would enhance the character of the area, going some way to compensate for the loss of the existing Colebrook House. The design of the dwellings therefore is considered to accord with existing and emerging policies; however a condition requiring samples of materials will be required to ensure a high quality finish throughout.

### Local Highway Authority - Access

23. The planning application site boundary excludes the existing access road in the east of the site, which links to Newnham Road. Therefore to serve the dwellings a new access is proposed into Colebrook Lane, which involves the demolition of part of the boundary wall.

24. This particular aspect of the development has been cause for much concern amongst local residents, many suggesting that this new access will cause an unacceptable level traffic in the area, will further exacerbate the parking issues in the area and result in loss of amenity of residents. Many residents also commented on the fact that the existing access was not being used which would prevent the requirement of the new access.

25. As is noted in the Highway Officer's consultation report, the Local Highway Authority has indicated that the existing access would not be a sufficient access point to serve the development. Firstly, the lane is too narrow to accommodate two-way traffic and in order to widen it then significant works would be required which would adversely impact numerous TPO trees. It would also require significant disruption of the gate piers that serve the gate house. Secondly, the actual junction itself would be unsafe with a poor angle of visibility that would promote unsafe highway conditions.

26. Finally, and perhaps the most pertinent point is that this existing access is not within the ownership of the applicant and is not within the red line application boundary. Therefore it cannot be used to serve development. Furthermore, officers are of the view that even if this access lane was within the red line boundary then it would not be a supportable means of access.

27. The proposed new access will require part demolition of the northern boundary wall. A suitable access with appropriate visibility splays will be provided to ensure safe means of access and to

reduce conflict with existing users. The impact of the access is not likely to cause significant harm or prejudice existing road users. The Highways Authority does not view that increased levels of traffic as harmful to the area as a result of the development. In addition, given that the development has more than sufficient off street parking to serve the development, a ratio of 3.2 spaces per dwelling, this will not be an on street parking issue in surrounding streets from new residents or visitors. The impact on vehicles that currently park on street along Colebrook Lane is not likely to be severe, and given that these are not designated parking spaces, officers consider there would not be a loss.

28. An additional pedestrian access is proposed in the south of the site, linking the development to Newnham road and making public amenities in Colebrook more accessible. For example, the closest bus stop to the site is under 150m with other also with close proximity, the closest convenience store is also with a couple of hundred metres and the closest primary school is with 1km. The development is therefore considered a highly sustainable location by officers and will promote the use of sustainable transport modes.

### Local Highway Authority - Layout

29. Following further amendments of the proposed housing scheme, the Local Highway Authority has made the following comments with respect to the layouts of the development. The layouts being commented on have been formally advertised as part of the second consultation process outlined in section 6 of this committee report.

30. The further amendments include minor alterations to the street layout, and further consideration of sustainable drainage. The street layout shown on the amended site layout plan drawing numbered 17125-SK02B, shows a short block-paved section of carriageway, and a 1200mm wide discontinuous clearance margin, which although notated as a footway is insufficient for that purpose. The proposed street layout remains substandard by current adoptable standards; it lacks sufficient shared surface identity, and in places lacks sufficient clearance margins/defensible space between the carriageway and the private gardens gardens/parking spaces. The constrained street layout would provide poor provision for pedestrians, and also for service providers, and utilities. There would also be undesirable surface water soakaways situated below the road carriageway itself.

31. Although the proposed street layout fails to meet current standards making it unsuitable for adoption as a public street, as a private street it would facilitate the basic movement and servicing functions, such as deliveries and waste removal by a bin lorry. The deficiencies would altogether make the street unsuitable for adoption as a public street, and it would need to remain a private street in perpetuity. The applicant has indicated that it is their intention to retain this as a private street and its management will be through a private management company.

32. As such, the street would be subject to an Advanced Payment Code demand for the full cost of the construction of the street, prior to being exempted in accordance with the requirements. Incidentally, in the longer term the soakaways would at some point in time be likely to require replacement, with associated costs falling on the owners/occupiers of the dwellings and the private road/street. The applicant is aware of this and will be dealt with by the management company.

33. In summary, however, the Local Highway Authority has confirmed that it would not on balance object in principle to planning permission being granted in accordance with the submitted street layout, providing it can be demonstrated that the development would be properly drained by a

satisfactory surface water drainage system, and that it would remain a private street in perpetuity, to be managed and maintained by a Management Company. On balance and subject to conditions, officers consider that the development will accord with policy CS28 and CS34 of the Core Strategy and Policy DEV31 of the Joint Local Plan.

### Flooding and Drainage

34. This brownfield site is located in Flood Zone I, which the Environment Agency defines as being at a low risk of fluvial or tidal flooding. Surface water flood risk mapping provided by the Environment Agency indicates the site is at a low risk of surface water flooding from a 1% AEP (1 in 100 year return period) flood event.

35. Unmanaged surface water from this site can increase the risk of surface water flooding of Newnham Road including residential and commercial properties. The site is located in a Critical Drainage Area (red) where the Environment Agency considers the existing drainage to be at or close to capacity.

36. Public sewer records indicate that there are no South West Water (SWW) surface water sewers within the site. There are two 150mm diameter surface water sewers in Colebrook Lane to the north of the site flowing to the east and the west. There is one 225mm diameter surface water sewer in Newnham Lane to the south of the site discharging towards the east.

37. A ground Investigation Report has been submitted where infiltration tests have been completed in 8 test pits. Results have been submitted for three test pits. One site located in made ground produced a rate of  $2.56 \times 10^{-5} \text{m/s}$  with one test, non-compliant with BRE365. Test sites located in Upper Devonian Slate produced infiltration rates between  $1.33 \times 10^{-5} \text{m/s}$  and  $5.04 \times 10^{-5} \text{m/s}$ . These tests were completed in accordance with British Standard BRE365.

38. The Ground Investigation Report also states that, "Soakaways are suitable if located in natural soils. Sloping ground below the south of the site could result in slope instability or unintended break out of water at the ground surface". Correspondence from SWW has been submitted that includes standing advice. The letter states that, "Surface water discharge to the public sewer network is not an acceptable method of disposal".

39. A Flood Risk Assessment (FRA) has been submitted that describes existing ground levels as between 23.0mAOD to 13.5mAOD, with a gradient of approximately 1 in 15. The FRA states that groundwater was encountered at a depth of 5.0mAOD in a water abstraction well, which would imply the water table is perched. The FRA also states that, "groundwater is highly vulnerable to pollution".

40. The site is 0.91ha, and the FRA states that the existing site comprises 0.077ha impermeable surface and 0.84 permeable surface. Following the proposed development, the site would be 0.34ha impermeable and 0.57ha permeable.

41. The proposed surface water drainage strategy has been revised to discharge surface water run off to individual property soakaways, with highway run off discharged to two soakaways located

beneath the highway. The individual property soakaways are proposed to be 1.2m in diameter and 1.5m deep. The high soakaways are proposed to be 3m x10.5m x0.8m deep. While one highway soakaway is located in the middle of the site, the second is located approximately 30m from an existing property.

42. A plan showing surface water run off exceedance flows has now been submitted and following negotiation with the developer an infiltration trench has been proposed along the southern boundary of the site to collect surface water and prevent flows into adjacent properties. However, the reports provided by the applicant have continually stated that there is potential for re-emergence. As such, and in consultation with the lead Local Flood Authority a pre-commencement condition will be imposed that requires a geotechnical engineer to verify that proposed system will not result in re-emergence. In the event that re-emergence may still occur then no development will be able to commence until a suitable alternative system has been agreed to the satisfaction of the Lead Local Flood Authority. Officers are satisfied that suitable measure have been put in place to prevent unacceptable on or off site flooding so as to comply with Policy CS22 of the Core Strategy and Policy DEV37 of the Joint Local Plan.

### Residential Amenity

43. The application proposes 14 executive dwellings, all of which exceed the internal spaces standards set in the Nationally Described Space Standards (NDSS). Each dwelling will have a minimum of 4 bedrooms and multiple bathrooms and living spaces. All dwellings have private gardens that exceed the requirements of the Development Guidelines SPD, and are afforded high quality boundary treatment to ensure they can be used properly. In addition, an area of public open space is located in the north-west corner of the site. This will be maintained by a management company and will further enhance the environment. The low density layout of the site, coupled with the orientations of the proposed dwellings has resulted in good relationships ensuring that high levels of amenity, privacy and outlook are afforded to all residents.

