



#plymplanning

**Oversight and Governance**

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Published 09 June 2020

## PLANNING COMMITTEE

Thursday 18 June 2020  
4.00 pm

**Members:**

Councillor Stevens, Chair

Councillor Tuohy, Vice Chair

Councillors Allen, Mrs Bridgeman, Corvid, Michael Leaves, Morris, Nicholson, Mrs Pengelly, R Smith, Vincent, Ms Watkin and Winter.

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

This meeting will be broadcast live and will be available on-line for playback once the meeting has concluded. By joining the meeting, councillors are consenting to being filmed during the meeting and to the use of the recording for online viewing.

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For further information on attending Council meetings and how to engage in the democratic process please follow this link - [Get Involved](#)

**Tracey Lee**  
Chief Executive

## Planning Committee

### 1. To note the Appointment of Chair and Vice Chair

To note the Appointment of Chair and Vice Chair for the municipal year 2020/2021.

### 2. Apologies

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

### 3. Declarations of Interest

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

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

The Committee will be asked to confirm the minutes of the meeting held on 12 March 2020.

### 5. Chair's Urgent Business

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

### 6. 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.

### 7. 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.

#### 7.1. 15 Cherry Park, Plymouth, PL7 1PF - 20/00539/FUL (Pages 7 - 14)

Applicant:	Mr B Crocker
Ward:	Plympton Erle
Recommendation:	Refuse

- 7.2. 19 Tithe Road, Plymouth, PL7 4QQ - 20/00579/FUL (Pages 15 - 22)
- Applicant: Mr A Moore  
Ward: Plympton St Mary  
Recommendation: Grant Conditionally
- 7.3. 32 Wyndham Square, Plymouth PL1 5EG - 19/02065/FUL (Pages 23 - 32)
- Applicant: Mr Hedley Putnam  
Ward: St Peter and the Waterfront  
Recommendation: Grant Conditionally
- 7.4. 32 Wyndham Square, Plymouth, PL1 5EG - 19/02066/LBC (Pages 33 - 40)
- Applicant: Mr Hedley Putnam  
Ward: St Peter and the Waterfront  
Recommendation: Grant Conditionally
- 7.5. Turnchapel Wharf, Barton Road, PL9 9RQ - 19/01810/FUL (Pages 41 - 62)
- Applicant: Mr Ryan Bonney  
Ward: Plymstock Radford  
Recommendation: Grant Conditionally
- 7.6. Boringdon Croft, Boringdon Hill, Plymouth PL7 4DP - 20/00333/FUL (Pages 63 - 78)
- Applicant: Mr Damian Lidstone  
Ward: Plympton St Mary  
Recommendation: Grant Conditionally
- 8. Planning Enforcement (Pages 79 - 80)**
- 9. Planning Application Decisions Issued (Pages 81 - 118)**

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 –

- 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>

**10. Appeal Decisions**

**(Pages 119 - 126)**

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>

## **Planning Committee**

**Thursday 12 March 2020**

### **PRESENT:**

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

Councillors Mrs Bridgeman, Corvid (substitute for Councillor Allen), Sam Davey (substitute for Councillor Vincent), Derrick, Loveridge, McDonald, Nicholson, Mrs Pengelly, Riley (substitute for Councillor Rebecca Smith), Ms Watkin and Winter.

Apologies for absence: Councillors Allen, Rebecca Smith and Vincent.

Also in attendance: Alistair Wagstaff (Strategic Development Co-ordinator, Strategic Planning and Infrastructure), Mark Lawrence (Lawyer), Katie Saunders (Area Planning Manager), Alumeci Tuima (Planning Officer), Ben Wilcox (Planning Officer), Jamie Sheldon and Amelia Boulter (Democratic Advisor).

The meeting started at 4.00 pm and finished at 4.30 pm.

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

90. **Declarations of Interest**

There were no declarations of interest made.

91. **Minutes**

Agreed the minutes of the meeting held on 16 January 2020.

92. **Chair's Urgent Business**

There were no items of Chair's urgent business.

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

There were no questions from members of the public.

94. **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.

95. **I4 West Hill Road Plymouth PL4 7LE 19/01457/S73**

Mr Ben Elliott

Decision:

Application GRANTED conditionally

(The Committee heard from Councillor Murphy, Ward Councillor).

96. **75 Beaumaris Road Plymouth PL3 5SA 20/00109/FUL**

Mr Jones

Decision:

Granted conditionally

97. **Plymouth City Council Enforcement Policy**

Ben Wilcox (Planning Officer) and Alistair Wagstaff (Strategic Development Co-ordinator, Strategic Planning and Infrastructure) were present for this item and referred to the report in the agenda pack. It was highlighted that the Planning Enforcement Policy was for noting and does not require the approval of the Committee.

Questions raised by members related to:

- what would be classed as a high priority in relation to serious and immediate danger to public health?;
- to include a catch-all within the policy which allows enforcement action when unusual circumstances arise;
- in future when changes are made to policy to include track changes;
- sharing the policy with all councillors and to include in the councillor's newsletter.

The Committee noted the Plymouth Planning Enforcement Policy.

98. **Planning Enforcement**

Members noted the Planning Enforcement Report.

