



#plymplanning

Oversight and Governance

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PLANNING COMMITTEE

Thursday 27 June 2019
4.00 pm
Council House, Plymouth

Members:

Councillor Stevens, Chair

Councillor Tuohy, Vice Chair

Councillors Mrs Bridgeman, Corvid, Sam Davey, Derrick, Loveridge, Morris, Nicholson,
Mrs Pengelly, Rebecca Smith, Ms Watkin 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 30 May 2019.

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. 60 Wain Park, Plymouth, PL7 2HX - 19/00831/FUL (Pages 7 - 12)

Applicant:	Mr and Mrs Anderson
Ward:	Plympton Chaddlewood
Recommendation:	Grant Conditionally
Case Officer:	Mr Macauley Potter

1.2. 8 Birch Pond Road, Plymouth, PL9 7PG - 19/00524/FUL (Pages 13 - 22)

Applicant: Mr Shaun Bow
Ward: Plymstock Radford
Recommendation: Grant Conditionally
Case Officer: Mr Chris Cummings

1.3. Speedway Track, Plymouth Road, Plymouth - 18/02083/S73 (Pages 23 - 32)

Applicant: Mr Phillips
Ward: Plympton Erle
Recommendation: Grant Conditionally
Case Officer: Mr Jon Fox

7. Planning Enforcement (Pages 33 - 34)

8. Planning Application Decisions Issued (Pages 35 - 52)

The Service 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>

9. Appeal Decisions (Pages 53 - 56)

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>

10. Exempt Business

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

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Planning Committee

Thursday 30 May 2019

PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

Councillors Mrs Bridgeman, Corvid, Sam Davey, Derrick, Morris, Nicholson, Mrs Pengelly, Rebecca Smith, Ms Watkin and Winter.

Apology for absence: Councillor Loveridge.

Also in attendance: Peter Ford (Head of Development Management, Strategic Planning and Infrastructure), Karen Gallacher (Planning Officer), Mark Lawrence (Lawyer), Julie Parkin (Senior Lawyer), Helen Prendergast (Democratic Adviser) and Jamie Sheldon (Democratic Adviser).

The meeting started at 4.00 pm and finished at 6.45 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. **To Note the Appointment of Chair and Vice Chair**

The Committee noted the appointment of Councillor Stevens as Chair and Councillor Tuohy as Vice Chair for the forthcoming municipal year 2019/20.

2. **Declarations of Interest**

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

Name	Minute Number and Item	Reason	Interest
Councillor Bridgeman	Minute number 7 and item 7.1	Statue Fund	Personal Interest
Councillor Nicholson	Minute number 7 and item 7.1	Statue Fund	Personal Interest
Councillor Mrs Pengelly	Minute number 7 and item 7.1	Statue Fund	Personal Interest

Councillor Rebecca Smith	Minute number 7 and item 7.1	Knew the applicant Statue Fund	Personal Interest
Councillor Winter	Minute number 9 and Item 7.3	Director of Marine Academy	Disclosable Pecuniary Interest

3. **Minutes**

The Committee agreed that the minutes of the meeting held on 15 March 2019 were a correct record, subject to the deletion of Martin Leaves and the inclusion of Michael Leaves in the attendance.

4. **Chair's Urgent Business**

The Chair welcomed Councillor Ms Kathy Watkin to her first Planning Committee meeting and welcomed back to the Committee Councillors Maddi Bridgeman and Sam Davey.

The Chair advised that if Councillors had any questions regarding the planning performance 2018/19 presentation which had been circulated to Councillors, then they should direct these to Peter Ford (Head of Development Management, Strategic Planning and Infrastructure).

The Chair took this opportunity to wish Councillor Rebecca Smith a happy birthday.

In accordance with Section 100(B)(4)(b) of the Local Government Act, 1972, the Chair brought forward the above item for urgent consideration because of the need to advise Members of the action taken).

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

There were no questions from members of the public.

6. **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.

7. **Grassed Area In Front of Elliot Terrace Plymouth - 19/00280/FUL**

Mrs Alexis Bowater
Decision:

Granted conditionally – with additional informative stating ‘all relevant parties to consider and negotiate a suitable access to the statue subject to all other relevant considerations’.

Agreed that due to access issues raised by the Planning Committee, the Members request that the Council considers all options to bring forward a suitable access to the Lady Nancy Astor statue, if it is feasible and reasonable to do so.

(The Committee heard from Councillor Penberthy, St Peter and the Waterfront Ward Councillor)

(The Committee heard from the applicant)

(Councillor Ms Watkin left the meeting and took no further part in the remainder of the meeting following this item)

8. **Land Known as Hooe Green, Plymouth - 21040**

Mr Robin Blythe-Lord

Decision:

Approval of the application site be added to the register of Town and Village Greens.

(The Committee heard from the applicant)

9. **Land known as Newton Playing Field, Kings Tamerton, Plymouth - 21127**

Mrs Carole Cook

Decision:

Agreed that the application site should not be added to the register of Town and Village Greens.

(Councillor Winter declared a Disclosable Pecuniary Interest and left the room for this item only)

10. **Planning Enforcement**

Members noted the report.

11. **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 meeting.

12. **Appeal Decisions**

Peter Ford (Head of Development Management, Strategic Planning and Infrastructure) advised Members that, in regard to the appeal at the Former Quality Hotel, Cliff Road (planning application 18/000234/S73) the appeal had been upheld and the condition regarding the long term maintenance of the cladding had been removed.

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

13. **Exempt Business**

There were no items of exempt business.

Voting Schedule (Pages 5 - 6)

*** Please note ***

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

Planning Committee – 30 May 2019

Schedule of Voting

Minute number and Application		Voting for	Voting against	Abstained	Absent due to interest declared	Absent
7.1	Minute 7 Grassed area in front of Elliot Terrace, Plymouth 19/00280/FUL	Unanimous				
7.2	Minute 8 Land known as Hooe Green, Plymouth 21040	Unanimous				Councillor Ms Kathy Watkin
7.3	Minute 9 Land known as Newton Playing Field, Kings Tamerton 21127	Unanimous			Councillor Winter declared a DPI and was not present for this vote	Councillor Ms Kathy Watkin

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PLANNING APPLICATION OFFICERS REPORT



Application Number	19/00831/FUL	Item	01
Date Valid	23.05.2019	Ward	PLYMPTON CHADDLEWOOD
Site Address	60 Wain Park Plymouth PL7 2HX		
Proposal	Extension to existing balcony.		
Applicant	Mr & Mrs Anderson		
Application Type	Full Application		
Target Date	18.07.2019	Committee Date	27.06.2019
Extended Target Date	N/A		
Decision Category	PCC Employee		
Case Officer	Mr Macauley Potter		
Recommendation	Grant Conditionally		



This application has been referred to the Planning Committee as the applicant is an employee of Plymouth City Council.

1. Description of Site

60 Wain Park is a two storey detached dwellinghouse located in the Plympton Chaddlewood area. The application site is a corner plot which fronts both Wain Park and Grange Road.

2. Proposal Description

Extension to existing balcony. The balcony has a current depth of 0.6 metres, a width of 2.7 metres and a height (to the top of the balustrading) of 2.3 metres. The proposed balcony will have a depth of 1.2 metres, a width of 2.7 metres and a total height of 2.4 metres.

3. Pre-application Enquiry

A pre application enquiry was made for this application. The Case Officer considers the proposal to be minor and as such outlook will not greatly change (in essence the existing balcony will increase to double the depth). The Case officer photographed viewpoints factoring in this depth increase and considered there to be no adverse privacy concerns for both the neighbours to the east and south as well as the applicant. Advised that a planning application would be acceptable in principle.

4. Relevant Planning History

06/00003/FUL - Private motor garage attached to north side of existing dwellinghouse, with access at junction of Wain Park and Grange Road (existing garages to be removed) – application withdrawn.

5. Consultation Responses

None requested.

6. Representations

None received.

7. Relevant Policy Framework

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and by West Devon Borough Council and Plymouth City Council on March 26th 2019.

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

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.5 years at the point of adoption. This is set out in the Housing Position Statement conclusions in paragraphs 8.6 and 8.7. The three authorities have jointly notified the Ministry of Housing, Communities and Local Government of their choice to monitor at the whole plan level, and are currently awaiting a response from MHCLG regarding the Housing Delivery Test Measurement and its implications.

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

- Development Guidelines Supplementary Planning Document First Review (2013)

8. Analysis

1 This application turns upon the adopted Joint Local Plan and its policies DEV1 (Protecting health and amenity) and DEV20 (Place shaping and the quality of the built environment), the Framework and other material policy documents as set out in Section 7.

Design

2 The application seeks to extend out the existing balcony by 0.6 metres, the alterations are proposed to consist of stainless steel with glass balustrading all of which raise the design quality of the existing balcony. The officer considers there to be no adverse impacts to the rear elevation of the application property and will not detract from the street scene. The officer therefore concludes that the scheme will be acceptable from a design perspective.

Amenity

3 The Development Guidelines SPD paragraphs 2.2.26 and 2.2.27 on balconies and roof gardens states:

“Balconies and roof gardens are often unacceptable in urban areas because of the impact they can have on the privacy of neighbours. In assessing a proposal for a balcony or roof garden the degree of overlooking will be considered.”

“Balconies or roof gardens in proposed extensions should not be sited so that they impinge to an unacceptable extent on the privacy of neighbours’ gardens or habitable rooms. However, a balcony that is set back within an extension on the rear elevation of a house may sometimes be acceptable as the extent of potential overlooking is then reduced.”