44. Many of the consultation responses have suggested the development will result in loss of amenity, be it through traffic increase, noise, privacy and outlook. As has been explained in this report, the impact of the traffic generation is not considered by officers to be significant so as to adversely impact amenity. Outlook and privacy has been considered for all existing adjacent dwellings, and for the most part the scheme when it was first submitted was acceptable. The exception being the relationships of plots 3, 4 and 7 with the rear elevations (north facing) of a couple of dwellings along Newnham Road.

45. This matter was raised with the applicant who has modified the position and rear design of these two plots to improve the relationship with the dwellings in Newnham Road. Plots 3 and 4 shall be orientated differently and moved further north within the site creating oblique angles of view. Window positions and the use of obscure glazing has further assisted with this issue plots 3, 4 and 7, as well as plot 8. Additionally, the rear elevation (south) of the plot 4 now appears single storey. Coupled with the improved boundary treatment that officers have secured this should adequately protect inter-visibility even though the distances fall approximately 5m (plot 4) and 2m (plot 7) below the standards set out in the Development Guidelines SPD.

46. The separation distances between all the other proposed dwellings and all surrounding existing properties are now considered acceptable by officers, with all cases other than those assess above exceeding the Development Guidelines SPD requirement of window to window distance of 21m,

which on balance is considered acceptable by officers. This means that privacy and outlook is retained and in officers view there will be no significant overlooking issues. These distances, coupled with the topography the site and orientation of the dwellings will protect light levels with no overshadowing expected as a result of the development.

47. A number of residents have raised concerns over the construction phase and the disruption this could cause. Officers are aware of the sensitivity of the site, therefore the applicant will be required to submit a bespoke code of practice to ensure the demolition and construction phase does not adversely impact the amenity of the local area.

48. In officers' view the development has sought ways to protect the amenity of existing residents and equally, has provide a high quality environment that will afford the future residents with a high standard of living. The development will therefore accord with policies CS01, CS15 and CS34 of the Core Strategy and Polices DEVI, DEV10 and DEV20 of the Joint Local Plan.

### Landscape, Visual Impact and Biodiversity

49. Having reviewed the submitted information during the initial 21 day consultation period, the Natural Infrastructure Team objected to the application for the following reasons:-

- a. There is insufficient information to ensure the development will not have an impact on protected species;
- b. The information submitted does not demonstrate the application complies with JLP policies DEV 28 or DEV 24.

50. The Local Planning Authority advised the applicant of this position and requested that new information was submitted. The applicant submitted revised information in relation to ecology, biodiversity and trees, and has been reviewed further by the Natural Infrastructure Team within the second consultation process.

51. The Natural Infrastructure Team has reviewed the new information and they no longer have in-principle issues with respect to the Natural Infrastructure matters raised throughout the application process. Therefore Officers are satisfied that imposing a number of conditions relating ecology, biodiversity and landscaping is a suitable and reusable means of progressing this development whilst ensuring the scheme is policy compliant. Subject to the condition being imposed, the development will accord with polices CS18 and CS19 of the Core Strategy, Polices DEV24 and DEV28 of the Joint Local Plan

### *Trees and Woodlands*

52. The site contains numerous trees that are protected by Tree Preservation Orders (TPOs). In officers' view the layout of the development has been sensitively design to minimise the impact towards these trees. The Council's Tree officer has reviewed the scheme and not raised any objections, but has suggested a Tree Protection Condition is applied with specific reference to the Tree Protection Plan and also a condition to ensure all proposed soakaways are located outside the root protection areas.

## Sustainable Resource Use - Energy

53. Information has been provided within the Design and Access statement to show that the scheme will aim to meet the requirements of Policy CS20 of the Core Strategy and DEV34 of the Joint Local Plan. Further information on the location and extent of the measures shown in the documents reflects this or the total level of kWp solar (or heat pumps solution) needed to achieve the savings. The Low Carbon Team is satisfied that this can be dealt with by condition.

## Land Contamination

54. The Public Protection Service (PPS) has reviewed the submitted 'Desk Study and Ground Investigation' for the planning application. PPS agree with the conclusions submitted and the proposed remediation strategy. The applicant needs to decide on which option is to be utilised, and evidence of this should be submitted by way of planning condition. The development will however accord with Policies CS21 and CS34 of the Core Strategy and Policies DEV1 and DEV2 of the Joint Local Plan.

## **9. Human Rights**

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

## **10. Local Finance Considerations**

The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). CIL is non-negotiable and under the Councils current CIL Charging Schedule the rate for this development is £30sqm + indexing.

## **11. Planning Obligations**

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

## **12. Equalities and Diversities**

All units have the benefit of conforming to the old Lifetime Homes standard, now replaced by Part M4(2) of the Building regulations (Accessible and Adaptable Dwellings). This ensures that the homes can remain lived in throughout the respective owner's lifetime, allowing for disability access and other potential requirements such as downstairs living.

## **13. Conclusions and Reasons for Decision**

This planning application, in the view officers promotes the sustainable development of a brownfield site that can deliver 14 high quality dwellings that contribute to the overall housing provision within the city. Nonetheless, it is noted the Council cannot currently demonstrate a 5 year housing land supply.



The existing dwelling is neither listed or in a conservation area and can therefore be demolished under Part 11, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015. The building has been heavily modified over the years, is in a poor state of repair (deemed dangerous) and has been rejected by Historic England for Listing in recent years. It is therefore not a heritage asset and it is the view of officers that the erection of 14 high quality new family dwellings significantly outweighs its loss.

The proposed access from Colebrook Lane promotes a safe and feasible entry point into the development and in the view of officers will not give rise to significant highway impacts that would demonstrably harm the local highway network. There would be no loss of parking as a result of this scheme given that no existing allocated parking spaces are being removed.

Significant measures have been put in place, and further measures will be secured by condition to ensure that the site promotes a high quality, biodiversity rich site. The development adequately retains and safeguards protected trees and will provide, by way of suitable verification, that surface water drainage will be managed effectively.

In addition, the development layout minimises the impact on neighbouring amenity and through amendments has created a development that adequately respects environmental amenity features for all existing and future residents.

Therefore, and having reviewed all the relevant material considerations, and having taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and officers have concluded that on balance the proposal accords with policy and national guidance and is therefore recommended for conditional approval.

### **14. Recommendation**

In respect of the application dated 10.01.2018 it is recommended to Grant Conditionally

### **15. Conditions / Reasons**

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

#### **I      CONDITION: APPROVED PLANS**

Site Location/Demise Plan 2015-001 Rev E received 20/12/17

Site Location Drainage Route 2015-002 Rev D received 20/12/17

Topographical Survey With Site Boundary Line 2015-003 Rev A received 20/12/17

Existing Site Plan 2015-004 Rev A received 20/12/17

Existing Site Sections 2015-005 Rev A received 20/12/17

Tree Constraints Plan 04968 TPP Rev A received 20/12/17

Swept Path Analysis & Visibility Splays 17125/PL100 Rev C received 25/05/18

Schematic Drainage Strategy Plan 17125 / PL111 Rev F received 14/06/18

Flood Routing Plan 17125 / 161 Rev D received 14/06/18

Trench Soakaway Construction Detail 17125/310 - received 14/06/18

Proposed Indicative Site Sections 2015-007 Rev E received 07/06/18

Indicative Street Elevations 2015-008 Rev D received 07/06/18

Indicative Street Perspectives 2015-017 Rev C received 07/06/18

Boundary Treatment Plan 2015-018 Rev E received 07/06/18

Surface Finishes Plan 2015-019 Rev D received 07/06/18

Proposed Roof Plan 2015-020 Rev D received 07/06/18

Proposed Site Plan 2015-006 Rev I received 07/06/18

Softworks Strategy Plan 506/01 Rev C received 11/04/18

Planting Strategy Plan 506/02 Rev C received 11/04/18

Type A1 Floor Plans and Elevations 2015-009 Rev D received 18/06/18

Type A2 Floor Plans and Elevations 2015-010 Rev C received 18/06/18

Type A3 Floor Plans and Elevations 2015-011 Rev C received 18/06/18

Type B1 Floor Plans and Elevations 2015-012 Rev C received 18/06/18

Type B2 Floor Plans and Elevations 2015-013 Rev B received 18/06/18

Type C1 Floor Plans and Elevations 2015-014 Rev E received 18/06/18

Type C2 Floor Plans and Elevations 2015-015 Rev D received 18/06/18

Type D Floor Plans and Elevations 2015-016 Rev C received 18/06/18

General Layout Arrangement 17125/SK02B Rev B received 11/06/18

External Levels & Features 17125/PL101 Rev D received 11/06/18

### 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, and paragraphs 61-66 of the National Planning Policy Framework 2012.