99. **Planning Application Decisions Issued**

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

100. **Appeal Decisions**

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

**VOTING SCHEDULE 12 MARCH 2020** (Pages 5 - 6)

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**PLANNING COMMITTEE – 12 March 2020****SCHEDULE OF VOTING**

<b>Minute number and Application</b>		<b>Voting for</b>	<b>Voting against</b>	<b>Abstained</b>	<b>Absent due to interest declared</b>	<b>Absent</b>
6.1	14 West Hill Road, Plymouth, PL4 7LE – 19/01457/S73  Grant conditionally.	Councillors Stevens, Tuohy, Mrs Bridgeman, Corvid, Davey, Derrick, Loveridge, McDonald, Nicholson, Mrs Pengelly, Riley, Ms Watkin and Winter.				
6.2	75 Beaumaris Road Plymouth PL3 5SA 20/00109/FUL  Grant conditionally.	Councillors Stevens, Tuohy, Mrs Bridgeman, Corvid, Davey, Derrick, Loveridge, McDonald, Nicholson, Mrs Pengelly, Riley, Ms Watkin and Winter.				

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# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	20/00539/FUL	<b>Item</b>	01
<b>Date Valid</b>	17.04.2020	<b>Ward</b>	PLYMPTON ERLE
<b>Site Address</b>	15 Cherry Park Plymouth PL7 IPF		
<b>Proposal</b>	Loft conversion inc. rear dormer (retrospective) and change of dormer cladding colour; and front facing roof light		
<b>Applicant</b>	Mr B Crocker		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	12.06.2020	<b>Committee Date</b>	18.06.2020
<b>Extended Target Date</b>	22.06.2020		
<b>Decision Category</b>	Service Director of SPI		
<b>Case Officer</b>	Mr Peter Lambert		
<b>Recommendation</b>	Refuse		



This planning application has been referred to the Planning Committee by the Service Director for Strategic Planning and Infrastructure for public interest reasons due to the unusual personal circumstances that have led to the applicant submitting the retrospective planning application.

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

15 Cherry Park is a semi-detached dwelling house in the Plympton Erle Ward. The property is located on a slight hill, with properties to the south sat incrementally higher, those to the north incrementally lower. The rear of the property faces a corner where Cherry Tree Lane meets Erle Gardens.

### **2. Proposal Description**

Loft Conversion including rear dormer (retrospective) and change of dormer cladding colour; and front facing roof light. The dormer extends the width of the original dwelling and above the ridge

height of the dwelling by 300mm. Two windows are featured on the rear face of the dormer. The roof of the dormer encroaches into the chimney stack of the neighbouring dwelling.

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

None (retrospective application).

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

There is no planning history for 15 Cherry Park.

#### **4.2 Surrounding Area which involve changes to roof profile**

94/00627/FUL - 27 Cherry Park, PL7 1PF and 94/00626/FUL - 26 Cherry Park Plymouth PL7 1PF - Alterations to roof profile to form rooms in roof space including provision of dormer and other windows - Grant Conditionally

#### **4.1 Recent Rear Dormer Cases**

19/01612/FUL - 97A Foulston Avenue, PL5 1HN - Rear dormer - Refusal for the reason of incongruous and impact on character of the area.

17/01094/FUL - 4 Architect Way, PL5 1GZ - Rear dormer - Grant conditionally. Granted permission due to not being visible from the street scene.

### **5. Consultation Responses**

None requested, none received.

### **6. Representations**

- Eleven letters of representation were received. Two objecting to the development, nine in support of the development. Objections include:
- Inappropriate scale;
- Impact on character of the area;
- The risk of setting precedent for similar dormers;
- Effect on the roofline;
- The extension into the neighbouring dwelling;
- Failure to comply with Permitted Development\*. Concerns raised over the fire resistance of the cladding.

\*Please note, one Objector used the term 'Building Regulations'. The Officer spoke to the Objector via telephone and gained clarification that the Objector means Permitted Development.

Reasons given by members of the public supporting the development include:

- No impact on overall appearance of the area;
- Not considered to impact neighbours as gardens are well spaced at the back;
- Does not infringe upon eye line or property heights;
- The retrospective plans are a good compromise;
- The extension has been in-situ for some time and the change of colour will help blend the extension with the surrounding properties;
- The development does not look out of place, not noticeable from the front and with the rear overlooking a road.

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

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

the development plan unless material considerations indicate otherwise. For the purposes of decision making, as 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).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government of their choice to monitor at the whole plan level. This is for the purposes of the Housing Delivery Test and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019. This confirmed the Plymouth, South Hams and West Devon's revised joint Housing Delivery Test Measurement as 163% and that the consequences are "None". It confirmed that the revised HDT measurement will take effect upon receipt of the letter, as will any consequences that will apply as a result of the measurement. It also confirmed that that the letter supersedes the HDT measurements for each of the 3 local authority areas (Plymouth City, South Hams District and West Devon Borough) which Government published on 19 February 2019.

Therefore a 5% buffer is 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 6.4 years at end March 2019 (the 2019 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2019 (published 26 July 2019). The methodology and five year land supply calculations in the Housing Position Statement are based on the relevant changes in the revised National Planning Policy Framework published 19 February 2019 and updates to National Planning Practice Guidance published by the Government in September 2018, subsequently amended by NPPG Housing Supply and Delivery published 22 July 2019.

Other material considerations include the policies of the National Planning Policy Framework (NPPF); guidance in Planning Practice Guidance (PPG) and the National Design Guide 2019. Additionally, the following planning documents are also material considerations in the determination of the application:

Development Guidelines Supplementary Planning Document (SPD) First Review 2013.