6 The case officer has considered the proposed scheme in conjunction with the above paragraphs. The increased depth is marginal and the outlook will remain largely unchanged. Currently there is a view into the adjacent neighbouring garden and its raised decking area on the rear elevation, the line of sight currently has little adverse impact to amenity and therefore privacy under the resulting scheme will not be demonstrably affected.

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

N/A

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

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

13. Conclusions and Reasons for Decision

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposed balcony extension accords with policy and national guidance in terms of design and amenity and is therefore recommended for approval.

14. Recommendation

In respect of the application dated 23.05.2019 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**

Existing Plans and Elevations J171-01 - received 22/05/19
Proposed Plans and Elevations J171-02 - received 22/05/19

Reason:

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

2 **CONDITION: COMMENCE WITHIN 3 YEARS**

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

Reason:

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

INFORMATIVES

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

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

2 **INFORMATIVE: UNCONDITIONAL APPROVAL (APART FROM TIME LIMIT AND APPROVED PLANS)**

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

Framework 2019, the Council has worked in a positive and pro-active way [including pre-application discussions] and has granted planning permission.

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PLANNING APPLICATION OFFICERS REPORT



Application Number	19/00524/FUL	Item	02
Date Valid	03.04.2019	Ward	PLYMSTOCK RADFORD
Site Address	8 Birch Pond Road Plymouth PL9 7PG		
Proposal	Single storey rear extension and first floor rear balcony (part retrospective)		
Applicant	Mr Shaun Bow		
Application Type	Full Application		
Target Date	29.05.2019	Committee Date	27.06.2019
Extended Target Date	14.06.2019		
Decision Category	Councillor Referral		
Case Officer	Mr Chris Cummings		
Recommendation	Grant Conditionally		



This application has been referred to Planning Committee by Councillor Leaves

1. Description of Site

8 Birch Pond Road is semi-detached dwelling in the Plymstock Radford ward of Plymouth. There is an attached dwelling to the south-east and a detached dwelling to the north-west. The site has a long rear garden.

2. Proposal Description

Single storey rear extension (retrospective) and first floor rear balcony

The original application was for a first floor rear balcony positioned on top of an existing single storey rear extension. Following examination of the rear extension it was determined that it did not fall within permitted development and planning permission was required. The proposal was then varied to include the extension, which was constructed in 2017.

During the resubmission of plans to include the rear extension the width of the balcony was also reduced to alleviate concerns over neighbour amenity.

3. Pre-application Enquiry

None

4. Relevant Planning History

None for application site. There are a number of relevant planning applications in the surrounding area:

10 Birch Pond Road - 19/00249/FUL - Proposed single storey side extension - Granted conditionally

14 Birch Pond Road - 98/00855/FUL- Two storey rear extension including first floor verandah -

Refused

22 Birch Pond Road - 82/04010/FUL - Extension to dwelling house - Granted conditionally

24 Birch Pond Road - 94/00393/FUL - Single storey side extension and formation of balcony above - Granted conditionally

30 Birch Pond Road - 10/00466/FUL - Retention of single-storey rear extension incorporating roof balcony (variation to planning permission 06/02068) - Granted conditionally

5. Consultation Responses

None requested

6. Representations

Eight letters of representation have been received objecting to the proposal for the following reasons:

- Loss of privacy to neighbouring gardens
- Loss of privacy to habitable rooms
- Overlooking rooflight of recently approved extension of neighbouring property (19/00249/FUL).
- Overlooking from west (rear) window of extension
- Installation of French doors to allow access to balcony area
- Against Human Rights legislation to enjoy right to property
- No objection to the extension but against the balcony
- Loss of property value

Property value is not a material planning consideration. The other material planning considerations raised will be discussed in the analysis section of this report.

7. Relevant Policy Framework

The Plymouth & South West Devon Joint Local Plan was adopted by Plymouth City Council on March 26th 2019.

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

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.5 years at the point of adoption.

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

- Development Guidelines Supplementary Planning Document

8. Analysis

1. This application has been considered in the context Joint Local Plan, the Framework and other material policy documents as set out in Section 7.
2. The original proposal was solely for the first floor balcony. When assessing the proposal it was found that the rear extension was not permitted development and as such the proposal was revised to include this element within it.
3. The original balcony stretched the entire width of the single storey extension roof. This was considered by officers to be unacceptable and was reduced in size when the revised plans for the extension were submitted

Single Storey Rear Extension Design

4. The single storey extension is 'L-shaped', with the dog-leg element connect towards the set-back single storey garage. The surrounding properties have a variety of single storey extensions of different designs and the extension is not considered to be out of character with the surrounding street scene, with the extension replacing a single storey conservatory that was at the rear of the property.
5. The extension has a length of 4.6 metres at the shortest and 8 metres on the dog-legged section, with a width of 9.05 metres. The topography of the site is sloping and the dwelling is set above the garden level at a height of 0.43 metres on the southern side and 0.55 metres on the northern side. This gives a total height of the rear elevation of the extension of 3.43 metres on the southern side and 3.55 metres on the northern.
6. The rear extension element is not considered to be excessive in size and is clearly subordinate to the existing dwelling, there are a number of other rear extensions in the surrounding area and there is a clear precedent for single storey extensions in the area, of varying design.
7. The proposal is therefore considered acceptable in terms of design and is in accordance with Policy DEV20 of the Joint Local Plan and Paragraph 2.2.51 of the Development Guidelines SPD

Amenity

8. The extension is positioned close to the boundary with no.10 Birch Pond Road, to the south. There are no windows on this elevation and although the extension extends above existing fencing the northern position of the structure will limit any loss of daylight and sunlight to the small adjacent area. This adjacent area of the neighbouring property has a current planning permission for an extension in this affected area (Approval 19/00249/FUL) which would further reduce any amenity impacts on the neighbouring dwelling.
9. To the rear of the site there are large windows overlooking the long rear garden. Although there are views into parts of the rear gardens of neighbouring properties, these are areas of mutual overlooking, with similar views from the previous conservatory, first floor windows and rear elevation windows of neighbouring properties. There are therefore not considered to be any significant amenity impacts to the rear.

10. To the north the property is separated from no.6 by a driveway, fencing and bushes. There is not considered to be any significant loss of light to the north. There is a side window on the northern elevation and there is an element of overlooking generated of the neighbouring dwelling, with a distance of 10.85 metres between the two properties. The Development Guidelines SPD does not state a preferred distance between single storey extension windows and neighbouring property windows. The SPD does recommend a 21 metre distance for two-storey developments, however it notes in Paragraph 2.2.23 that an exception may be allowed where the extension is single storey and there is a boundary wall between the two properties.
11. In this instance there is fencing and hedges, with further separation by the driveway between the two dwellings. There is also a more pronounced level of overlooking from an unobscured first floor side window which, although serving a hallway, allows clear views into the side elevation of the neighbouring dwelling. In addition, permitted development does not place any restrictions on ground floor side windows as such if this window was to be removed a window could be placed adjacent to the existing side door that would have the same level of impact.
12. Although it is accepted that there is a level of privacy impacts to the north, the single storey nature of the extension, separation of the two dwellings, existing overlooking and permitted development rights that create a less than significant level of harm to the neighbouring property.
13. The proposal is considered acceptable in terms of amenity impacts and accords with Policy DEV1 and Policy DEV2 of the Joint Local Plan.

Intentional Unauthorised Development

14. 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.
15. 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.
16. 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.
17. 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.

Balcony

18. The original proposal for the balcony was for it to be the width of the rear extension, 9.05 metres. Following discussions with the applicant regarding impacts on neighbouring properties it was reduced in size to 6.85 metres width, with a length of 1.75 metres.

Design

19. The majority of the balcony will be screened from public view by the existing dwelling, with the only visible element from the public highway being the privacy screen on the northern elevation. There are a number of rear balconies in the surrounding area, including at nos. 30, 24 and 22 Birch Pond Road and officers consider the proposal would not be out of character with the surrounding rear street scene.
20. The balcony will be constructed of glass and stainless steel, with 1.8 metre privacy screens at the each side elevation. This choice of materials is similar to many balconies throughout the city and is considered to be suitable. The materials are not listed on the plans and a condition is recommended on any approval to ensure the materials stated in the application form are used.
21. The proposal is considered acceptable in terms of design and complies with Policy DEV20 of the Joint Local Plan.

Amenity

22. Paragraphs 2.2.26 and 2.2.27 of the Development Guidelines SPD offer guidance on balconies, advising that the degree of overlooking must be considered and they should not impinge on neighbour privacy to an unacceptable extent.
23. The Planning Officer visited the site and the applicant had erected posts to signify the privacy screens, allowing a visible assessment of the potential privacy impacts on neighbouring properties and the mitigation offered by the screens.
24. To the north, the existing dwelling is already overlooked by the first floor side window. This window serves a hallway and not a habitable room, but the view is clear into all glazed windows of the side elevation of no.6 Birch Pond Road. There is also an existing overlooking element of the rear garden from the first floor windows and the rear extension (and previous rear conservatory).
25. No.6 has large glazed windows on the southern, side, elevation of the dwelling, however the use of a privacy screen would prevent any users of the balcony from viewing them. There will be a view over the rear garden of no.6, however this area is already overlooked from the existing rear windows of the application dwelling. A Juliet balcony at the application site, which could be constructed under permitted development, would also offer a similar level of privacy impact to no.6. It is therefore considered that although there is some privacy impacts to the neighbouring property it is not significant enough, due to the existing overlooking and the mitigation through the privacy screen, to refuse the application on these grounds.
26. To the south no.10 Birch Pond Road has a narrow horizontal window looking into a single storey extension. In addition, there is a proposed single storey extension that, if built, would have a clear roof lantern. The proposed privacy screen would obscure any views of either of these windows and is considered adequate mitigation to prevent any overlooking of the dwelling itself. The balcony will allow views over the rear garden of no.10, however due to the reduction in width, this has been reduced by being stepped back from the site boundaries. The overlooking is now similar to that of a Juliet balcony and that of the existing first floor rear elevation windows. There is also existing overlooking of the garden of no.10 from neighbouring properties to the south.
27. Due to the reasons discussed above, the amenity impacts are not considered to be significant increases on the current situation and the proposal is considered acceptable.