## 2 **CONDITION: COMMENCE WITHIN 2 YEARS**

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 in accordance with Core Strategy Objective 10(8) (Delivering Adequate Housing Supply) and Policy SPT3 of the Plymouth and South West Devon Joint Local Plan

### **3      CONDITION: GEOTECHINCAL VERIFICATION - DRAINAGE**

#### PRE-COMMENCEMENT

Other than providing site welfare, no development (including demolition works) shall take place until a suitably qualified geotechnical engineer or engineering geologist has reviewed the proposed surface water drainage design and associated mitigation and produced a report to confirm and verify that the proposed drainage works will prevent on or offsite flooding by way of water re-emergence or other means as is noted in the submitted documents and has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be implemented in strict accordance with the approved details and any supplementary information following the verification assessment, and prior to the occupation of any dwelling hereby approved.

In the event that the Geotechnical Verification Report is unable to demonstrate to the Local Planning Authority's satisfaction that re-emergence will not occur then a revised drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. Any approved works shall be implemented in strict accordance with the approved details, and prior to the occupation of any dwelling hereby approved.

Reason:

To ensure that satisfactory drainage works are provided in accordance with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV37 of the Plymouth and South West Devon Joint Local Plan and paragraphs 94 and 100-103 of the National Planning Policy Framework 2012.

Justification: To ensure that the development does not result in any unacceptable on or off site flooding as a result of unsuitable drainage proposals.

### **4      CONDITION: FURTHER DETAILS**

#### PRE-COMMENCEMENT

No development shall take place until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz: Surface Water Drainage provision, to demonstrate that the proposed surface water drainage system would not cause local flooding. 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 and Policy DEV31 of the emerging Plymouth & Southwest Devon Joint Local Plan 2014 - 2034.

Justification: To ensure that the highways drainage works are acceptable and do not result in unacceptable on or off site flooding

### **5 CONDITION: CODE OF PRACTICE**

#### PRE-COMMENCEMENT

Prior to the commencement of the development hereby approved, a detailed management plan for the demolition and construction phase (including contractor's access and delivery arrangements) of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

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, Policies DEV1, DEV2 and DEV31 of the Plymouth and South West Devon Joint Local Plan and paragraphs 120 -123 of the National Planning Policy Framework 2012 .

Justification: To ensure that all aspects of the environment are adequately protected during the demolition and construction phase, and that the needs of local residents are adequately considered in the preparation of any plans.

### **6 CONDITION: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

#### PRE-COMMENCEMENT

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall accord with the approved Ecological Mitigation and Enhancement Strategy (October 2017, Ref: 0504-CT-EA). The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of 'biodiversity protection zones'.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features. This includes the use of protective fences, exclusion barriers and warning signs.
- e) The times during construction when specialist ecologists need to be present on site to monitor works to ensure compliance with the CEMP: Biodiversity, and the actions that will be undertaken.
- f) Responsible persons and lines of communication.

g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

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, Joint Local Plan Policies SPT11 & DEV28 and Government advice contained in the NPPF paragraphs 109, 118.

Justification:

To ensure the environment is adequately protected during the construction of this development

## **7      CONDITION: CONTAMINATED LAND**

### PRE-COMMENCEMENT

Unless otherwise agreed by the Local Planning Authority, development must not commence until this condition has been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 3 has been complied with in relation to that contamination.

#### 1. Submission of Remediation Scheme

This department will agree to the recommendations made within the submitted report as detail of a remediation scheme. Should the developer desire to alter this submitted scheme they will need to submit alternative recommendations in writing to the Local Planning Authority for written approval.

#### 2. Implementation of Approved Remediation Scheme

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.

#### 3. Reporting of Unexpected Contamination

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. Further investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared. Any further proposals for remediation

**Reason:**

To ensure that risks from land contamination to the environment, future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, DEVI and DEV2 of the Plymouth and South West Devon Joint Local Plan and paragraphs 120 - 123 of the National Planning Policy Framework 2012.

**Justification:**

To ensure that the site is safe for future habitation and that no adverse health impacts occur as a result of the development

## **8 CONDITION: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN**

### **PRE-COMMENCEMENT**

A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority prior to commencement of the development. The content of the LEMP shall include the following

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Set out maintenance operations for the first year following implementation of the scheme and for a further 4 years following establishment for achieving aims and objectives.
- e) Preparation of a work schedule.
- f) Body or organisation responsible for implementation of the plan.
- g) Monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

**Reason:**

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Policies CS01, CS19 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies SPT11 and DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraphs 109 and 118 of the National Planning Policy Framework 2012.

Justification:

To ensure the environment is adequately protected during the construction of this development

## 9 **CONDITION: SUSTAINABILITY**

### PRE-DAMP PROOF COURSE (DPC)

Unless otherwise agreed previously in writing with the Local Planning Authority, the development shall not proceed past DPC level until the applicant has provided to the Local Planning Authority a report for approval identifying how a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by on-site renewable energy production methods. 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 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, Policy DEV34 of the Plymouth and South West Devon Joint Local Plan and relevant Central Government guidance contained within the NPPF.

## 10 **CONDITION: BIODIVERSITY- LIGHTING SCHEME**

### PRE-DAMP PROOF COURSE (DPC)

The development shall not proceed past DPC level until a sensitive lighting scheme has been submitted and approved in writing by the LPA. The scheme shall ensure that the boundary features around the site especially to the east of the site remain dark and unlit at night. Any external lighting required should be directed away from the boundaries with light levels as low as guidelines permit. Where lighting is required, in order to minimise the impact of lighting on bats, accessories such as hoods, cowls, shields or louvers must be used on all external lighting to ensure these features are not lit beyond 0.5 lux. In areas where lighting must be installed timers should be used to reduce the hours lit.

N.B. The use of low or high pressure sodium lamps instead of mercury or metal halide lamps is preferred due to the UV filtration characteristics or modern lighting solutions such as LED, highly directional, and/or light on demand.

Reason:

To minimise disturbance to bats, which are species protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) and in accordance with Policy CCS19 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraphs 109 and 118 of the National Planning Policy Framework 2012.

**11 CONDITION: EXTERNAL MATERIALS**

PRE-DAMP PROOF COURSE (DPC)

No development shall proceed past DPC level until details 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, Policy DEV20 of the Plymouth and South West Devon Joint Local Plan and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

**12 CONDITION: SECURED BY DESIGN SILVER AWARD**

PRE-OCCUPATION

Prior to the occupation the building hereby approved the applicant, developer or their successor shall demonstrate to the Local Planning Authority in writing that, as a minimum, the Secured by Design Silver Award (formally known as Part 2 of the Secure by Design Award) has been achieved.

Reason:

To ensure that satisfactory measures are put in place to help design out crime, in accordance with Policy CS32 of the Plymouth Local Development framework Core Strategy (2006-2021) 2007, Policy DEV20 of the Plymouth and South West Devon Joint Local Plan and paragraph 58 of the National Planning Policy Framework 2012.

**13 CONDITION: CAR PARKING PROVISION**

PRE-OCCUPATION

No dwelling hereby approved shall be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the approved details, 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, Policy DEV31 of the Plymouth and South West Devon Joint Local Plan and paragraph 32 of the National Planning Policy Framework 2012.