Development Guidelines Supplementary Planning Document (SPD) 2019. The Plymouth and South West Devon Supplementary Planning Document (SPD) has been prepared by Plymouth City Council (PCC), South Hams District Council (SHDC) and West Devon Borough Council (WDBC) to amplify and give guidance on the implementation of the policies of the Plymouth and South West Devon Joint Local Plan (JLP). Public consultation on the SPD ended on 6 January 2020 and it is currently anticipated that the plan will be formally adopted in July 2020. Full weight appropriate to an SPD cannot be given until its formal adoption, although given that the SPD is at an advanced stage it may be appropriate to give its provisions limited weight until then, especially where they have not been subject to objections.

## **8. Analysis**

- I. This application has been considered in the context of the development plan, the Framework and other material policy documents as set out in Section 7. The application turns upon policies DEVI (Protecting health and amenity) and DEV20 (Place shaping and the quality of the built environment) of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019); and the National Planning Policy Framework 2019.

Design

2. Is the design in keeping? No  
Is the scale subservient and/or appropriate? No  
Do materials match or are they appropriate? No
3. Policy DEV20 of the Joint Local Plan states development proposals will be required to meet good standards of design, contributing positively to both townscape and landscape, and protect and improve the quality of the built environment through having proper regard to the pattern of local development and the wider development context and surroundings in terms siting, visual impact, scale, massing, height, and materials. Paragraph 127 of The National Planning Policy Framework 2019 seeks visually attractive design that is sympathetic to local character. Section C1 of the National Design Guide 2019 states new development should respond positively to the existing built development, including layout, form, scale, appearance, details, and materials. Section 11 states roofscapes form part of the local character and identity of a place.
4. Paragraph 2.2.55 of the Development Guidelines SPD states proposals for dormer windows will be considered on their impact on the dwelling, the street scene and neighbours' amenity; and that dormer windows should not dominate a building and should sit comfortably within the roof space. Paragraph 2.2.60 states where the rear of the building is very prominent, the design criteria of dormers will be stricter.
5. The dormer is higher than the original roof ridge height, visible to the front of the dwelling from Cherry Park. The dormer is visible from the rear along Cherry Tree Lane and upon approach from Erle Gardens. The highly visible siting of the proposal causes the dormer to have an impact on the street scene and be subject to stricter design criteria than those in other less prominent locations.
6. The dormer does not sit within the original roof space, rather, extends above the ridge height by 300mm and consumes the full width of the dwelling, with the roof edge overhanging into the chimney stack of the adjoined dwelling. The rear elevation of the dormer runs flush with the rear elevation. At present the eaves have been removed. Officers consider that the dormer does not sit comfortably within the roof space and is overly dominating on the original dwelling, contrary to paragraph 2.2.55. Further, Officers consider the scale of the dormer to un-balance the rear elevation of the adjoined semi-detached dwellings and cause a break in the rhythmic roofline of the properties along Cherry Park as viewed from Cherry Tree Lane and Erle Gardens.
7. The proposal seeks to mitigate the scale by re-instating the eaves on the rear elevation; and offering to plant a tree to the front of the dwelling to mask the ridge height. Officers consider the re-instatement of the eaves and planting of a tree to inadequately mitigate for the scale of the dormer.
8. Paragraph 2.2.56 states dormer windows should relate well to the building with respect to materials, scale, shape and angle of roof and that the front and sides of the dormer should be covered in a material that matches, or is in harmony with, that of the existing roof. The contemporary cladding of the dormer is not a common material of the area or the original dwelling. Therefore Officers consider the material to be out of keeping with the material palette of the local area.
9. The proposal seeks to change the cladding colour from white to brown to be more in-keeping with the area and help the dormer to blend into the material palette of the area.

Officers consider the change in cladding colour to be an improvement but not such that concerns relating to scale are overcome.

10. Paragraph 2.2.56 of the Development Guidelines SPD states the style and sub-division of dormer windows should relate to those that exist elsewhere on the building. Paragraph 2.2.18 states the positioning of windows is crucial to achieving a unified exterior. The windows of the proposal are of a different size and do not align with those of the main dwelling. As such, Officers consider the windows to detract from the aesthetic of the rear elevation of the dwelling and those of the wider street scene.
11. In summary, by virtue of its scale and siting on a highly visible rear elevation, Officers consider the design of the development to be over-dominating and incongruent to the character of the area, contrary to policy DEV20 of the Joint Local Plan; the Council's Development Guidelines SPD 2013 and draft Development Guidelines SPD 2019, the latter containing no significant changes that would lead Officers to draw a different conclusion; Paragraph 127 of the National Planning Policy Framework 2019; and sections CI and II of the National Design Guide 2019.

### Amenity

12. Any significant change or intensification of use? No  
 Would there be adequate amenity space remaining? Yes  
 Any significant overlooking issues? No  
 Any significant loss of light? No  
 Any overbearing impacts created? Yes  
 Any other loss of amenity to neighbours? Yes
13. Policy DEVI of the Joint Local Plan states development proposals will be required to safeguard the health and the amenity of local communities by ensuring that new development provides for satisfactory outlook for both new and existing residents. Unacceptable impacts will be judged against the level of amenity generally in the locality.
14. Dormers are conventionally set back from the edges and have a height no greater than the original roof. Officers consider the third storey addition at 15 Cherry Park, with no set-back and an increase in roof height, to introduce an imposing and dominant building mass upon the neighbouring residential gardens such that the level of amenity and well-being experienced from the perspective of the those gardens is reduced, contrary to policy DEVI. Officers consider the impact on outlook to be augmented on the dwelling to the north due to the topography in the area causing the dwelling to the north to sit lower than 15 Cherry Park.