28. A condition is proposed on any approval to ensure the privacy screens are installed prior to first use and are retained at all times.
29. As outlined above the privacy screens offer suitable mitigation, and the level of impact on neighbouring dwellings is not considered to be significant due to the existing overlooking of neighbouring dwellings from both the application site and other neighbouring properties. The proposal is therefore considered acceptable in terms of amenity impacts in line with Policies DEVI 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

No charge under current schedule

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

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

13. Conclusions and Reasons for Decision

The extension is considered to be subservient to the existing dwelling and will not generate significant design or amenity impacts. The proposed balcony is primarily screened from view and, due to other balconies on Birch Pond Road, is not considered out of character for the area. Although there will be a level of amenity impacts the existing overlooking from the application dwelling and neighbouring properties, alongside the mitigation of the privacy screens, means this is not significant enough to warrant a refusal.

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 03.04.2019 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 01042019 - received 01/04/19
- Pre-extension elevations 10052019 - received 10/05/19
- General Arrangement 10052019 - received 10/05/19

Reason:

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

2 CONDITION: COMMENCE WITHIN 3 YEARS - BALCONY

The first floor rear balcony 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: PRIVACY SCREENS

PRE-USE

Prior to first use of the balcony hereby approved the privacy screens on the north and south (side) elevations shall be installed. These privacy screens shall have a height of 1.8 metres from the balcony floor level and shall at all times be obscure glazed (the glass of which shall have an obscurity rating of not less than level 5). The privacy screens shall then be retained in this manner in perpetuity.

Reason:

To protect the amenity and privacy of neighbouring dwellings in accordance with Policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework 2019.

4 CONDITION: BALCONY MATERIALS

The balcony hereby approved shall be constructed of glass and stainless steel in accordance with the materials listed in the submitted application form.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy DEV20 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework 2019.

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)

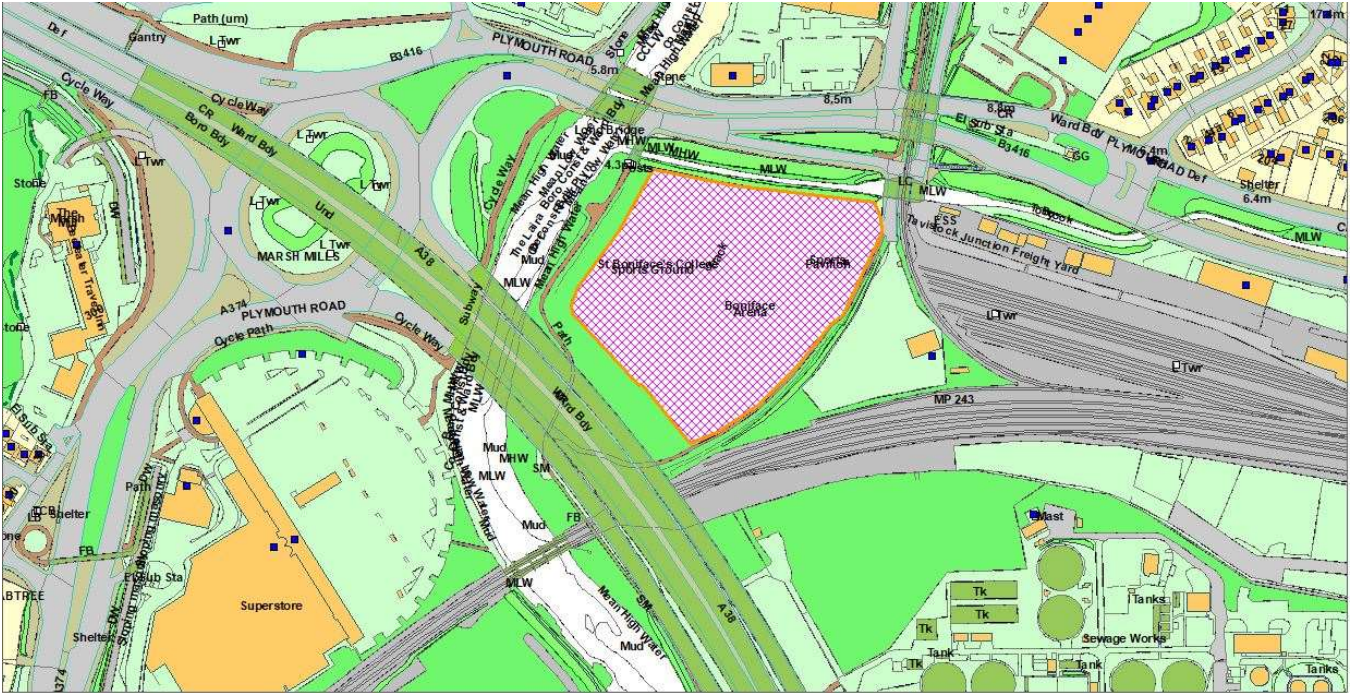
In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework 2019, the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

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PLANNING APPLICATION OFFICERS REPORT



Application Number	18/02083/S73	Item	03
Date Valid	12.12.2018	Ward	PLYMPTON ERLE
Site Address	Speedway Track Plymouth Road Plymouth		
Proposal	Variation of condition 4 and removal of condition 8 of consent 17/00648/S73 to allow use of other motorised vehicles (including quad bikes)		
Applicant	Mr Phillips		
Application Type	Removal or variation of a condition		
Target Date	13.03.2019	Committee Date	27.06.2019
Extended Target Date	07.06.2019		
Decision Category	Councillor Referral		
Case Officer	Mr Jon Fox		
Recommendation	Grant Conditionally		



This application has been referred to the planning committee by Councillor Terri Beer.

1. Description of Site

The site is approximately 1.2 hectares in area and comprises over one half of the former St. Boniface's sports ground, on its eastern side. The site is accessed via Coypool Road, on the northern side of the site, as it passes under, and runs up to, the main Plymouth Road. A rough footpath runs around the western, southern and eastern sides of the sports ground. The western boundary also abuts a site of local importance for nature conservation, which includes the River Plym as it joins the Laira. The main A38 trunk road runs beyond and above the site's southern boundary. The sports ground is thus situated on low lying ground and is within Flood Zone 3 of the Environment Agency's indicative floodplain map. The site has for approximately 12 years been used as a speedway circuit and accommodates associated infrastructure such as spectator stands, officials' building and covered motorcycle enclosures.

2. Proposal Description

Variation of condition 4 and removal of condition 8 of consent I7/00648/S73 to allow use of other motorised vehicles (including quad bikes). Conditions 4 and 8 are as follows:

CONDITION 4: TIME AND OPERATION OF SPEEDWAY MEETINGS

The development shall be carried out strictly in accordance with the following details:

- a) Speedway motorcycle racing will take place only between 15 March and 31 October and at these times no other form of motorised sport or activity shall be carried on at the site.
- b) Speedway motorcycle racing shall take place on Fridays in the first instance with an alternative of either Thursday or Saturday or Bank Holiday Monday.
- c) If a speedway meeting takes place on a Thursday there shall be no speedway meeting in the following six days inclusive.
- d) If a speedway meeting takes place on a Monday there shall be no more than one speedway meeting in the following nine days inclusive.
- e) There shall be no more than one speedway meeting per weekend.

F) There shall be no more than 21 races per meeting except for Championship events and British finals when 24 races are permitted. There shall be no use of the site for motorcycle training or any other motorised activity on race days.

G) Races shall take place between 19.00 (1800 on a bank Holiday) and 21.45 hours (2030 on a Bank Holiday) only and engine warm-up shall take place only between 1830 hours and 1900 hours (1730 to 1800 hours on a Bank Holiday).

CONDITION 8: NO OTHER MOTORISED SPORT OR ACTIVITY

When not in use for approved speedway events the site of the speedway track shall not be used for any other form of motorised sport or activity, except for rider training and use by fully silenced mini- motorbikes strictly in accordance with condition 9 of this decision notice.

In support of the applicant's proposal the agent has submitted figures for the number of occasions when speedway events were not held on the site during the 2018 season, owing to a lack of fixtures; that due to the current league structure, which governs all speedway racing, there are not sufficient teams in the National League to provide competitive racing every week. During the season of 2018 speedway events were not held on 13 occasions, three of which were rained off.

The applicant's agent has also stated that the use of the site by 'buggies' is part of the application, and that the Planning Statement which formed an integral part of the application and validated on 12th December 2018 contains reference to childrens buggies; that these were, unfortunately, not available at the time of demonstration but that these machines are powered by un-modified and silenced lawn mower engines and all those present would have some knowledge of the noise generated by a lawn mower. However, officers are of the view that the agreed description of development, i.e. 'Variation of condition 4 and removal of condition 8 of consent 17/00648/S73 to allow use of other motorised

vehicles (including quad bikes)' does not imply that buggies are part of the application. In fact no other form of motorised vehicle, apart from quad bikes, is actually referred to in the description. The Council's Public Protection Service (PPS) initially did not raise an objection to the proposals. However, it has since been deemed necessary to require a noise test, which demonstrates the impact of the use of quad bikes on residential amenity. The noise test was carried out on Friday the 24th of May. A noise report has subsequently been submitted and interested parties were consulted. The consultation period ends on 26th June. Any changes to the officer report following consultation will be reported in an addendum report.