## 14 **CONDITION: LANDSCAPE WORKS IMPLEMENTATION**

### PRE-OCCUPATION

Landscape works shall include planting plans including the location of all proposed plants their species, numbers, densities, ground preparation, tree pit details, hardworks plans including all hard landscap finishes (surfaces, steps and boundaries) and boundary treatment details. All landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development. The planting plans will have to accord with the approved Ecological Mitigation and Enhancement Strategy (October 2017, Ref: 0504-CT-EA) and incorporate night scented plants.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Polices DEV10 and DEV24 of the Plymouth and South West Devon Joint Local Plan and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

## 15 **CONDITION: SECURITY**

### PRE-OCCUPATION

All gates to private pathways and ones giving access to side and rear gardens, shall have locks with key access. Details of these shall be submitted to, approved by the Local Planning Authority in writing, and shall be installed before any of the residential units requiring to use the respective private pathways are occupied.

Reason:

To ensure that satisfactory measures are put in place to help design out crime, in accordance with Policy CS32 of the Plymouth Local Development framework Core Strategy (2006-2021) 2007, Policy DEV20 of the Plymouth and South West Devon Joint Local Plan and paragraph 58 of the National Planning Policy Framework 2012.

**16      CONDITION: BOUNDARY TREATMENT**

**PRE-OCCUPATION**

No unit of accommodation hereby approved shall be occupied until all boundary treatment shown on the approved plans has been installed and has been confirmed as satisfactory, in writing, by the Local Planning Authority.

All boundary treatment shall be adequately retained and maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority

Reason:

To ensure that the agreed boundary treatment is suitably installed and adequately performs its amenity role in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies DEV10 and DEV20 of the Plymouth and South West Devon Joint Local Plan and paragraph 17 of the National Planning Policy Framework 2012.

**17      CONDITION: TREE/HEDGEROWS TO BE RETAINED/PROTECTED**

In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the commencement of development.

A: No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with BS 3998: 2010 Tree Work Recommendations.

B: If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or pruned in breach of (a) above in a manner which, in the opinion of the Local Planning Authority, leaves it in such a poor condition that it is unlikely to recover and/or attain its previous amenity value, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

C: The erection of barriers and ground protection for any retained tree or hedgerow shall be undertaken in accordance with the approved plans 04968 TPP Rev A and/or in accordance with Section 6.2 of BS 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To ensure that trees or hedgerows retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV30 of the Plymouth and South West Devon Joint Local Plan and paragraphs 61,109 and 118 of the National Planning Policy Framework 2012.

## **18      CONDITION: TREE PROTECTION**

Unless otherwise agreed in writing by the Local Planning Authority, no soakaway shall be constructed within the Tree Protection Area of any of the retained trees.

Reason:

In the interests of the retention and protection of the retained trees on-site in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV30 of the Plymouth and South West Devon Joint Local Plan and paragraphs 61,109 and 118 of the National Planning Policy Framework 2012.

### **Informatives**

#### **1      INFORMATIVE: (CIL LIABLE) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION**

The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at [www.plymouth.gov.uk/CIL](http://www.plymouth.gov.uk/CIL). You can contact the Local Planning Authority at any point to discuss your liability calculation; however a formal Liability Notice will only be issued by the Local Planning Authority once "planning permission first permits development" as defined by the CIL Regulations. You must ensure that you submit any relevant forms and get any pre-commencement details agreed before commencing work. Failure to do so may result in surcharges or enforcement action.

#### **2      INFORMATIVE: CONDITIONAL APPROVAL WITH NEGOTIATION**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.

### **3 INFORMATIVE: CODE OF PRACTICE**

The management plan shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web pages, and shall include sections on the following:

- a. Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information;
- b. Proposed hours of operation of construction activities and of deliveries, expected numbers per day and types of all construction vehicles and deliveries, routes of construction traffic to and from the site (including local access arrangements, timing of lorry movements, and weight limitations on routes), initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, location of wheel wash facilities, access points, location of car parking for contractors, construction traffic parking, details of turning facilities within the site for site traffic and HGVs, and a scheme to encourage public transport use by contractors; and
- c. Hours of site operation, dust suppression measures and noise limitation measures.

### **4 INFORMATIVE: NESTING SEASON**

It is an offence under the Wildlife and Countryside Act 1981 to damage to destroy the nest of any wild bird while it is in use or being built and it is also an offence to disturb many species of wild bird while nesting. The months to avoid are between March and August.

### **5 INFORMATIVE: TREE SURGERY**

All works to trees should be carried out in accordance with the relevant recommendations of BS 3998:2010 (Recommendations for Tree Work).

### **6 INFORMATIVE: PUBLIC HIGHWAY APPROVAL**

This planning permission does not authorise the applicant to carry out works within the publicly maintained highway. The applicant should contact Plymouth Highways for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority and an appropriate Permit must be obtained before works commence.

### **7 INFORMATIVE: STREET**

Should the development be realised in its current form then the access road/street serving the development would be a private street in perpetuity and subject to the Advanced Payment Code. The responsibility for the future maintenance and management of the private street, including the surface water drainage system and the future replacement of the soakaways serving the development, would lie with the owners of the properties, and the street should be managed and maintained by a Management Company.

**8      INFORMATIVE: SUPPORTING DOCUMENTS**

The following supporting documents have been considered in relation to this application:

Access Summary

Arboricultural Impact Assessment Report - 04968 AIA Rev A 2

Cellular Storage Infiltration

Cost Report for Refurbishment - 16 March 2018

Design and Access Statement

Desk Study & Ground Investigation - CBH-HYD-XX-DS-RP-G-1000

Drainage Review Letter - C06685/001/CJW

Ecological Appraisal (EA) & Ecological Mitigation & Enhancement Strategy (EMES) 0504-Ct-Ea Rev I

Flood Risk Assessment - 17125\_ FRA

Heritage Appraisal - HS18.06

Highway Soakaway Management and Maintenance

Hydrogeological Assessment for Drainage Strategy - CBH-HYD-XX-DS-RP-GE-2001-S2-P4

Letter from Current Owner

Letter from Stratton Creder Commercial

Lined Soakaways

Pervious Paving

Plot Soakaway Calculations

Structural Inspection Report - NMD/tae/17.577

Tree Survey - 04968

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# Planning Applications Determined Since Last Committee

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
21/05/2018	Agreed	17/01502/CDM	Mr Ian MacMartin	Condition Discharge: Conditions 2, 3, 4, 5, 6 & 7 of application 17/00570/S73	Nightingale Close Plymouth PL9 8PN	Mrs Katie Saunders
21/05/2018	Granted Conditionally	18/00320/FUL	Mr C Newall	Rear extension and creation of a side double garage with annexe accommodation above	Tamerton Lodge Roman Road Plymouth PL5 2AJ	Mrs Alumeci Tuima
21/05/2018	Agreed	18/00383/CDM	Mr John Rook	Condition Discharge: Conditions 15 & 60 of application 08/01968/OUT	Plymouth Airport Plymbridge Lane Plymouth PL6 8BA	Mr Simon Osborne
21/05/2018	Granted Conditionally	18/00486/FUL	Becton Dickinson Vacutainer Systems	Erection of 2 storey extension, external alterations to existing building, new external stores and associated changes to hardstanding.	Becton Dickinson Vacutainer Systems Belliver Way Plymouth PL6 7BP	Mr Simon Osborne
21/05/2018	Granted Conditionally	18/00732/ADV		Construction traffic sign	Land Off Boniface Lane Plymouth	Mrs Katie Saunders
21/05/2018	Refused	18/00798/AMD	Mr Martyn Cox	Non-material Amendment: Minor changes to the pedestrian entrance to the existing school; Minor alterations to the cladding on the west elevation at second floor level for application 16/02229/FUL	Stoke Damerel Community College, Somerset Place Plymouth PL3 4BD	Mr Chris King
23/05/2018	Granted Conditionally	17/00484/FUL	Devonport High School For Girls	Demolition of existing temporary classrooms and construction of new single storey teaching block	Devonport High School For Girls Lyndhurst Road Plymouth PL2 3DL	Miss Amy Thompson
23/05/2018	Split Decision	17/01921/CDM	Mr Bob Fish	Condition Discharge: Conditions 5, 8, 9, 10, 11, 12, 16, 22, 27 & 31 of application 15/01956/FUL	North Prospect Phase 3, Wordsworth Road/Wordsworth Crescent Plymouth PL2 2NE	Mr Chris King