### Other Impacts

15. The proposal seeks to rectify the section of roof currently overhanging into the chimney stack of the neighbouring dwelling. In light of the refusal herein, matters of encroachment must be dealt with separately and are beyond the scope of this report.

### **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**

There are no local finance considerations applicable to the proposal.

### **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 proposal does not accord with policy and national guidance. Officers consider the design, scale and siting of the proposal to be overly dominating; incongruent to the street scene; and harmful to the amenity of neighbouring dwellings, contrary to policies DEV1 (Protecting health and amenity) and DEV20 (Place shaping and the quality of the built environment) of the Joint Local Plan; the Council's retained Development Guidelines SPD 2013; paragraphs 127 of the National Planning Policy Framework 2019; and sections C1 and I1 of the National Design Guide 2019. The proposal is therefore recommended for refusal.

### **14. Recommendation**

In respect of the application dated 17.04.2020 it is recommended to Refuse.

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

#### **I REFUSAL: INCONGRUOUS AND IMPACT ON CHARACTER OF THE AREA LEADING TO AMENITY CONCERNS**

The retrospective rear dormer (and proposed alterations), by virtue of its scale, design, and position on a visible roof line appears dominant, incongruent and out of character with the area leading to a reduction in the level of amenity of neighbouring dwellings, contrary to Policy DEV1 (Protecting health and amenity) and DEV20 (Place shaping and the quality of the built environment) of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019); paragraphs 2.2.55, 2.2.56 and 2.2.60 of the Development Guidelines Supplementary Planning Document First Review (2013); sections C1 and I1 of the National Design Guide 2019; and paragraphs 127 of the National Planning Policy Framework 2019.

#### **INFORMATIVES**

##### **I 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: REFUSAL (NO NEGOTIATION)**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework 2019, the Council works in a positive and pro-active way with Applicants and looks for solutions to enable the grant of planning permission. This includes the offer of pre-application discussions to resolve issues of concern to the Council prior to formal submission of a planning application. However in this case the proposal is not sustainable development for the reasons set out and the Council was unable to identify a way of securing a development that improves the economic, social and environmental conditions of the area.

## **3 INFORMATIVE: SUPPORTING DOCUMENTS**

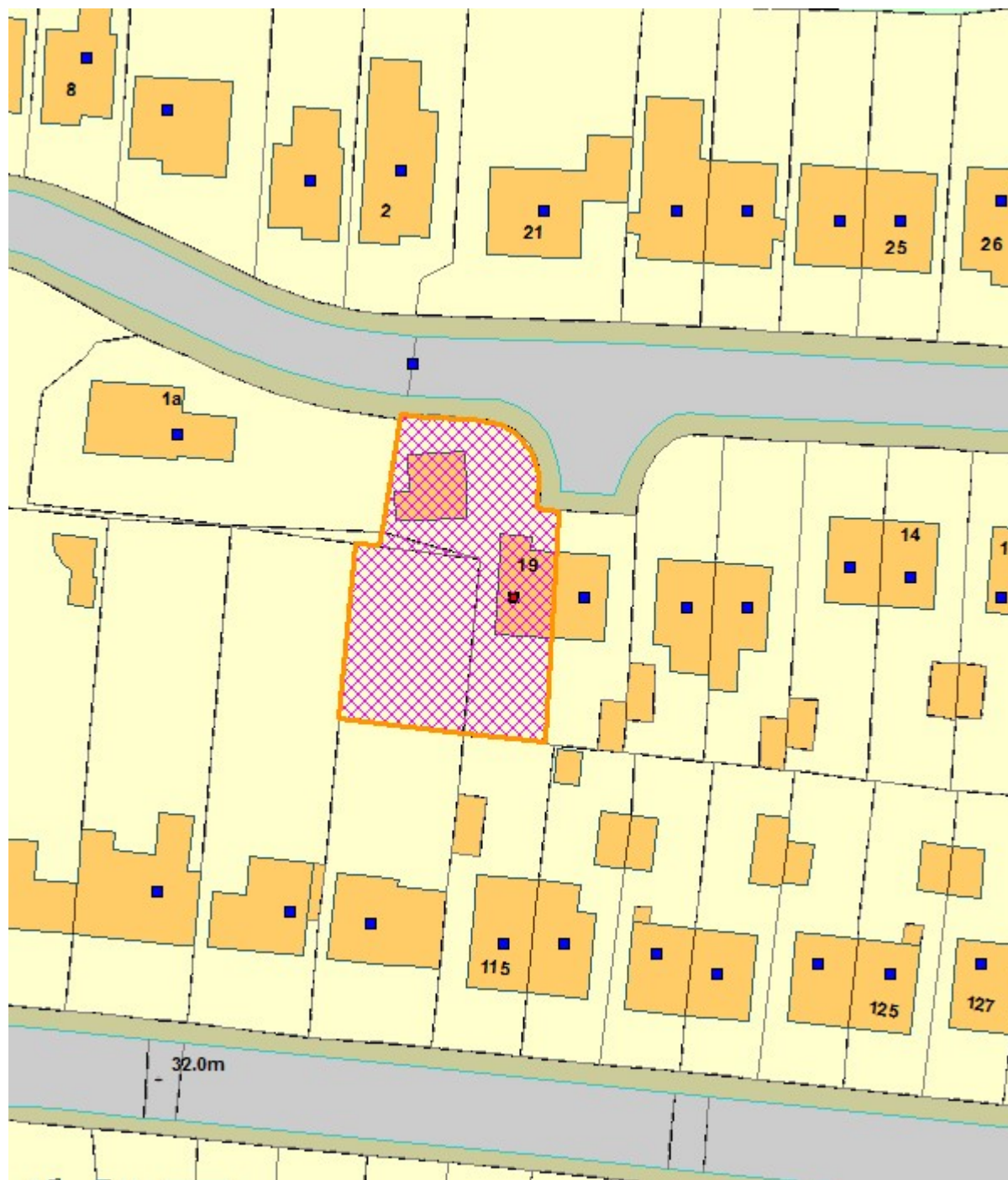
The following supporting documents have been considered in relation to this application:

- Design Statement, received 22.04.2020

# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	20/00579/FUL	<b>Item</b>	<b>02</b>
<b>Date Valid</b>	24.04.2020	<b>Ward</b>	PLYMPTON ST MARY
<b>Site Address</b>	19 Tithe Road Plymouth PL7 4QQ		
<b>Proposal</b>	Retrospective application for First floor front extension		
<b>Applicant</b>	Mr A Moore		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>19.06.2020</b>	<b>Committee Date</b>	<b>18.06.2020</b>
<b>Extended Target Date</b>	<b>N/A</b>		
<b>Decision Category</b>	Service Director of SPI		
<b>Case Officer</b>	Mr Macauley Potter		
<b>Recommendation</b>	Grant Conditionally		



This planning application has been referred to the Planning Committee by the Service Director for Strategic Planning and Infrastructure for public interest reasons due to the unusual personal circumstances that have led to the applicant submitting the retrospective planning application.

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

19 Tithe Road is a two storey semi-detached dwellinghouse located in the Plympton St Mary Ward of Plymouth. No. 19 is sited at the end of an established property line of near identical properties. Red brick and pebble dash render are the dominant materials along Tithe Road.

### **2. Proposal Description**

Retrospective application for First floor front extension.

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

No pre application enquiry associated with this application.

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

16/00772/OPR - Alleged unauthorised gabion wall (case closed)

14/01916/FUL – Retention of first floor front extension with new flat roof – refused

14/01906/FUL – Retention of pitched roof above existing garage and construction of retaining wall on adjacent land at the rear of 113 Woodford Avenue, with the re-profiling of this land – granted conditionally

13/00121/FUL – Retrospective application for first floor front extension and pitched roof to double garage – refused

12/02038/OPR – First-floor front extension (ongoing)

09/00797/FUL – First-floor front extension (above existing porch) – refused – appeal dismissed

08/01039/FUL – Extension to enlarge private motor garage – granted conditionally

06/01923/FUL – Rear conservatory on existing raised patio area – refused

80/02105/FUL – erection of private motor garage – granted conditionally

#### **5. Consultation Responses**

Plympton St Mary Neighbourhood Forum – no comments received.

#### **6. Representations**

None received.

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

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

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government of their choice to monitor at the whole plan level. This is for the purposes of the Housing Delivery Test and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019. This confirmed the Plymouth, South Hams and West Devon's revised joint Housing Delivery Test Measurement as 163% and that the consequences are "None". It confirmed that the revised HDT measurement will take effect upon receipt of the letter, as will any consequences that will apply as a result of the measurement. It also confirmed that that the letter supersedes the HDT measurements for each of the 3 local authority areas (Plymouth City, South Hams District and West Devon Borough) which Government published on 19 February 2019.

Therefore a 5% buffer is 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 6.4 years at end March 2019 (the 2019 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2019 (published 26 July 2019). The methodology and five year land supply calculations in the Housing Position Statement are based on the relevant changes in the revised National Planning Policy Framework published 19 February 2019 and updates to National Planning Practice Guidance published by the Government in September 2018, subsequently amended by NPPG Housing Supply and Delivery published 22 July 2019.

Following a successful referendum, the Plympton St Mary Neighbourhood Plan was adopted at Cabinet on 11 June 2019. It now forms part of the Development Plan for Plymouth City Council and will be used in deciding planning applications within the Plympton St Mary Neighbourhood Plan Area.

The Plymouth and South West Devon Supplementary Planning Document (SPD) has been prepared by Plymouth City Council (PCC), South Hams District Council (SHDC) and West Devon Borough Council (WDBC) to amplify and give guidance on the implementation of the policies of the Plymouth and South West Devon Joint Local Plan (JLP). Public consultation on the SPD ended on 6 January 2020 and it is currently anticipated that the plan will be formally adopted in July 2020. Full weight appropriate to an SPD cannot be given until its formal adoption, although given that the SPD is at an advanced stage it may be appropriate to give its provisions limited weight until then, especially where they have not been subject to objections.