3. Pre-application Enquiry

None.

4. Relevant Planning History

17/00648/S73 - Vary conditions 4 and 9 from application 13/01196/FUL to allow extended speedway and training operating hours and to allow up to 21 races per meeting (instead of the 20 currently allowed) (except for Championship events and British finals when 24 races are already permitted). This application was granted conditionally.

13/01196/FUL - Continue use of part of land as motor cycle speedway track, with ancillary accommodation and facilities on a permanent basis, and including variations to existing terms/methods of operation with revision of conditions 4a & 4c of Approval 07/00547 to allow an alternative to main race night of Friday of EITHER Thursday or Saturday or Bank Holiday Monday (with only one meeting in any weekend) and to allow revisions to meeting timing allowing engine warm-up at 1845 (1730 on a Bank Holiday) and racing to commence at 1915 (1800 on a Bank Holiday) and complete meeting by 2145 (2030 on a Bank Holiday). This application was granted conditionally.

07/00547/FUL - Continue use of part of land as motor cycle speedway track, with ancillary accommodation and facilities on a permanent basis, and including variations to existing terms/methods of operation. This application was approved.

05/01452/FUL - Develop part of site by provision of motorcycle speedway track and ancillary accommodation and facilities. Granted temporarily.

5. Consultation Responses

Local Highway Authority (HA)

The Local Highway Authority would not wish to raise any objections in principle, and in accordance with the submitted details, to the Variation of Planning Condition 4, and removal of Condition 8, of consent 17/00648/S73, to allow other motorised vehicles, including quad bikes, to use the track. Where, the associated transport and highway impacts of the proposed variation would be of a similar order and nature.

Police Architectural Liaison Officer

From a designing out crime perspective there are no objections from the Devon & Cornwall Police.

Natural Infrastructure Team (NI Team)

Have no objections.

Public Protection Service (PPS)

Following the noise test on 24th May, the PPS understand that the applicant is seeking to modify condition 8 in order to maximise the usage of the Speedway track considering it is currently not being utilised on many of the occasions it has planning consent for.

Having reviewed the Noise Survey prepared by SB Consulting (Dated 7/6/2019 ref: 009/19) it can be seen that the noise produced from the Quad bikes is very slightly lower than the noise produced by the Speedway bikes.

As planning permission is already in place for the track to be used on a certain number of occasions throughout the season by the Speedway bikes, it seems reasonable, given the fact that the Quad bikes are not any noisier, that condition 8 can be modified to allow the flexibility to be able to use either.

It is worth pointing out however that local people may have become accustomed to the current frequency of noise from the track and any increase in this may generate complaints.

6. Representations

23 letters were received, which include objections on the grounds of:

1. The quadbikes will add high pitched engine noise to the environment.
2. Noise disturbance in the local area.
3. The submitted noise readings show that the noise from an unsilenced full race quad would exceed that of a speedway bike. The impact on noise levels at race meetings will be significantly increased in the surrounding residential areas.
4. The extra noise and traffic should be mitigated by provision of amenity in the form of an update to the valley road playpark or a zebra crossing on Larkham Lane near Woodford School.

11 letters of support were received, which include the following:

1. There would be no additional dates and the quad bikes are not noisier than speedway bikes.
2. This year the league has fewer teams to race and for the future of the club it is important to be able to use these free evenings.

7. Relevant Policy Framework

The Plymouth & South West Devon Joint Local Plan (JLP) was adopted by South Hams District Council on March 21st 2019 and by West Devon Borough Council and Plymouth City Council on March 26th 2019.

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

Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014

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2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park.

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be applied for the purposes of calculating a 5 year land supply at a whole plan level.

When

applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.5 years at the point of adoption. This is set out in the Housing Position Statement conclusions in paragraphs 8.6 and 8.7. The three authorities have jointly notified the Ministry of Housing, Communities and Local Government of their choice to monitor at the whole plan level, and are currently awaiting a response from MHCLG regarding the Housing Delivery Test Measurement and its implications.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: Development Guidelines Supplementary Planning Document.

8. Analysis

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

8.1. Principle of Development

This application relates only to a proposed variation in the types of motorised sport permitted on the site. In this respect it is important to note that the principle of speedway racing has long been established.

8.1.1. The proposals are therefore considered to be in accordance with policies SPT1 (Delivering sustainable development); SPT2 (Sustainable linked neighbourhoods and sustainable rural communities); DEV1 (Protecting health and amenity); DEV2 (Air, water, soil, noise and land) and DEV29 (Specific provisions relating to transport)

8.2. Amenity

The proposals do not alter the date and timings of motorised activity on the site.

8.2.1. The applicant's submission includes formal noise monitoring of quad bikes being used at the site. The noise tests allowed technical comparison between the speedway bikes and the proposed quad bikes.

8.2.2. The results of the test showed that the use of quad bikes produced slightly less noise than the speedway bikes, which were engaged in a normal speedway fixture following the running of quad bikes on the track.

8.2.5. On balance, it is considered by officers that the use of quad bikes will not increase noise levels to the point where demonstrable harm would occur. The proposals are therefore considered to be in accordance with policies DEV1 (Protecting health and amenity) and DEV2 (Air, water, soil, noise and land) of the Plymouth and South West Devon Joint Local Plan.

8.3. Other Impacts

Regarding transport considerations, the associated transport and highway impacts of the proposed variation would be of a similar order and nature to the extant position with regard to the use of the site for speedway purposes. As such the proposals are not considered by officers to be harmful, in accordance with policy DEV29 of the Plymouth and South West Devon Joint Local Plan.

One of the objections argues that extra noise and traffic should be mitigated by provision of amenity in the form of an update to the Valley Road playpark or a zebra crossing on Larkham Lane near Woodford School. However, officers do not consider it appropriate for the applicant to pay for any further works as there would be no increased noise levels.

8.3.1. Officers consider also that the apparent fall-off in demand for speedway events should be taken into account. On the basis that the proposed use by quad bikes is not harmful in planning terms, it is considered appropriate to give weight to the viable use of alternative vehicles at the speedway arena. In this respect policy DEV3 of the Plymouth and South West Devon Joint Local Plan states that the LPAs will support opportunities for sport, physical activity and active leisure by:

1. Supporting the creation of new or enhancing existing sports facilities where a need has been identified.

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, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

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

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and officers consider that, due to the lower noise levels produced by quad bikes, the proposals would not have harmful impacts in respect of equality issues and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

13. Conclusions and Reasons for Decision

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal would not be harmful to the amenities of the area on the basis that the noise testing of quad bikes revealed them to generate slightly lower levels of noise than the already approved speedway bikes. The use therefore accords with policy and national guidance and is therefore recommended for conditional approval. Condition 4 is therefore amended to include quad bikes. Condition 8 is considered necessary to retain, and modify, as it specifically restricts the use of the site to speedway bikes and quad bikes only, apart from mini motos on certain Saturdays (condition 9).

14. Recommendation

In respect of the application dated 12.12.2018 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 and Location Plan 09032017 0 received 09/03/17
Proposed Plans, Elevations and Section JRR/PDS/064/02/05
Proposed Access Plan 1:2500 PEDESTRIAN ACCESS AND EME

Reason:

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

2 **CONDITION: DETAILS OF SURFACING AND SPECTATOR AREAS**

The construction and surfacing of all spectator areas around the speedway track shall accord with details approved by the Local Planning Authority in their letter of 7th September 2010.

Reason:

In the interests of visual amenity and to assess the potential impact on drainage of surface water and the flood storage capacity of the site, in accordance with policies DEV20 and DEV35 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

3 **CONDITION: DETAILS OF DRAINAGE**

The site shall be drained in accordance with details approved by the Local Planning Authority in their letter of 7th September 2010.

Reason:

To minimise the potential for surface water run-off that might increase the risk of flooding, in accordance with policy DEV35 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

4 CONDITION: TIME AND OPERATION OF SPEEDWAY AND QUAD BIKE MEETINGS

The development shall be carried out strictly in accordance with the following details:

- a) Speedway motorcycle and quad bike racing will take place only between 15 March and 31 October and at these times no other form of motorised sport or activity shall be carried on at the site.
- b) Speedway motorcycle and quad bike racing shall take place on Fridays in the first instance with an alternative of either Thursday or Saturday or Bank Holiday Monday.
- c) If a speedway or quad bike meeting takes place on a Thursday there shall be no speedway or quad bike meeting in the following six days inclusive.
- d) If a speedway or quad bike meeting takes place on a Monday there shall be no more than one speedway or quad bike meeting in the following nine days inclusive.
- E) There shall be no more than one speedway or quad bike meeting per weekend.
- F) There shall be no more than 21 races per meeting except for Championship events and British finals when 24 races are permitted. There shall be no use of the site for motorcycle training or any other motorised activity on race days.
- G) Races shall take place between 19.00 (1800 on a bank Holiday) and 21.45 hours (2030 on a Bank Holiday) only and engine warm-up shall take place only between 1830 hours and 1900 hours (1730 to 1800 hours on a Bank Holiday).

Reason:

To preserve the amenities of nearby residents, in accordance with policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

5 CONDITION: DETAILS OF TANNOY SPEAKERS

The number, times of operation, orientation and noise levels of the tannoy speakers used at the site shall accord with details approved by the Local Planning Authority in their letter of 7th September

2010. The operation of the tannoy speakers shall at all times accord with the approved details.

Reason:

To preserve the amenities of nearby residents, in accordance with policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

6 CONDITION: DETAILS OF LIGHTING

The use of the lighting columns on the site shall accord with details approved by the Local Planning Authority in their letter of 7th September 2010.