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
23/05/2018	Granted Conditionally	18/00222/LBC	Mr Paul McLaren	Installation of CCTV on lift tower	Tinside Pool Hoe Road Plymouth PL1 2NZ	Mr Chris Cummings
23/05/2018	Granted Conditionally	18/00297/FUL	Ms Han	Change of use from Tattoo Studio (Sui Generis) to mixed Restaurant/Retail use (Class A1 & A3) and installation of extraction duct on rear elevation	58 Ebrington Street Plymouth PL4 9AF	Mr Mike Stone
23/05/2018	Granted Conditionally	18/00427/FUL	Mr Wood	Proposed single storey rear extension	7 Dengie Close Plymouth PL7 2UR	Mr Macauley Potter
23/05/2018	Granted Conditionally	18/00437/FUL	Paul Seldon	Two storey rear extension to create new living area, store and two bedrooms.	79 Warwick Avenue Plymouth PL5 4BE	Mr Macauley Potter
23/05/2018	Granted Conditionally	18/00525/FUL	Mr & Mrs S Dudley	Proposed first floor side extension	61 Thornyville Villas Plymouth PL9 7LD	Mrs Alumecci Tuima
23/05/2018	Granted Conditionally	18/00535/FUL	Mrs Kerry Cornew	Front porch, first floor extension over garage	22 Combley Drive Plymouth PL6 8JW	Mr Chris Cummings
23/05/2018	Granted Conditionally	18/00543/FUL	Mr & Mrs M Lewis	Single storey side extension	10 Nightingale Close Plymouth PL9 8PN	Mrs Alumecci Tuima
23/05/2018	Granted Conditionally	18/00570/FUL	Mr James Woodley	Construction of building containing 9 dwellings, parking spaces and associated bike and bin storage (demolition of existing light industrial unit) and associated works	28 George Place Plymouth PL1 3NY	Mr Chris King



Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
23/05/2018	Refused	18/00724/AMD	Mrs Anita Johnson	Non-material Minor Amendment: Alteration to front porch design with addition of meter cupboard door and a structural pier for application 14/01683/FUL	1 Leatfield Drive Plymouth PL6 5HP	Mrs Alumeci Tuima
24/05/2018	Granted Conditionally	18/00523/TPO	Mr Darren Bennett	T1 Oak: reduce overhanging branches back by up to 2 meters to natural growth points on no. 48 side. Selectively prune 12-15 branches by up to 2 meters to natural growth points on no. 46 side and 3 to 4 overextended branches in top of the crown.	46 Torridge Road Plymouth PL7 2DQ	Ms Joanne Gilvear
24/05/2018	Granted Conditionally	18/00538/FUL	Learning Academies Trust	Refurbishment of existing outbuilding and erection of entrance lobby	Salisbury Road Primary School Salisbury Road Plymouth PL4 8QZ	Mr Simon Osborne
24/05/2018	Granted Conditionally	18/00553/TPO	Mr Michael Willacy	Oak - various reduction works of between 1.5-4m as detailed in work schedule dated 8/3/18. All pruning to be done to natural growth points.	32-38 Westbury Close Plymouth PL5 4AH	Mrs Jane Turner
24/05/2018	Granted Conditionally	18/00556/FUL	Mr Christopher Bailey	Side and rear extension and rear decking area	8 Belle Vue Avenue Plymouth PL9 9QE	Miss Josephine Maddick
24/05/2018	Granted Conditionally	18/00562/TPO	Mr Vanasen Kanniah	T1 Lime - crown lift to 4m above ground level, trim from side of building to give 2m clearance and remove epicormic growth at base. T2 Lime - crown lift to 3m above ground level and remove epicormic growth at base. T3 Lime - remove epicormic growth at base and on stem.	The Rise 35 George Lane Plymouth PL7 1LJ	Ms Joanne Gilvear
24/05/2018	Granted Conditionally	18/00585/FUL	Mr Johnny Fraser	Change of use from a shop (Class A1) to an apartment (Class C3)	67 Clifton Place Plymouth PL4 8HY	Mr Oliver Gibbins

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24/05/2018	Granted Conditionally	18/00647/TCO	Mr James Ricketts	T1 Crab Apple - reduce overall by 1 m.T2 Yew - reduce in height by 1.5 m, shape top and trim sides.T3 Magnolia - reduce overall by 1 to 1.5 m.T4 Yew - reduce in height by 1.5 m, shape top and trim sidesT5 Bay - reduce in height by 1.5 m and trim sidesG1 Bay and Laurel - reduce in height by 1.5 to 2 meters and trim sides in.Reasons re to allow more light into front of property and side	77A Mannamead Road Plymouth PL3 4SX	Ms Joanne Gilvear
24/05/2018	Granted Conditionally	18/00648/FUL	Mr S Devlin & Mrs C Grant	Hardstanding (retrospective)	3 Franklyns Close Plymouth PL6 5JF	Mr Chris Cummings
24/05/2018	Granted Conditionally	18/00675/TPO	Carr	Poplar (T1) - Remove lowest branchHornbeam (T2) - Crown lift to approximately 5 metres	Mount Gould Hospital Mount Gould Road Plymouth PL4 7QD	Ms Joanne Gilvear
24/05/2018	Refused	18/00757/AMD	Mrs Evans	Non-material Amendment: Move the extension gable wall so that it aligns with the existing gable wall for application 17/02188/FUL	12 Bakers Place Richmond Walk Plymouth PL1 4LX	Mrs Alumecci Tuima
25/05/2018	Refused	18/00208/FUL	Mr S Lucas	New dwelling	1 Peacock Close Plymouth PL7 4QL	Miss Amy Thompson
25/05/2018	Granted Conditionally	18/00500/FUL		Replacement of 2 existing temporary class rooms with 2 new modular units. The units are of the same footprint as what is to be replaced.	Manadon Vale Primary School St Peters Road Plymouth PL5 3DL	Mr Oliver Gibbins
25/05/2018	Granted Conditionally	18/00516/FUL	Dr D A Jones	Widening of existing hardstanding	5 Belmont Villas Plymouth PL3 4DP	Mr Chris Cummings

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25/05/2018	Granted Conditionally	18/00579/FUL	Ms Katy Hodgson	Hardstanding to front garden	120 Vicarage Gardens Plymouth PL5 1LJ	Mrs Alumeci Tuima
25/05/2018	ESRI Completed	18/00720/ERS103	Mr Neal Jillings	Request for Screening Opinion for proposed demolition of 228 existing apartments and replacement with up to 220 houses and apartments (including) around 100sqm of commercial/community floorspace).	Land At Poole Park Road Barne Barton Plymouth	Mr Simon Osborne
25/05/2018	Refused	18/00756/AMD	Miss Brown	Non-material Minor Amendment: Move the extension gable wall so that it aligns with the existing gable wall of application 17/02199/FUL	14 Bakers Place Richmond Walk Plymouth PL1 4LX	Mrs Alumeci Tuima
29/05/2018	Granted Conditionally	18/00468/ADV	Nigel Hewlett	Advertisement consent for 7 x Fascia sign (5 internally illuminated). 2 x projecting signs, 13 x other signs (3 internally illuminated)	KFC Plymouth Road Plymouth PL6 8NH	Mr Macauley Potter
29/05/2018	Granted Conditionally	18/00494/FUL	Mr & Mrs Connor	Side extension, front porch & replacement windows throughout	143 Elburton Road Plymouth PL9 8JD	Mrs Alumeci Tuima
29/05/2018	Granted Conditionally	18/00597/FUL	Mr Ian Frazer	Remove existing single glazed metal framed windows to communal stairwells and replace with double glazed uPVC framed windows, overlay existing flat roof with bitumen felt, over render existing Tyrolean	1A-F To 9A-F Teats Hill Flats Teats Hill Road Plymouth PL4 OLX	Mr Mike Stone
29/05/2018	Granted Conditionally	18/00626/FUL	Mr & Mrs G Thompson	Two storey side extension	12 Holly Park Close Plymouth PL5 4JY	Mr Mike Stone