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

- Development Guidelines: Supplementary Planning Document (First Review 2013)
- Plymouth & South West Devon Joint Local Plan 2014-2034: Supplementary Planning Document (Consultation Draft – November, 2019)

## **8. Analysis**

1 This application has been considered in the context of the development plan, policies DEV1 (Protecting health and amenity) and DEV20 (Place shaping and quality of the built environment) of the adopted Joint Local Plan, PSM1 (Other housing developments) of the adopted Plympton St Mary Neighbourhood Plan, the Framework and other material policy documents as set out in Section 7. The material planning considerations for this application are:

- context and site history
- design
- residential amenity
- implications of refusal

### Context and Site History

2 The development has undergone numerous applications since 2009. Under application 09/00797/FUL the two storey front extension was refused as it was considered detrimental to the streetscene; following this application 09/00797/FUL went to appeal and was subsequently dismissed. A retrospective application for the front extension was submitted in 2013 under 13/00121/FUL and was once again refused on design grounds with specific reference to the prominent appearance of the extension along with its pitched roof feature. A further application was submitted in 2014 under 14/01916/FUL for the retention of the extension with an amendment to a flat roof design which was refused on design grounds. The 2014 refusal reason noted that despite its roof being modified as proposed, it would continue to be an unduly prominent addition to the streetscene. The proposed modified extension

would continue to extend unreasonably beyond the main front elevation of the property, and the building line of neighbouring properties in the street.

3. There is currently a live enforcement case regarding the first floor front extension and a formal enforcement notice has been served on the owner. Further legal action relating to this enforcement notice will be subject to the decision on this current planning application.

### Design

4. The application seeks retrospective consent for a two storey front extension with a dual pitched roof and is the first application to be considered following the adoption of the Joint Local Plan (2019). The extension has a depth of 1.3 metres, a width of 3.1 metres and a total height of 6.7 metres. The extension terminates 0.4 metres below the total height of the main dwelling. As confirmed from previous applications and following a site visit on the 18th May, 2020 the materials comprise of red brickwork and render to match existing.
5. Paragraph 2.2.41 of the Development Guidelines SPD (on front extensions) states: “Extensions that project forward of the existing house will generally be resisted. Where a street has a clear established building line, the only development that might be acceptable at the front is likely to be a small, sympathetically designed porch. In certain circumstances an exception may be allowed where there is no obvious building line, where the property is set back from other houses, or where front extensions are a feature of houses in the street.” (note: the draft SPD is near identical in terms of its wording).
6. Officers recognise the validity of the previous refusal reason in which the same interpretation of paragraph 2.2.41 could be applied once again to this application. Reiterating the 2014 Officer’s report, two storey front extensions are not a feature found in the surrounding area. Officers note that the application property is set back due to a vehicle turning circle and is sited at the end of Tithe Road. In contrast to properties along Cundy Close (which feature front dormers and additional detailing) no. 19 benefits from a minimal design finish and a uniform material palette commonly found in the Woodford area. As highlighted in the supporting statement the construction of a garage immediately to the north west of the application property (Planning ref: 08/01039/FUL) and the more recent development of a garage at 1a Cundy Close (Planning ref: 14/00058/FUL) infilled the gap between Tithe Road and Cundy Close. A pitched roof garage was permitted at 1a Cundy Close and the officer report noted that it was not considered to be unduly prominent, therefore setting a precedent for an amendment (from flat roof to pitched roof) to the existing garage at 19 Tithe Road (Planning ref: 14/01906/FUL). Officers therefore consider that a case can be made that the pitched roof front extension considered under this application acts as a natural bookend for the Tithe Road building line. Note that no letters of representation have been received.
7. It is the Officer’s view that providing the materials match the existing dwelling the precedent resulting from this development would not be harmful if it were replicated along this particular property line. It is therefore considered to comply with paragraph 2.2.13 (Materials) and with seven years of weathering the finish is now seamless with the original dwelling. Applying Policy DEV20(2)(3) the case officer considers that the design is visible in the streetscape but not dominating nor significant in its massing, height, scale and goes some way to provide additional detailing to an otherwise plain frontage and does not contravene any one specific regard listed in the Policy.
8. The case officer concludes that having factored in the decision-making on historical applications for no. 19, the front extension is on balance acceptable from a design standpoint.

### Amenity

- 9 Officers consider there to be no significant change or intensification of use resulting from the proposed scheme. Officers have assessed the amenity issues in terms of overlooking and consider there to be no adverse impacts resulting from the front extension. From the first floor front extension window there is a 28 metre window-to-window separation to the property immediately opposite (21 Tithe Road).
- 10 Officers have considered the scheme in terms of light levels to neighbouring properties (with specific regard to no. 18 Tithe Road) and consider it to have no adverse impacts to sunlight (note the scheme was assessed against the 45 degree rule and is in compliance). The property is also north facing and therefore the principal elevation is already in shade for much of the day.
- 11 Officers therefore consider that the front extension is compliant on both accounts of sunlight and privacy with specific regard for DEVI(1) and amenity considerations as outlined in the Development Guidelines SPD with specific reference to paragraphs: 2.2.20-2.2.39.

### Retrospective Applications

- 12 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. 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.
- 13 It is clearly highly undesirable for any development to take place before planning permission has been properly sought, and obtained, in any circumstances. However, it should be noted that this new policy only applies where unauthorised development has taken place with the full knowledge of the person(s) undertaking the work that it lacks the necessary consent. In some cases difficulties in interpreting these points can be accepted however in this case the planning history clearly shows that the applicant would have had an understanding and therefore weight in the decision making process can be given to the notion that intentional unauthorised development has occurred.