Reason:

To prevent the potential for light pollution and to preserve the amenities of nearby residents, in accordance with policy DEV2 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

7 CONDITION: PROVISION OF TRAINING PITCH

The training pitch within the perimeter of the speedway track constructed and laid out in accordance with details that were submitted to and approved in writing by the Local Planning Authority shall be retained in its approved condition.

Reason:

To provide sports facilities that are necessary in lieu of the playing field area taken up by the speedway track and associated works, in accordance with policy DEV4 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

8 **CONDITION: NO OTHER MOTORISED SPORT OR ACTIVITY**

When not in use for approved speedway or quad bike events the site of the speedway track shall not be used for any other form of motorised sport or activity, except for rider training and use by fully silenced mini-motorbikes strictly in accordance with condition 9 of this decision notice.

Reason:

To protect the amenities of nearby residents and the general amenity of the area, in accordance with policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

9 **CONDITION: DETAILS OF MINI-MOTOS OPERATION**

The use of the speedway site for rider training and mini-motorbikes is permitted between 1200 hours and 1600 hours on the following Saturdays only between 1st February and 31st October in any calendar year: Every Saturday in February and the first two Saturdays in March; thereafter training is limited to alternate Saturdays only.

No such rider training or mini-motorbike use shall take place on the same day as a race night. The said permitted use shall at all times accord with details of the number of motorised vehicles in use at any one time that shall be submitted to and agreed in writing by the Local Planning Authority.

Reason:

To protect the amenities of nearby residents and the general amenity of the area, in accordance with policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan and paragraphs 109 and 123 of the National Planning Policy Framework.

10 **CONDITION: ENVIRONMENTAL MANAGEMENT PLAN**

The speedway operation shall be conducted in accordance with the environmental management plan that has been submitted to and approved in writing by the Local Planning Authority.

Reason:

in accordance with policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

11 **CONDITION: SITE EVACUATION**

The means of evacuating the speedway site in the event of the site becoming flooded shall be in accordance with details approved by the Local Planning Authority in their letter of 7th September 2010.

Reason:

To ensure that spectators and officials are afforded safe and convenient escape from the site, in accordance with policy DEV35 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

12 CONDITION: COMMUNITY FORUM

The forum approved under condition discharge application 14/00130/CDM shall continue to be operated in the agreed format at all times while the site continues to be used for the approved speedway activities, unless there are subsequently any variations to the agreed forum details that have been 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 DEV2 of the Plymouth and South West Devon Joint Local Plan and 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 (NO NEGOTIATION)

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraph 38 of the National Planning Policy Framework (2018) the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

Plymouth City Council
 Planning Compliance Summary – to end of May 2019

Cases outstanding	372
Cases received this month	37
Cases closed this month	24
(No breach identified)	(11)
(Informal/formal action taken)	(13)
Planning Contravention Notices Issued	1
Planning Contravention Notices <u>Live</u>	0
Planning Enforcement Notices Issued	0
Enforcement Notices <u>Live</u>	2
Temporary Stop Notices (TSN) issued	0
Temporary Stop Notices (TSN) Live	0
Untidy Land Notices Issued	0
Untidy Land Notices Live	21
Prosecutions Initiated	6
Prosecutions Live	0

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Planning Applications Determined Since Last Committee

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
17/05/2019	Granted Subject to S106	18/00537/FUL	Mr Simon Wagemakers	Construction of roundabout together with associated footways, cycle paths, pedestrian crossing and landscaping	Land Adjacent To Billacombe Road Plymouth	Mr Alan Hartridge
17/05/2019	Granted Conditionally	19/00126/FUL	Miss Alisha Jordan	Hardstand (part retrospective)	133 Warwick Avenue Plymouth PL5 4BQ	Mr Macauley Potter
17/05/2019	Agreed	19/00243/CDM	Mr R Pillar	Condition Discharge: Condition 6 of application 18/01332/S73	Mannamead Centre 15 Egguckland Road Plymouth PL3 5HF	Mr Thomas Westrope
17/05/2019	Granted Conditionally	19/00271/FUL	Church Of Scientology Religious Education College Inc	Change of use to place of worship and religious instruction (Class D1), with ancillary communal and administrative uses and associated works	Royal Fleet Club 12 Morice Square Plymouth PL1 4PQ	Mr Jon Fox
17/05/2019	Granted Conditionally	19/00374/FUL	Mr Pete Bold	Site 1no. shipping container within car park	Leigham Community Hall Plymouth PL6 8QF	Mr Chris King
17/05/2019	Granted Conditionally	19/00405/TPO	Mr Gary Moore	T1 Oak reduce overhanging branches back by 2-2.5 meters on house side of the tree and selectively reduce 4 branches in top of the crown to blend the side reduction into the top.	9 Beacon Down Avenue Plymouth PL2 2RU	Ms Joanne Gilvear
17/05/2019	Granted Conditionally	19/00436/FUL	Mr & Mrs Stratton	Two-storey side extension	53 Trelawny Road Plympton Plymouth PL7 4LJ	Mr Macauley Potter
17/05/2019	Granted Conditionally	19/00445/TPO	Richard Prowse	Lime (T1) - Reduce lowest lateral by 5m to an appropriate natural growth point.	Plymouth College Ford Park Plymouth PL4 6RN	Ms Joanne Gilvear

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
17/05/2019	Granted Conditionally	19/00487/TPO	Mrs Bianca Flood	Sycamore - Fell	25 Barlow Gardens Plymouth PL2 2SJ	Mrs Jane Turner
17/05/2019	Granted Conditionally	19/00495/TCO	Ms Deborah Nelson	T1: Copper Beech - thin crown by 5% and reduce crown by up to a maximum of 2m to natural growth points.	Orchard Rise Seven Stars Lane Plymouth PL5 4NN	Mrs Jane Turner
17/05/2019	Granted Conditionally	19/00563/LBC	Plymouth City Council	Removal of bridge structure and associated internal works	City Museum & Art Gallery Drake Circus Plymouth PL4 8AJ	Mr Mike Stone
17/05/2019	Granted Conditionally	19/00564/TCO	Mr Sam Matin	Row of Conifers - Fell	110 Devonport Road Plymouth PL3 4DS	Mrs Jane Turner
17/05/2019	Granted Conditionally	19/00565/TCO	Mrs Tina Hajiyani	3x Lime - crown raise to 3.5m above ground level and thin crown by 10-15% evenly throughout the crown. NB: the trees are not to be repollarded as they have not been previously pollarded.	St Thomas Mission Hall Palace Street Plymouth PL1 2AY	Mrs Jane Turner
17/05/2019	Granted Conditionally	19/00583/TCO	Mr Mark Hunns	Beech - reduce remaining crown by up to 5m to natural growth points due to decay present in branches as shown in photo A.	37 Whiteford Road Plymouth PL3 5LU	Mrs Jane Turner
17/05/2019	Agreed	19/00715/CDM	Royal Mail Group	Conditon Discharge: Discharge condition 3 of application 19/00086/FUL	Sorting Office Aylwin Close Plymouth PL7 2DR	Mr Macauley Potter
20/05/2019	Granted Conditionally	19/00155/FUL	Mr John Osmond	Erection of single storey pavilion as a new baby unit for the existing nursery	24 Hoe Street Plymouth PL1 2JB	Mr Mike Stone

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
20/05/2019	Granted Conditionally	19/00453/FUL	Mr S Batrick	Rear extension and rear balcony	13 Hartwell Avenue Plymouth PL9 8BY	Mrs Alumeci Tuima
20/05/2019	Granted Conditionally	19/00493/TCO	Mr Richard Ing	Oak (T1) - Fell.Oak (T2) - FellBeech (T3) - no work required (amendment agreed with owner Mr Ing 3/5/19)	33 Riverside Walk Plymouth PL5 4AQ	Mrs Kaja Curry
20/05/2019	Granted Conditionally	19/00532/FUL	Mr Martin Bennett	Roof alterations including side dormers and rear glazing	91 Radford Park Road Plymouth PL9 9DS	Mrs Alumeci Tuima
20/05/2019	Granted Conditionally	19/00533/FUL	Mr Lewis	Single storey rear extension and loft conversion	269 Beacon Park Road Plymouth PL2 3JP	Mr Sam Lewis
20/05/2019	Granted Conditionally	19/00557/FUL	Mr Carnwell	External three-storey fire escape	High Street School High Street Stonehouse Plymouth PL1 3SJ	Mr Chris Cummings
20/05/2019	Granted Conditionally	19/00572/FUL	Mr Mark Green	Single storey rear and side extension	6 Lodge Gardens Plymouth PL6 5DP	Mr Sam Lewis
20/05/2019	Granted Conditionally	19/00609/FUL	Mrs Janet Harper	Side extension	2 Garden Park Close Plymouth PL9 8JL	Mr Mike Stone
20/05/2019	Granted Conditionally	19/00739/ADV	Plymouth City Council	Two hoarding advertisements on 10 to 25 Bath Street and the former Kier site on Martin Street. As part of the Millbay Boulevard development the proposal is to display advertising hoardings for the works on Bath Street. The site has been cleared for a proposed housing development.	1 - 5 Bath Street Plymouth PL1 3LT	Mr Alistair Wagstaff