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30/05/2018	Granted Subject to S106	18/00234/S73	Henley Real Estate Developments Ltd	Section 73 application to modify conditions: 1 (plans), 10 (further details), 11 (materials samples), 35 (deliveries and refuse collection) & 36 (use of loading bays) of planning permission 17/00952/FUL to allow for various amendments to the external design of the scheme, amended hours for deliveries and reconfiguration of the service yard to incorporate staff car parking spaces	Former Quality Hotel Cliff Road Plymouth PL1 3BE	Mr Tim Midwood
30/05/2018	Granted Conditionally	18/00302/FUL	Mr Sean Ryder	Install raised external deck to rear garden	99 Howard Road Plymouth PL9 7ER	Mr Mike Stone
30/05/2018	Granted Conditionally	18/00591/FUL	Mr Ian Pearson	Detached garage	10 Kernow Gate Plymouth PL5 1FB	Mrs Alumeci Tuima
30/05/2018	Granted Conditionally	18/00633/TPO	Mrs Brigitte Hue	Tree overhanging garden - reduce back overhanging branches by 2.5-3m to natural growth points.	43 Honiton Walk Plymouth PL5 4HJ	Mrs Jane Turner
30/05/2018	Granted Conditionally	18/00706/TPO	Sarah Watson	Oak - reduce branches on house side by 2m to natural growth points and balance on other side over lane. - thin whole crown by 15% and crown raise to above gutter height on house side.	72 Highglen Drive Plymouth PL7 5LJ	Mrs Jane Turner
31/05/2018	Granted Conditionally	18/00199/FUL	Mr Steve George	Two storey side and single storey front extension	20 Gray Crescent Plymouth PL5 1DA	Miss Amy Thompson
31/05/2018	Granted Conditionally	18/00463/LBC	Mr Joe Clingo	Install Anti-Climb Gutter Spikes to the external dockyard wall guttering on the rear of building N223	Devonport Dockyard Saltash Road Keyham Plymouth PL1 4SG	Dr John Salvatore

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31/05/2018	Granted Conditionally	18/00466/FUL	Mr & Mrs Edwards	Construction of a driveway.	71 Fletemoor Road Plymouth PL5 1UL	Mr Macauley Potter
31/05/2018	Granted Conditionally	18/00587/FUL	Mr S James	Erection of new dwelling and detached garage with store/games room above	Fort House Fort Terrace Plymouth PL6 5BU	Mr Jon Fox
01/06/2018	Granted Conditionally	18/00554/FUL	Mr Colin Matthews	Sub-division of Use Class A1 building to provide 2No A1/A2/B1 commercial units involving change of use and works to building; first floor extension to create a new residential flat (Use Class C3); alterations to disabled parking bays; and alterations to carpark	15 Frogmore Avenue Plymouth PL6 5XH	Mr Oliver Gibbins
01/06/2018	Refused	18/00716/AMD	Mr Ian MacMartin	Non-material Amendment for application 15/00858/OUT	Former Chaucer Primary School Chaucer Way Plymouth	Mr Thomas Westrope
01/06/2018	Agreed	18/00763/CDM	Mr Kevin Hancock	Condition Discharge: Conditions 5 & 7 of application 15/00776/FUL	Former Ship Hostel, George Place Plymouth PL1 3NY	Mrs Karen Gallacher
04/06/2018	Granted Conditionally	18/00221/FUL	Mr Paul McLaren	Installation of CCTV on lift tower	Tinside Pool Hoe Road Plymouth PL1 2NZ	Mr Chris Cummings
04/06/2018	Granted Conditionally	18/00517/FUL	Mr R Brailsford	Single storey extension to rear, new garage/store to side elevation	30 Priory Mill Plymouth PL7 1WR	Mrs Alumeci Tuima
04/06/2018	Granted Conditionally	18/00636/FUL	Mr & Mrs S Panton	Replacement of existing conservatory with single storey extension and replacement windows	62 Fore Street Plympton Plymouth PL7 1NB	Mr Mike Stone

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04/06/2018	Granted Conditionally	18/00637/LBC	Mr & Mrs S Panton	Replacement of existing conservatory with single storey extension and replacement windows	62 Fore Street Plympton Plymouth PL7 1NB	Mr Mike Stone
04/06/2018	Granted Conditionally	18/00713/FUL	Miss Jain Eastland	Change of use of dwelling house to one self-contained flat and one maisonette	22 Cromwell Road Plymouth PL4 9QP	Mr Macauley Potter
04/06/2018	Granted Conditionally	18/00795/ADV	Mr Cawse	Directional sign to Burrington Estates development	Highway Verge To Northern Side Of Frobisher Approach, Opposite Junction With Warspite Gardens Plymouth	Mrs Katie Saunders
06/06/2018	Granted Conditionally	17/02272/ADV	Mr Andy Joyce	Replacement individual house name letters and large wall mounted facility sign	The Bank Old George Street Plymouth PL1 2TG	Miss Amy Thompson
06/06/2018	Granted Conditionally	17/02277/LBC	Mr Andy Joyce	Replacement of the existing external signage with new & external lighting	The Bank Old George Street Plymouth PL1 2TG	Miss Amy Thompson
06/06/2018	Granted Conditionally	18/00160/LBC	Mr & Mrs Fiander	Internal and external alterations	19 Athenaeum Street Plymouth PL1 2RH	Dr John Salvatore
06/06/2018	Granted Conditionally	18/00283/FUL	Mr & Mrs Cracknell	Replacement of flat roof with a pitched roof including gable end	3 Venn Crescent Plymouth PL3 5PJ	Mrs Alumecci Tuima
06/06/2018	Granted Conditionally	18/00312/ADV	Mr C Ballard	Window graphics	Unit 1 Drake Circus Shopping Mall 1 Charles Street Plymouth PL1 1EA	Mr Macauley Potter

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06/06/2018	Granted Conditionally	18/00329/LBC	Mr Matthew Lawson	Repairs and redecoration, including Installation of clay chimney flue ventilators.	12 The Barbican Plymouth PL1 2LS	Mr Mike Stone
06/06/2018	Granted Conditionally	18/00390/TPO	Mr John Dean	1x Beech - remove 1x Sycamore - remove 1x Robinia - remove (not covered by TPO). 1x Cedar - remove broken branches 1x Beech - reduce branch to south by 1.5-2m G1 - various trees next to path - crown raise to 3m above ground level over path and deadwood.	Trelorin Gardens Plymouth PL3 4QD	Mrs Jane Turner
06/06/2018	Granted Conditionally	18/00408/S73	Morrisons	Variation of Condition 5 of application 17/02243/FUL to vary hours of operation for home delivery service on Sundays and Bank Holidays to 08.00 to 20.00	15 Pomphlett Road Plymouth PL9 7BH	Mr Chris Cummings
06/06/2018	Granted Conditionally	18/00477/FUL	Mr Stuart Weeks	Proposed side and rear extension above existing garage	10 Garston Close Plymouth PL9 8JF	Mrs Alumeci Tuima
06/06/2018	Granted Conditionally	18/00483/TPO	Mrs Jemma Honey	Beech - lowest smaller limbs x2 reduced by 3 to 4 m to suitable growth points. Reduce next limb by 4m to suitable growth points. 4th highest reduce limb by 3m to suitable growth points.	Bambinos Day Nursery 111 Church Road Plymstock Plymouth PL9 9AY	Ms Joanne Gilvear
06/06/2018	Granted Conditionally	18/00547/ADV	Costa Ltd	1x height barrier; 2x key seller sign; 1x double menu sign; 1x monument sign; 1x roof letters; and 3x fascia signs	Legacy Plymouth International Hotel 270 Plymouth Road Plymouth PL6 8NH	Mr Macauley Potter
06/06/2018	Granted Conditionally	18/00663/FUL	Mr M Phillips	Change of use of part of the site from storage (Class B8) to car sales (Sui Generis)	271 Embankment Road Plymouth PL4 9JH	Miss Amy Thompson
06/06/2018	Granted Conditionally	18/00697/FUL	96 Vauxhall Street Management Company Ltd	Proposed front railings and rear glazed screens to common areas	96 Vauxhall Street Plymouth PL4 0DD	Miss Amy Thompson