### Implications of Refusal

- 14 Officers consider it necessary in this instance to factor in the implications of refusing this application which, in line with the procedures under the Town & Country Planning Act (1990) may result in further enforcement proceedings and potential action pursuant under Section 178. Seven years has now passed whereby the structure has remained in situ. If a recommendation for refusal is made the resultant course of action by the LPA must be considered. The NPPF (2019) paragraph 58 states that LPA's should act proportionately in responding to suspected breaches of planning control. It is necessary to highlight that Plymouth's Planning Enforcement Policy states that planning enforcement action is a discretionary activity, and may not be pursued in some instances where after very careful consideration this is not considered to be expedient or in the public interest.



- 15 Whilst it is highly undesirable for development to occur without consent it is officers' view that this action by the Local Planning Authority (LPA) may be disproportionate to the scale of the development given that it has no adverse impacts to surrounding residential amenity (see paragraphs 9-11). Following ongoing enforcement case 12/02038/OPR there have been long and protracted discussions with the applicant over many years including new planning applications and the only reasonable option would be for the applicant to demolish the extension and therefore a final attempt is being made by the applicant to regularise the development as presented under this application.

### **9. Human Rights**

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

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

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**

Although not designed and constructed for the ease of vulnerable/disabled users/occupiers the development does not result in the hindrance of internal and external access in and around the property nor reduce functionality of the parking area. The application has therefore 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 retrospective front extension accords with policy and national guidance in terms of design and residential amenity and therefore is an on balance recommendation for approval.

### **14. Recommendation**

In respect of the application dated 24.04.2020 it is recommended to Grant Conditionally.

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

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

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

Location Plan 22042020 - received 22/04/20

Front Extension Retained PL7 4QQ-GR-003 - received 22/04/20

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).

## **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 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 and has granted planning permission.

# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	19/02065/FUL	<b>Item</b>	<b>03</b>
<b>Date Valid</b>	13.01.2020	<b>Ward</b>	ST PETER AND THE WATERFRONT
<b>Site Address</b>	32 Wyndham Square Plymouth PL1 5EG		
<b>Proposal</b>	Change of use and alterations to form 8-bed HMO (Sui Generis) with associated refuse and cycle storage (Retrospective)		
<b>Applicant</b>	Mr Hedley Putnam		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>09.03.2020</b>	<b>Committee Date</b>	<b>18.06.2020</b>
<b>Extended Target Date</b>	<b>02.04.2020</b>		
<b>Decision Category</b>	Councillor Referral		
<b>Case Officer</b>	Mr Chris Cummings		
<b>Recommendation</b>	Grant Conditionally		



This application has been referred to Planning Committee by Councillor Tuffin. The applicant declined a request for an extension of time to the decision target date in order for it to be discussed at Planning Committee.

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

32 Wyndham Square is a Grade II, three-storey mid-terrace property located in the North Stonehouse Conservation Area. The front of the site faces onto Wyndham Square, with the rear of the site having a detached stable block fronting onto a service lane that runs adjacent to flats on Stoke Road.

### **2. Proposal Description**

The original proposal was for:

Change of use and alterations to form 8-bed HMO (Sui Generis) and one-bed coach house (Class C3), with associated refuse and cycle storage (Retrospective)

Following assessment it was found that the rear coach house did not meet policy requirements in terms of floor space and occupant amenity was removed from the proposal. The revised description is as follows:

Change of use and alterations to form 8-bed HMO (Sui Generis) with associated refuse and cycle storage (Retrospective)

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

None

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

11/00253/EXUS - To establish existing use of property as C3 (c) residential (small religious community) - Lawful use certificate issued

19/02066/LBC - Change of use and alterations to form 8-bed HMO (Sui Generis) and one-bed coach house (Class C3), with associated refuse and cycle storage (Retrospective) - Pending consideration

### **5. Consultation Responses**

Community Connections Department - No objection to proposal as main building exceeds the minimum levels required for an HMO license.

Local Highway Authority - No objection as proposal could be considered 'car-free' development due to surrounding area being within Controlled Parking Zone. Recommended a condition for cycle storage to be provided and advised that the property would be removed from obtaining parking permits.

### **6. Representations**

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

- Existing use is 7 bedrooms, not the 9 bedrooms stated
- Impact on on-street parking
- Doubt over whether HMO License should have been issued.
- CIL form says no new dwellings being created, however rear building is proposed to be a new dwelling.
- Loss of rear access if rear building is converted to a separate dwelling by foot or to cycle storage or for bin storage.
- No details of bin storage location and access route
- Level of bins required should be controlled
- Reduction of family homes in the area and impact on diversity of housing stock.
- Harm to the listed building through internal alterations of walls and insertion of en-suites
- High level of HMOs and single occupancy flats in the surrounding area
- Lack of large communal rooms
- Individuals living in an isolated way from the local community
- Unsustainable approach to housing in the area
- Knock-on impact on parking for visitors to the church

The HMO License operates separately from any planning permission. The HMO Licensing team are aware of the site and are dealing with a separate application for a new HMO License.

Letters of representation made reference to the use as an HMO beginning in 2011 through a 'loophole' in planning. An Article 4 Direction was introduced in September 2012 that required planning permission for a change of use from a Class C3 single family dwelling to a Class C4 small HMO of 3 to 6 occupants. There was no 'loophole' prior to this date, with Class C3 properties having permitted development rights to change from a single dwelling to a small HMO (Class C4)

without the need for any planning permission. Based on the information in the representations the use of the property as a 9 bedroom HMO began in 2011. This would fall under Sui Generis and not under Class C4 and would not be covered by the Article 4 Direction and would have required planning permission at the time.

The other matters raised will be dealt with in the analysis section of this report.