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
21/05/2019	Granted Conditionally	19/00137/FUL	Mr Martin Hemmerle	Extension of building for use as gymnasium (Class D2)	71 Coypool Road Plymouth PL7 4FB	Mr Simon Osborne
21/05/2019	Granted Conditionally	19/00223/ADV	Mr Richard Marsh	3no. signs (retrospective)	1-1A Eagle Road Plymouth PL7 5JY	Miss Josephine Maddick
21/05/2019	Granted Conditionally	19/00274/LBC	Mrs Vash Stimpson	Internal repairs and installation of second skin on existing first floor extension	9 Clarence Place Stonehouse Plymouth PL1 3JN	Mr Chris Cummings
21/05/2019	Granted Conditionally	19/00450/FUL	Mr & Mrs Nunley	First floor side extension	43 Wembury Road Plymouth PL9 8HG	Mr Mike Stone
21/05/2019	Granted Conditionally	19/00519/FUL	Mr Lee Guilfoyle	Side extensions with replacement doors and windows and rear raised terrace extension	24 Penlee Way Plymouth PL3 4AW	Mrs Alumeci Tuima
21/05/2019	Granted Conditionally	19/00579/FUL	Mr & Mrs Sean Gaylard	Alteration and extension to existing garage to form new home office	58 Scott Road Plymouth PL2 3DX	Mr Sam Lewis
21/05/2019	Granted Conditionally	19/00597/FUL	Mr Symons	Construction of new workshop outbuilding with shower room and front porch extension.	37 Uxbridge Drive Plymouth PL5 2SE	Mr Macauley Potter
22/05/2019	Granted Conditionally	19/00060/FUL	Mr Robert Barry	New dwelling	54 Priory Road Plymouth PL3 5ER	Miss Amy Thompson
22/05/2019	Granted Conditionally	19/00389/FUL	Mr Ron Chapman	Two-storey side extension and front porch	63 Aylesbury Crescent Plymouth PL5 4HX	Mr Macauley Potter

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
22/05/2019	Granted Conditionally	19/00446/FUL	Paul Moxham	Single storey rear extension, extension to existing garage and raised patio	20 Longcause Plymouth PL7 1JB	Mr Macauley Potter
22/05/2019	Granted Conditionally	19/00454/FUL	Mr Dean James	Conversion and extension to garage to form part of dwelling.	50 Hallerton Close Plymouth PL6 8NP	Mr Macauley Potter
22/05/2019	Granted Conditionally	19/00515/FUL	Mr & Mrs Kitt	Demolition of side tenement and construction of single storey side extension.	26 Kings Tamerton Road Plymouth PL5 2AZ	Mr Macauley Potter
23/05/2019	Granted Conditionally	19/00167/FUL	Mr P Bowers	Construction of a new MRI Imaging facility	Derriford Hospital Derriford Road Plymouth PL6 8DH	Mr Jon Fox
23/05/2019	Granted Conditionally	19/00205/FUL	Mr Tony Rose	Two-storey side extension	44 Dark Street Lane Plymouth PL7 1PW	Mr Peter Lambert
23/05/2019	Agreed	19/00356/CDM	Mr & Mrs Whitman	Condition Discharge: Conditions 3, 4 & 5 of application 18/00567/FUL	Land To Rear Of 41 Higher Compton Road Plymouth PL3 5HZ	Mr Chris King
23/05/2019	Granted Conditionally	19/00432/FUL	Emily Handslip	Change of use of Unit 1, Brewhouse from restaurant (Class A3) to office (Class B1)	Unit 1 Brewhouse Royal William Yard Plymouth PL1 3QQ	Mr Chris Cummings
23/05/2019	Granted Conditionally	19/00506/FUL	Mr & Mrs Wilson	Single storey rear extension	33 Patterdale Walk Plymouth PL6 8XB	Miss Josephine Maddick
23/05/2019	Agreed	19/00549/CDM	Miss Cath Atkins	Condition Discharge: Conditions 5 & 8 of application 18/00883/FUL	Car Park D, Derriford Hospital Derriford Road Plymouth PL6 8DH	Mr Chris King

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
23/05/2019	Granted Conditionally	19/00616/ADV	Plymouth City Council	4 signs on landscape verge	Gdynia Way Plymouth	Mr Mike Stone
24/05/2019	Agreed	18/01690/CDM	Plymouth City Council	Condition Discharge: Condition 9 of application 15/01522/ADV	Multiple Roundabout - Reservation - Garden Sites In Plymouth Plymouth	Miss Amy Thompson
24/05/2019	Granted Conditionally	18/01716/FUL	Pinnacle West Limited	Provision of a boundary acoustic fence	Hardwick Nurseries Ridge Road Plymouth PL7 1UF	Mr Mike Stone
24/05/2019	Granted Conditionally	19/00188/REM	Taylor Wimpey (Exeter)	Reserved Matters application for 83 residential dwellings, on parcels 4 and 5 including affordable housing and associated parking along with all necessary infrastructure including, highways, drainage, landscaping, sub stations, as part of Phase 1A of the Sherford New Community pursuant to Outline approvals ref: 0484/16/VAR 79(SHDC) and 16/00247/OUT (PCC) (the principal permissions that are amended by these consents which were EIA development and were accompanied by an Environmental Statement).	"Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Haye Road Elburton Plymouth	Mr Tom French
24/05/2019	Granted Conditionally	19/00215/FUL	English Cities Fund	Planning application for a temporary surface car park on Plot B, Millbay, Plymouth.	Plot B, North Quay Road Millbay Plymouth	Mr Tim Midwood

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
24/05/2019	Granted Conditionally	19/00225/REM	Linden Homes	Reserved Matters application for 66 residential dwellings, on parcels 1, 2 & 3, including affordable housing and associated parking along with all necessary infrastructure including, highways, drainage, landscaping, sub stations, as part of Phase 1A of the Sherford New Community pursuant to Outline approvals ref: 0484/16/VAR 79(SHDC) and 16/00247/OUT (PCC) (the principal permissions that are amended by these consents which were EIA development and were accompanied by an Environmental Statement)	"Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Haye Road Elburton Plymouth	Mr Tom French
24/05/2019	Granted Conditionally	19/00245/REM	Ruth Burrows	Reserved Matters application for 54 residential dwellings, on parcels 6 & 7, including affordable housing and associated parking along with all necessary infrastructure including, highways, drainage, landscaping, sub stations, as part of Phase 1A of the Sherford New Community pursuant to Outline approvals ref: 0484/16/VAR 79(SHDC) and 16/00247/OUT (PCC) (the principal permissions that are amended by these consents which were EIA development and were accompanied by an Environmental Statement)	"Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Haye Road Elburton Plymouth	Mr Tom French
24/05/2019	Granted Conditionally	19/00448/FUL	Mr David Stolton	Change of use to Community Theatre including ancillary bar (Sui Generis) and associated alterations including the removal of chimneys (part-retrospective)	60A Emma Place Plymouth PL1 3QX	Miss Amy Thompson
24/05/2019	Granted Conditionally	19/00483/FUL	Mr Robert Edgar	First floor side extension, roof alterations and loft conversion, rear conservatory, rear summerhouse and replacement garage roof	37 Thornyville Villas Plymouth PL9 7LB	Mrs Alumeci Tuima
24/05/2019	Granted Conditionally	19/00501/LBC	Plymouth City Council	Refurbishment of Phoenix Wharf	Phoenix Wharf Madeira Road Plymouth PL1 2NX	Miss Amy Thompson

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
24/05/2019	Granted Conditionally	19/00573/FUL	Mr J Keeping	Single storey side extension	St Ronans Longlands Road Plymouth PL9 7RW	Mrs Alumeci Tuima
24/05/2019	Granted Conditionally	19/00580/FUL	Mr Christopher Agnew	First floor rear extension	96 Trelawney Road Peverell Plymouth PL3 4JY	Mrs Alumeci Tuima
24/05/2019	Refused	19/00607/AMD	J Cutler	Non-material amendment for application 18/00978/FUL - amendment to approved plans including changes to the internal layout, the removal and alterations of windows on the rear elevation and the a new window and retention of dormer window on the front elevation	The Veterinary Hospital Colwill Road Plymouth PL6 8RP	Miss Amy Thompson
28/05/2019	Agreed	19/00462/CDMLB	Mrs Michaela beck	Condition Discharge: Condition 3 of application 18/01399/LBC	The Market House Building 65 Duke Street Plymouth PL1 4ED	Mr Jon Fox
28/05/2019	Agreed	19/00485/CDM	Mrs Michaela Beck	Condition Discharge: Condition 6 of application 18/01398/FUL	The Market House Building 65 Duke Street Plymouth PL1 4ED	Mr Jon Fox
28/05/2019	Granted Conditionally	19/00591/TCO	Mr Joe Berryman	Cherry Plum - fell	14 Vauxhall Street Plymouth PL4 0ER	Ms Joanne Gilvear
30/05/2019	Agreed	18/02087/CDM	Mr P Richards	Condition Discharge: Conditions 3, 4, 5 & 7 of application 18/01390/FUL	Plympton Academy Moorland Road Plymouth PL7 2RS	Mr Chris King
30/05/2019	Granted Conditionally	19/00486/FUL	Mr Russell Young	Demolition of existing garage and replacement with larger garage	20 Admiralty Street Stonehouse Plymouth PL1 3RX	Mr Mike Stone