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06/06/2018	Granted Conditionally	18/00714/FUL	Mr Sean Carter	Conversion of garage to habitable space	40 Regent Street Plymouth PL4 8BB	Mr Chris Cummings
06/06/2018	Granted Conditionally	18/00733/LBC	Mr Lee Tomlinson	Internal and external repairs and maintenance	Sherwell Church Lodge North Hill Plymouth PL4 8ER	Mr Chris Cummings
06/06/2018	Refused	18/00776/AMD	Mr Darin Smith	Non-material Amendment: Installation of a window in the master bedroom en-suite on the east side of the building in line with that indicated in the original planning application 17/00991/FUL	8 Coltsfield Close Plymouth PL6 5TU	Mrs Alumecci Tuima
06/06/2018	Refused	18/00778/AMD	Miss Hannah Jones	Non-material amendment for application 16/00150/FUL - Change of brick design, change of mortar colour, and change of roof tile colour	Land At Redwood Drive And Poplar Close Plymouth PL7 2FS	Mr Simon Osborne
07/06/2018	Granted Conditionally	18/00322/FUL	Mr Stuart Bishop	Loft conversion, rear dormer and front velux windows	12 Oreston Road Plymouth PL9 7JZ	Mrs Alumecci Tuima
07/06/2018	Granted Conditionally	18/00487/FUL	Mr Nicholas Hartley-Aldred	Change of use of single dwelling (Class C3) to 3 dwellings (Class C3) with alterations; demolition of rear extension & outbuilding and erection of single-storey rear extension & outbuilding (resubmission of application 17/01657/FUL)	8 Wyndham Square Plymouth PL1 5EF	Mr Jon Fox
07/06/2018	Granted Conditionally	18/00488/LBC	Mr Nicholas Hartley-Aldred	Change of use of single dwelling (Class C3) to 3 dwellings (Class C3) with alterations; demolition of rear extension & outbuilding and erection of single-storey rear extension & outbuilding (resubmission of application 17/01658/LBC)	8 Wyndham Square Plymouth PL1 5EF	Mr Jon Fox



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07/06/2018	Granted Conditionally	18/00671/FUL	Mr Jeff Jenkins	Single storey rear extension	115 Pemros Road Plymouth PL5 1LU	Mrs Alumecci Tuima
07/06/2018	Granted Conditionally	18/00705/S73	Mr Jamie Oxley	Variation of condition 4 of application 12/00805/FUL to increase number of permitted bedrooms from 8 to 10 including alterations to rear parking space and installation of rooflights (resubmission of application 17/01752/S73)	42 Sutherland Road Plymouth PL4 6BN	Mr Chris Cummings
08/06/2018	Granted Conditionally	18/00185/FUL	Mr Keith Bowles	Two-storey rear extension and rear balcony (Resubmission of 17/01552/FUL)	Ivymay House Amacre Drive Plymouth PL9 9RJ	Mr Mike Stone
08/06/2018	Granted Conditionally	18/00544/FUL	Miss Sunita Jhugroo	Change of use of HMO (Class C4) to residential care (Class C2)	3 Belmont Place Plymouth PL3 4DN	Mr Oliver Gibbins
08/06/2018	Granted Conditionally	18/00545/FUL	Mr Hibbert	First floor side and rear extension	Alma Lodge Guest House 125 Alma Road Plymouth PL3 4HQ	Mr Macauley Potter
08/06/2018	Agreed	18/00617/CDM	Drake Circus Leisure Ltd	Partial Condition Discharge: Condition 6 of application 17/01409/S73M	Bretonside Bus Station Bretonside Plymouth PL4 0BG	Mr John Douglass
08/06/2018	Granted Conditionally	18/00627/FUL	Mr & Mrs Prior	Rear dormer	15 Longview Terrace Plymouth PL3 6QF	Mr Mike Stone
08/06/2018	Granted Conditionally	18/00653/FUL	Mr Kieren Tickner	Conversion of garage, internal alterations and external boundary wall (resubmission of 18/00008/FUL)	79 Vicarage Gardens Plymouth PL5 1LH	Mrs Alumecci Tuima

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08/06/2018	Granted Conditionally	18/00666/FUL	Mr Chris Hughes	Single storey rear extension and balcony over	2 Vicarage Gardens Plymouth PL5 1LG	Mrs Alumeci Tuima
08/06/2018	Granted Conditionally	18/00676/FUL	Mr Darren Tyrell	Two storey side extension and patio	51 Frontfield Crescent Plymouth PL6 6RZ	Mr Mike Stone
08/06/2018	Granted Conditionally	18/00787/FUL	Mrs Sarah Bayliss	Single storey rear extension	19 Herbert Place Plymouth PL2 1RU	Mr Sam Lewis
11/06/2018	Agreed	16/02417/CDM	Jessica Duffield	Condition Discharge: Conditions 4, 6, 7, 8, 9, 10 & 13 of application 16/00150/FUL	Land At Redwood Drive And Poplar Close Plymouth PL7 2FS	Mr Simon Osborne
11/06/2018	Agreed	17/00625/CDM	Taylor Wimpey (South West)	Condition Discharge: Conditions 3 and 10 of application 16/00287/REM for Parcel J and L.	"Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Haye Road Elburton Plymouth	Mr Ian Sosnowski
11/06/2018	Granted Conditionally	18/00582/FUL	Mr John Ireland	Single rear extension	60 Lucas Lane Plymouth PL7 4EX	Mrs Alumeci Tuima
11/06/2018	Granted Conditionally	18/00601/TPO	Mr Michael Willacy	T1 Sycamore - remove lowest 5 branches and reduce spread by up to 4m on car park side.T2 and T3 London Plane and Oak to r/o 18 Tillard Cl - reduce overhanging branches by up to 4m to natural growth points.T4 Oak - pollard to height of 4.5m.	12-26 Tillard Close Plymouth PL7 2YT	Mrs Jane Turner
11/06/2018	Granted Conditionally	18/00688/TPO	Mr John Stenning	2x Oak - reduce canopy by 1.5-2m and thin crown by 20%.	42 Cross Park Way Plymouth PL6 5AP	Ms Joanne Gilvear

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12/06/2018	Granted Conditionally	18/00351/FUL	Mr Robert Jenkins	Rear extension and terrace, hip to gable roof conversion with rooflights and raise roof height, new front bay, changes to sizes and position of windows, new windows and external doors.	31 Venn Grove Plymouth PL3 5PH	Mr Mike Stone
12/06/2018	Granted Conditionally	18/00438/FUL	Mr N Laphorn	Proposed rear private motor garage	11 Bircham View Plymouth PL6 5PY	Mrs Alumecci Tuima
12/06/2018	Granted Conditionally	18/00489/FUL	Mr Andy Howie	Side and rear extension at first floor and front porch	16 Windermere Crescent Plymouth PL6 5HX	Mr Mike Stone
12/06/2018	Granted Conditionally	18/00510/FUL	Mr Paul McClymont	Two-storey side extension and single storey rear extension	71 Merafield Drive Plymouth PL7 1TR	Mr Chris Cummings
12/06/2018	Granted Conditionally	18/00561/FUL	Mr Nigel Passmore	Side extension to garage and additional floor to form detached annexe and alterations to main house (Resubmission of 18/00266/FUL).	Warleigh Acre 50 Old Warleigh Lane Plymouth PL5 4ND	Mr Mike Stone
12/06/2018	Agreed	18/00673/CDM	Mr P Fleet	Condition Discharge: Condition 3 of application 16/00274/FUL	The Walrus, Notte Street Plymouth PL1 2RH	Mr Chris Cummings
13/06/2018	Granted Conditionally	18/00454/FUL	The Plymouth Barbican Trust Ltd	Change of use from office to hairdressing salon (Class A1)	33 Looe Street Plymouth PL4 0EA	Mr Chris Cummings
13/06/2018	Granted Conditionally	18/00455/LBC	The Plymouth Barbican Trust Ltd	Internal alterations, upgrading of fire resistance aspects and new access into external wall	33 Looe Street Plymouth PL4 0EA	Mr Chris Cummings

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13/06/2018	Granted Conditionally	18/00658/FUL	Mr & Mrs Bailey	Rear extension including part first floor extension	31 Edgar Terrace Plymouth PL4 7HQ	Mrs Alumeci Tuima
13/06/2018	Granted Conditionally	18/00722/FUL	Mr & Mrs Bickle	Proposed front extension	4 Hedingham Gardens Plymouth PL6 7DX	Mrs Alumeci Tuima
13/06/2018	Granted Conditionally	18/00775/FUL	Mr Fawzi	Change of use of ground floor and basement maisonnette to create two 2-bed flats (Class C3)	Ground Floor Flat, 24 Gifford Terrace Road Plymouth PL3 4JE	Mr Chris Cummings
13/06/2018	Refused	18/00797/AMD	Mr R Pillar	Non-material amendment: Plots 1-20; Amendments to removal of chimneys and minor variation to plot setting out details to plots 15-20 for application 14/02336/FUL	Mannamead Centre 15 Egguckland Road Plymouth Plymouth PL3 5HF	Mr Thomas Westrope
13/06/2018	Agreed	18/00854/CDM	Mr David List	Condition Discharge: Condition 7 of application 15/01242/FUL	Tamar Bridge Offices Tamar Bridge Plymouth PL5 1LP	Mr Jon Fox
14/06/2018	Granted Conditionally	18/00364/FUL	Amanda Williams	Rear extension and raised platform (resubmission of 17/01736/FUL)	130 Vicarage Gardens Plymouth PL5 1LJ	Mr Mike Stone
14/06/2018	Granted Conditionally	18/00423/FUL	Mr Zac Morgan	First floor rear extension with pitched apex roof	22 Dunstone Road Plymstock Plymouth PL9 8RQ	Mr Macauley Potter
14/06/2018	Granted Conditionally	18/00844/TCO	Ms Jill Schwarz	3x Sycamore (not Elm) 16 Albert Road: Remove due to damage to boundary wall.	Flat 1, 16 Albert Road Plymouth PL2 1AD	Mrs Jane Turner

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14/06/2018	Agreed	18/01043/CDC	John Sanderson	Condition compliance: Confirmation that conditions 3 and 4 of 15/01363/FUL have been discharged/complied with	Garden Plot Between No.S 74 & 78 Compton Avenue, (Former Garden To 46 Rockingham Road) Plymouth	Mr Chris King
15/06/2018	Granted Conditionally	17/01929/LBC	Mrs Deborah Potts	Replacement box gutter, works to roof and rainwater goods	7 Wyndham Square Plymouth PL1 5EF	Mrs Rachel Broomfield
15/06/2018	Agreed	17/02339/CDM	Ruth Burrows	Condition Discharge: Condition 13 (Public Spaces - partial) and 17 (Landscape Maintenance Plan - partial) of application 15/00519/REM	"Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Haye Road Plymouth PL9 8DD	Mr Ian Sosnowski
15/06/2018	Agreed	17/02380/CDM	Taylor Wimpey (South West)	Condition Discharge: Condition 13 (Public Spaces - partial) and 17 (Landscape Maintenance Plan - partial) of application 15/00517/REM	"Sherford New Community" Land South/Southwest Of A38, Deep Lane And East Of Haye Road, Elburton, Plymouth	Mr Ian Sosnowski
15/06/2018	Agreed	18/00097/CDM	Mr Matt Stead	Condition Discharge: Conditions 13 (Public Spaces - partial) and 17 (Landscape Maintenance Plan - partial) of application 15/00518/REM	"Sherford New Community" Land South/Southwest Of A38, Deep Lane And East Of Haye Road, Elburton, Plymouth	Mr Ian Sosnowski
15/06/2018	Granted Conditionally	18/00465/FUL	Mr Adrian Griffin	Single storey extension to provide extra care area & place of safety and associated works	4 William Prance Road Plymouth PL6 5ZD	Mr Simon Osborne
15/06/2018	Granted Conditionally	18/00473/S73	GBH (Devon) Ltd	Variation of condition 1 of application 17/00016/S73 to amend the flat layouts and relocate the approved bike and bin storage	Former Royal Eye Infirmary Apsley Road Plymouth PL4 6PL	Mrs Katie Saunders
15/06/2018	Granted Conditionally	18/00474/LBC	GBH (Devon) Ltd	Conversion and alterations to form 12 flats; bin store; cycle store; adjustment of rear levels and re-modelling of east elevation	Former Royal Eye Infirmary Apsley Road Plymouth PL4 6PL	Mrs Katie Saunders

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15/06/2018	Granted Conditionally	18/00605/FUL	Mr P Jakes	Two storey side extension	26 Ashleigh Close Plymouth PL5 4PZ	Mrs Alumeci Tuima
15/06/2018	Granted Conditionally	18/00645/LBC	Ms Michaela Beck	Refurbishment and extension to existing building	The Market House Building 65 Duke Street Plymouth PL1 4ED	Mr Jon Fox
15/06/2018	Granted Conditionally	18/00698/FUL	Mr Barrie Douglass	Continued use of eastern zone as temporary pay and display car park for two years with boundary hoardings retained	Derrys Cross Plymouth PL1 2SW	Mr Simon Osborne
15/06/2018	Granted Conditionally	18/00700/FUL	Mrs Croker	Rear extension and front porch (Part-retrospective)	9 Kingston Drive Plymouth PL7 2UZ	Mrs Alumeci Tuima
15/06/2018	Granted Conditionally	18/00701/FUL	Ms Hannah Sloggett	Change of use from public house (Class A4) to retail (Class A1)	65 Union Street Plymouth PL1 3LU	Mr Chris Cummings
15/06/2018	Granted Conditionally	18/00832/FUL	Friary Mill Bakery	Single storey extension	Friary Mill Bakery 8 Oakfield Place Plymouth PL4 0PU	Mr Chris Cummings
15/06/2018	Granted Conditionally	18/00841/FUL	Plymouth Community Homes	External insulation installation and external repairs	2-96 (evens) Keat Street Plymouth PL2 1SB	Mr Chris Cummings
15/06/2018	Agreed	18/00843/CDM	IQ Student Accommodation	Condition Discharge: Conditions 11 & 12 of application 17/01900/S73	Astor House, 163 Notte Street Plymouth PL1 2AQ	Mrs Katie Saunders

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15/06/2018	Granted Conditionally	18/00846/FUL	Mrs E Howeson	Glazed canopy, enlargement of decking, bin store relocation and creation of parking space	12 Constance Place Plymouth PL1 3NN	Mr Chris Cummings
15/06/2018	ESRI Completed	18/00912/ERS103	Phil Jones	Request for an EIA Screening Opinion for the proposed 21 storey building comprising circa 150 residential apartments and 5 commercial units (2,940 sq m) with 120 underground car parking spaces	Sugar Quay Sutton Harbour Plymouth	Mrs Janine Warne
15/06/2018	Agreed	18/00940/CDM	Mr Graham Clark	Condition Discharge: Condition 5(b) of application 17/01047/FUL	Madras, 29 Furzehatt Road Plymouth PL9 8QX	Mr Chris King
15/06/2018	Agreed	18/00965/CDM	Mr Graham Clark	Condition Discharge: Condition 3 of application 17/01590/S73	Madras, 29 Furzehatt Road Plymouth PL9 8QX	Mr Chris King
15/06/2018	Refused	18/01001/AMD	Mr Russ Humphries	Non-material Amendment: Addition of gates to the rear gardens of plots 66, 67, and 73 for application 16/01291/S73	Former Tamerton Vale School Plymouth PL6 6PE	Mrs Katie Saunders
18/06/2018	Granted Conditionally	18/00849/FUL	Mr Mark Zab	Demolition of existing conservatory and erection of a single storey rear extension	Pembroke Lodge Woodside Plymouth PL4 8QE	Mr Sam Lewis
18/06/2018	Granted Conditionally	18/00863/FUL	Mrs L Atterbury	First floor window and door replacement with french doors	1st & 2nd Floor Flat, 94 Durnford Street Plymouth PL1 3QW	Mr Chris Cummings
18/06/2018	Granted Conditionally	18/00864/LBC	Mrs L Atterbury	First floor window and door replacement with french doors	1st & 2nd Floor Flat, 94 Durnford Street Plymouth PL1 3QW	Mr Chris Cummings

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