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
30/05/2019	Granted Conditionally	19/00603/FUL	Mr Anthony Dorrian	Two-storey side extension and retrospective single-storey rear extension.	10 Manor Lane Plymouth PL3 6DL	Mr Macauley Potter
30/05/2019	Granted Conditionally	19/00627/FUL	Mr Lyndon	Proposed ground and first floor rear extension and erection of garage.	13 Parade Road Plymouth PL5 2NL	Mr Macauley Potter
30/05/2019	Granted Conditionally	19/00782/ADV	Mr Firth	Exterior signage	18 Union Street Plymouth PL1 2SR	Mr Mike Stone
31/05/2019	Refused	19/00484/FUL	Mr & Mrs Burbidge	New garage	Staddon Villa 76 Staddon Lane Plymouth PL9 9SP	Mr Mike Stone
31/05/2019	Granted Conditionally	19/00545/LBC	Messrs Francis and Oliber Bettison	Removal of cementitious pointing to southern elevation and repointing in lime mortar	Gordon Court 4 Craigie Drive Plymouth PL1 3JB	Mrs Alumeci Tuima
31/05/2019	Granted Conditionally	19/00628/FUL	Mrs Drake	Single storey rear extension	1 Stopford Place Plymouth PL1 4QT	Mrs Alumeci Tuima
31/05/2019	Granted Conditionally	19/00669/FUL	Nando's Chickenland Ltd	External seating and front elevation alterations	Unit 8 Drake Circus Leisure Plymouth PL4 0BG	Mr Chris Cummings
03/06/2019	Split Decision	19/00199/CDM	BAM Construction	Condition Discharge: Conditions 6 & 14 of application 18/01390/FUL	Plympton Academy Moorland Road Plymouth PL7 2RS	Mr Chris King
03/06/2019	Granted Conditionally	19/00226/FUL	Mr And Mrs Pinwell	Front porch extension.	2 Barrie Gardens Plymouth PL5 3DW	Mr Macauley Potter

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
03/06/2019	Agreed	19/00407/CDM	Mr Marc Nash	Condition Discharge: Conditions 3, 4, and 5 18/01693/FUL	Devonport Dockyard, South Yard, (Areas 1 West) Devonport Plymouth	Mr Oliver Gibbins
03/06/2019	Granted Conditionally	19/00426/FUL	Mr & Mrs Tracey Corcoran	Rear extension, new patio area and associated steps.	17 Lynwood Avenue Plymouth PL7 4SF	Mr Macauley Potter
03/06/2019	Granted Conditionally	19/00497/FUL	Mr & Mrs Jones	Loft conversion with rear dormer and hip to gable.	189 Pemros Road Plymouth PL5 1LS	Mr Macauley Potter
03/06/2019	Granted Conditionally	19/00527/TPO	Mr John Carn	Beech - reduce two lower limbs as appropriate to give 3m clearance above ground level to suitable natural growth points.Hawthorn - reduce height to make safe and allow to regrow.	19 Caradon Close Plymouth PL6 6AJ	Mrs Jane Turner
03/06/2019	Granted Conditionally	19/00584/FUL	Mr Chris Cook	Loft conversion, rear dormer and hip-to- gable.	33 Lynwood Avenue Plymouth PL7 4SF	Mr Macauley Potter
03/06/2019	Granted Conditionally	19/00612/FUL	Mr & Mrs Marsh	Hipped to gable roof and rear loft conversion including dormer	34 Revel Road Plymouth PL3 5EL	Mrs Alumecci Tuima
03/06/2019	Refused	19/00625/AMD	Plymouth City Council	Non-material amendment: Rationalisation of lighting columns and fence positioning to the tennis court area for application 18/01031/FUL	Lawn Bowling Club Pavilion Mayflower Drive Central Park Plymouth PL2 3DG	Mr Chris King
03/06/2019	Agreed	19/00695/CDM	Mr Mark Salmon	Condition Discharge: Condition 5 of application 18/00210/FUL	53 Valley Road Plymouth PL7 1RF	Mr Macauley Potter

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
03/06/2019	Agreed	19/00808/CDM	Mr Jamie Rail	Condition Discharge: Condition 5 of application 18/01263/FUL	63-65 & 67-69 St Modwen Road Plymouth PL6 8LH	Mr Chris King
04/06/2019	Granted Conditionally	19/00568/TPO	Blenheims Estate Management	Lime Tree (T1) - reduce branches on building side by 1.5m to suitable growth points to give 2.5-3m clearance.	24 Mizzen Road Plymouth PL1 4GT	Mrs Jane Turner
04/06/2019	Granted Conditionally	19/00679/ADV	Miss Annabel Joyce	Two signs on landscape verge (resubmission of 18/01803/ADV)	Tavistock Road (Belliver) Landscape Verge	Mr Sam Lewis
04/06/2019	Granted Conditionally	19/00725/ADV	Mr Andy Vaugham	2no. non-illuminated fascia signs	Block G, Parkway Industrial Estate St Modwen Road Plymouth PL6 8LH	Mr Sam Lewis
05/06/2019	Granted Conditionally	19/00280/FUL	Mrs Alexis Bowater	Statue to commemorate Lady Nancy Astor	Grassed Area In Front Of Elliot Terrace Plymouth	Mrs Karen Gallacher
05/06/2019	Granted Conditionally	19/00589/FUL	Co-operative Group Food Ltd	New shop entrance to the right hand (eastern) side of the shopfront; new shopfront panels to the left hand (western) side of the shopfront with frames for advertising panel; demolition of existing rear outbuildings and extensions at ground floor and first floor level; erection of a new extension, external cold room and yard area enclosed with timber fencing to the rear; installation of plant and air conditioning units within rear yard area.	26-40 Hornchurch Road Plymouth PL5 2TG	Mr Jon Fox
06/06/2019	Refused	19/00024/FUL	Mr Steve Short	Erection of 2 garden sheds (Retrospective)	14 Middle Down Close Plymouth PL9 9TX	Miss Josephine Maddick

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
06/06/2019	Agreed	19/00210/CDM	Plymouth City Council	Condition Discharge: Condition 4 of application 17/02457/FUL	Central Park Mayflower Drive Plymouth PL2 3DG	Mr Chris King
06/06/2019	Granted Conditionally	19/00481/FUL	Mr & Mrs Treharne	Conversion of garage to gym, enlarged courtyard, new first floor window, outbuilding and internal alterations.	18 Penlee Way Plymouth PL3 4AW	Mr Mike Stone
06/06/2019	Granted Conditionally	19/00645/FUL	Mr Lee Hellingsworth	Two-storey side extension and hardstanding alterations	36 Cedarcroft Road Plymouth PL2 3JX	Mrs Alumeci Tuima
06/06/2019	Granted Conditionally	19/00656/FUL	Ms Emily Handslip	Temporary art installation	Land Adjacent To The Cooperage Royal William Yard Plymouth	Mr Chris Cummings
06/06/2019	Granted Conditionally	19/00657/LBC	Ms Emily Handslip	Temporary art installation	Land Adjacent To The Cooperage Royal William Yard Plymouth	Mr Chris Cummings
06/06/2019	Granted Conditionally	19/00671/FUL	Mr & Mrs Thompson	Single storey rear extension.	48 Seymour Road Plympton Plymouth PL7 4NZ	Miss Josephine Maddick
06/06/2019	Granted Conditionally	19/00683/FUL	Mr Richard Barker	Subdivision of ground floor to create no.2 shop units (Class A1) and new shopfront including access for flats above	19 - 21 Mutley Plain Plymouth PL4 6JG	Mr Chris Cummings
06/06/2019	Granted Conditionally	19/00686/FUL	Mr P Davies	Single storey extension and alterations, demolition of a single storey extension.	61 Molesworth Road Stoke Plymouth PL1 5PF	Mr Mike Stone
06/06/2019	Granted Conditionally	19/00687/LBC	Mr P Davies	Single storey extension and alterations, demolition of a single storey extension	61 Molesworth Road Stoke Plymouth PL1 5PF	Mr Mike Stone

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
06/06/2019	Granted Conditionally	19/00730/FUL	Mr & Mrs Higgs	Side and rear extension	85 Furzehatt Road Plymouth PL9 9JS	Mr Mike Stone
07/06/2019	Granted Conditionally	19/00434/TPO	Tracey Odell	Sweet chestnut (T1) - remove south west facing branch (nearly completely dead) at 3-4m from ground to main trunk, remove significant sized dead wood > 4cm. Remove epicormic growth.	24 Lavington Close Plymouth PL7 1PL	Ms Joanne Gilvear
07/06/2019	Granted Conditionally	19/00516/ADV	DD Porter (ONO University Hospitals Plymouth NHS Trust)	Application of vinyl advertisement on two elevations of Modular Unit	Derriford Hospital Derriford Road Plymouth PL6 8DH	Mr Chris King
07/06/2019	Granted Conditionally	19/00518/FUL	DD Porter (OBO University Hospitals Plymouth NHS Trust)	Installation of Modular Scanning Unit to replace existing temporary unit (part retrospective)	Derriford Hospital Derriford Road Plymouth PL6 8DH	Mr Chris King
07/06/2019	Granted Conditionally	19/00566/TPO	Mrs Tina Hajiyani	1 Lime - re-pollard.1 Horse Chestnut - no work required at present, suggest ivy severed at base to allow inspection (amendment agreed with owner and agent)	8 Collingwood Villas Collingwood Road Plymouth PL1 5NZ	Mrs Jane Turner
07/06/2019	Granted Conditionally	19/00599/TPO	Mr Dave Brannan	Beech (T1) - Crown raise over road to 5.5m and drive way to 4m above ground level.Beech (T2) - Crown raise over drive to 4m above ground level and reduce away from property to give 2m clearance.Group of trees consisting of Beech Horse Chestnut and Pine (G1) - Crown raise whole crown to 3.5m above ground level to clear garden and neighbours drive.Sycamore (T3) (actually Horse Chestnut) - remove three lower limbs interfering with small tree.Horse Chestnut (T4) - remove one large limb going over neighbours property. Please note this tree appears to be in serious decline and applying to fell it should be considered.	3 Furzehatt Road Plymouth PL9 8QU	Mrs Jane Turner

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
07/06/2019	Granted Conditionally	19/00617/TPO	Mr Easton	3x Poplars - Remove and replant with fungus resistant species	4 Hazel Drive Plymouth PL9 8PE	Mrs Jane Turner
07/06/2019	Granted Conditionally	19/00665/TCO	Mrs Yolanda Wood	T1. Sycamore: re-pollard at secondary pollard points approx 2-3m above the original pollard points. T2. Sycamore re-pollard to previous pollard points.	St Paul's Church 161 Durnford Street Plymouth PL1 3QR	Ms Joanne Gilvear
07/06/2019	Granted Conditionally	19/00673/TCO	Mr David Ricketts	Japanese Red Cedar - Fell because it's leaning	Thornhill Cottage 1A Whiteford Road Plymouth PL3 5LU	Ms Joanne Gilvear
07/06/2019	Granted Conditionally	19/00676/TCO	Mrs Sandra Oxton	Mimosa tree: Fell	156 Durnford Street Plymouth PL1 3QR	Mrs Jane Turner
07/06/2019	Granted Conditionally	19/00706/FUL	South West Water Ltd	Erection of skip filling building	Plymouth Central Waste Water Treatment Works 1 Finnigan Road Plymouth PL4 OPX	Mr Chris Cummings
10/06/2019	Granted Conditionally	19/00546/FUL	Mrs Victoria Greig	Proposed loft conversion, front and rear rooflights and rear dormer	79 Waterloo Street Stoke Plymouth PL1 5RS	Mr Mike Stone
10/06/2019	Granted Conditionally	19/00596/FUL	Mr & Mrs Connors	Construction of car port and garden store to rear and construction of front porch.	65 Budshead Road Plymouth PL5 2PJ	Mr Macauley Potter
10/06/2019	Granted Conditionally	19/00700/FUL	Mr Michael Hawke	Two-storey side extension	2 Woodford Road Plymouth PL6 7HX	Mr Macauley Potter

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
10/06/2019	Granted	19/00731/16	Mr Damian Hosker	Proposed 5G upgrade to existing equipment	Unit 5, 21 Burrington Way Plymouth PL5 3LR	Mr Sam Lewis
11/06/2019	Granted Conditionally	19/00541/FUL	Mr Sebastiao Felix	Change of Use from cafe (A3) to commercial laundry (Sui Generis)	55 Union Street Plymouth PL1 3LU	Mr Mike Stone
12/06/2019	Agreed	17/02285/CDM	Mr Ryan Long	Condition Discharge: Conditions 9, 13 & 16 of application 17/01089/S73	206 Plymouth Road Plymouth PL7 4NR	Mr Alistair Wagstaff
12/06/2019	Granted Conditionally	19/00598/FUL	Mr Ian Russell	Detached dwelling with a detached double garage and associated works	Vacant Plot In North Eastern Corner Of The Pine Gardens Development Nr. Beechfield Grove Plymouth PL3 4PJ	Miss Amy Thompson
13/06/2019	Agreed	17/01304/CDM	Mr & Mrs Steven	Condition Discharge: Condition 6 of 15/02230/FUL	St Peters Convent George Lane Plymouth PL7 2LL	Mrs Rebecca Boyde
13/06/2019	Granted Conditionally	19/00623/FUL	R Carroll	Part first floor rear extension and front porch extension	33 Pomphlett Close Plymouth PL9 7QT	Mrs Alumeci Tuima
13/06/2019	Granted Conditionally	19/00632/FUL	Ms R Porter	Two-storey side extension and demolition of existing outbuilding. New kitchen on the ground floor and bedroom on first floor.	43 Hilton Avenue Plymouth PL5 3HS	Mr Peter Lambert
13/06/2019	Granted Conditionally	19/00666/TCO	Mr Jonathan Grayfox	Birches - 6 out of 10 Birches to be felled as they need to thinned out, with removal focussed on poorer specimens, and those located closest to the building.	Flat 1 1 Grand Hotel Road Plymouth PL1 2PQ	Ms Joanne Gilvear

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
13/06/2019	Granted Conditionally	19/00674/FUL	Miss Melanie Carr	Change of use of first floor from hair and beauty salon to single dwelling (Class C3) inc. removal of internal spiral staircase	6 Barbican Court Plymouth PL4 0EL	Mr Chris Cummings
13/06/2019	Granted Conditionally	19/00684/FUL	Mr & Mrs S Taylor	Two-storey rear extension	88 Wembury Road Plymouth PL9 8HF	Mrs Alumeci Tuima
13/06/2019	Granted Conditionally	19/00720/FUL	Mrs J Lymer	Single storey rear extension	25 Westfield Avenue Plymouth PL9 9PE	Mr Sam Lewis
13/06/2019	Granted Conditionally	19/00758/LBC	Miss Melanie Carr	Change of use of first floor from hair and beauty salon to single dwelling (Class C3) inc. removal of internal spiral staircase	6 Barbican Court Plymouth PL4 0EL	Mr Chris Cummings
13/06/2019	Granted Conditionally	19/00767/FUL	Mr K Warley	Extension to existing garage	33 Rollis Park Road Plymouth PL9 7LZ	Mr Chris Cummings
13/06/2019	Granted Conditionally	19/00900/ADV	Adrian Roberts	6.3m pylon sign	Esso Compton Express 137 Egguckland Road Plymouth PL3 5JU	Mr Dan Thorning
14/06/2019	Refused	19/00595/FUL	Mr Phil Rump	Reposition uVPC front door to create a new entrance	14 Gilwell Street Plymouth PL4 8BU	Mrs Alumeci Tuima
14/06/2019	Granted Conditionally	19/00643/FUL	St Lukes Hospice	Formation of small cafe (Class A3) within current retail unit (Class A1)	Toys R Us 1 Western Approach Plymouth PL1 1TQ	Mrs Alumeci Tuima
14/06/2019	Granted Conditionally	19/00646/FUL	Motor Fuel Group	Removal of existing Jet Wash and provision of 2no. new Jet Washes	Hartley Service Station 257 Mannamead Road Plymouth PL3 5RJ	Mrs Alumeci Tuima

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
14/06/2019	Refused	19/00717/FUL	Mr Wesley Foster	Change of use from single dwelling (Class C3) to 4-bed HMO (Class C4)	22A Sydney Street Plymouth PL1 5AE	Mr Chris Cummings
14/06/2019	Granted Conditionally	19/00740/FUL	Mr Dipak Dhakal	Change of use from HMO (Class C4) to no.3 flats (Class C3)	18 Octagon Street Plymouth PL1 1TZ	Mr Chris Cummings
14/06/2019	Refused	19/00741/FUL	Mrs P Baker	First floor extension	1 Brean Down Road Plymouth PL3 5PU	Mr Sam Lewis
14/06/2019	Granted Conditionally	19/00757/FUL	Mr Paul Wyle	Erection of a Multi Use Games Area (MUGA) in existing school playground	Pilgrim Primary School Oxford Street Plymouth PL1 5BQ	Mr Mike Stone

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Appeal Decisions between 17/05/2019 and 16/06/2019

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
31/05/2019	17/02275/FUL	2018/0012	Appeal Dismissed	APP/N1160/W/18/3204399
Ward				
St Peters & the Waterfront				
Address				
48 Southside Street Plymouth PL1 2LD				
Application Description				
Erection of 4 flats				
Appeal Process		Officers Name		
Written Representations		Mr Oliver Gibbins		
Synopsis				
<p>Planning permission was refused for the erection of 4 flats above outbuildings to the rear of 48 Southside Street. The proposal was considered to be contrary to Local Development Framework Core Strategy Policies CS01, CS02, and CS34, policies DEV10, DEV20, DEV21 and DEV22 of the Plymouth and South West Devon Joint Local Plan, the principles outlined in the Barbican Conservation Area Management Plan and the National Planning Policy Framework. Having reviewed the application, and visited the site, the Inspector supported the Councils view that the proposed development would harm the character and appearance of the Barbican Conservation Area and would harm the living conditions of the neighbouring occupiers with regard to light and outlook. No applications were made for costs by either side and no costs were awarded by the Inspector.</p>				

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
06/06/2019	17/02456/FUL	2018/0017	Appeal Dismissed	APP/N1160/W/18/3210905
Ward				
Plymstock Radford				
Address				
White Lady Road Plymouth PL9 9GA				
Application Description				
Proposed change of primary use of the Bird Hide building to an "Outdoor Preschool and After School Club" (Class D1)				
Appeal Process		Officers Name		
Written Representations		Mr Jon Fox		
Synopsis				
The Inspector found that while the proposed use would not have a significant impact on the highway network, it would prejudice highway safety by leading to parking on a bend, which in turn would obscure visibility for drivers and pedestrians at this point, contrary to JLP policy DEV29.				

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
16/04/2019	18/00201/ENF	2019/0002	Appeal Allowed with Costs	APP/N1160/C/18/3208856
Ward				
Compton				
Address				
9 - 10 Ermington Terrace Plymouth PL4 6QG				
Application Description				
Appeal against, alleged breach of condition relating to provision of managers flat				
Appeal Process		Officers Name		
Written Representations		Mr Ben Wilcox		
Synopsis				
<p>Planning permission was granted for the change of use of this property from a D1 (Clinic) to a House in Multiple Occupation, including ancillary minor alterations to the property, following application 14/01685/FUL. The approved plans showed a ground floor manager's/warden's, flat and a condition required the development to be carried out in accordance with the approved plans. A further condition required approval of the detailed management arrangements for the property. The management arrangements were subsequently approved, but did not include specific references to there being an on-site warden living at the property. A Planning Enforcement Notice was issued on the property owner following the receipt of a complaint that alleged the ground floor manager's flat had not been provided. Disappointingly, though, the Inspector concluded that because the subsequent management Condition Discharge details applications did not specifically refer to a manager's flat, that there was in fact no obligation for it to be provided. The owner's appeal was therefore allowed, and the enforcement notice has been quashed. An application for appeal costs was made by the appellant, and an award of cost made to them by the Inspector.</p>				

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