## **7. Relevant Policy Framework**

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

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government of their choice to monitor at the whole plan level. This is for the purposes of the Housing Delivery Test and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019. This confirmed the Plymouth, South Hams and West Devon's revised joint Housing Delivery Test Measurement as 163% and that the consequences are "None". It confirmed that the revised HDT measurement will take effect upon receipt of the letter, as will any consequences that will apply as a result of the measurement. It also confirmed that that the letter supersedes the HDT measurements for each of the 3 local authority areas (Plymouth City, South Hams District and West Devon Borough) which Government published on 19 February 2019.

Therefore a 5% buffer is 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 6.4 years at end March 2019 (the 2019 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2019 (published 26 July 2019). The methodology and five year land supply calculations in the Housing Position Statement are based on the relevant changes in the revised National Planning Policy Framework published 19 February 2019 and updates to National Planning Practice Guidance published by the Government in September 2018, subsequently amended by NPPG Housing Supply and Delivery published 22 July 2019.

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

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

- Plymouth and South West Devon Supplementary Planning Document Consultation Draft (November 2019).
- Development Guidelines Supplementary Planning Document First Review (adopted 2013)
- North Stonehouse Conservation Area Appraisal and Management Plan

In terms of weight of the Supplementary Planning Documents (SPDs), the following points should be considered in making the decision:

- The Plymouth and South West Devon SPD has completed its consultation phase but can carry limited weight prior to its formal adoption. However, at best very limited weight should be given to provisions of the SPD that have objected to in a substantive way.

The adopted SPDs were set within the context of the previous development plan (Core Strategy). However, provisions of these SPDs would only carry weight where they are clearly consistent with the policies of the adopted Joint Local Plan.

## **8. Analysis**

1. This application has been considered in the context of the development plan, the adopted Joint Local Plan, the Framework and other material policy documents as set out in Section 7.
2. The original proposal included the conversion of the rear detached building into a separate dwelling. This new dwelling did not meet the requirements of Policy DEV10 that all new dwellings meet the Nationally Described Space Standards by failing to meet floor space requirements and raising concerns over whether the floor to ceiling height was adequate to allow a good standard of accommodation for occupants. There were also significant concerns over the use of the rear service lane as the entrance to the dwelling as this would create an unsafe access that would not allow create inclusive accommodation.
3. This aspect has now been removed from the proposal and the rear building is proposed to be used as a cycle store and bin store.

### **Previous Use of Site**

4. The main building is a former convent, with the use of it as a dwellinghouse under Class C3(c) established through the Certificate of lawful existing use I1/00253/EXUS that was issued in April 2011. This particular use class covers groups of up to six people living together as a single household. In this instance, the use was that of a small religious community of nuns and it was confirmed to fall within Class C3(c), with the submitted evidence showing a maximum of five occupants that had lived there.
5. There are permitted development rights for changes of use from Class C3(a),(b) and (c) to a small House in Multiple of Occupation of 3 to 6 occupants (Class C4). This was restricted in this area of the city in September 2012 by an Article 4 Direction that set a threshold level of HMOs and required planning permission to be sought for any change to a small Class C4 HMO.
6. Details contained in letters of representation have commented that the site has been in use as a large HMO of 9 occupants since 2011. An HMO of 9 occupants would not fall within Class C4, but would fall within Sui Generis. There is no permitted development allowance for a change of use to a Sui Generis HMO would require planning permission for a change of use regardless of the Article 4 Direction.
7. There is no planning history demonstrating any planning application for a change of use of the site to a large HMO and this application is a retrospective application to change the use of the property to an 8-bed HMO (Sui Generis). The existing use is not immune from planning permission being required, as this type of change of use has a 10 year period before it is out of the timeframe for planning compliance action and a lawful use certificate can be applied for.

8. There is no planning history to suggest any use of the rear building as any form of dwelling or ancillary accommodation of any kind.

#### Use as HMO

9. The use of the main building as residential dwelling is established however, as set out above, the lawful use of the property is not as a large house of multiple occupation. The application is therefore subject to the normal assessments of any HMO application.
10. The site is situated within the Article 4 Direction, which was introduced in September 2012 and the proposal must meet the requirements of Policy DEV11 of the Joint Local Plan, which sets a threshold level for new HMOs of 10% of the total dwelling stock within 100 metres of the application site. This threshold includes the application site within the calculation. Policy DEV11 states all HMOs and does not differentiate between small HMOS of 3-6 occupants (Class C4) or large HMOs, such as the application site (Sui Generis)
11. The Council's records show that there is currently a level of 3.33% HMOs in the surrounding area, which would increase to 4% including the application site. This is below the Policy threshold limit of 10% and accords with DEV11.
12. Policy DEV11 also sets out that an HMO should not sandwich a C3 dwelling unit between two HMO properties. The Council's records show that no sandwiching will occur from the proposal.
13. The proposal is therefore considered to meet the requirements of Policy DEV11 in terms of HMO levels and community impacts.

#### Occupant Amenity

14. The main property is an existing dwelling and the requirements of Policy DEV10 that new dwellings must meet National Space Standards are not applicable. However, DEV10 does set out that HMOs will only be permitted where there it provides a good standard of accommodation and adequate communal space.
15. The use will require an HMO license from the Council and their recommended levels are considered a suitable guide to ensure the proposal is of an acceptable standard.
16. The main building provides approximately 156sqm of internal floorspace and is considered to be of an adequate size for that number of occupants. All bedrooms meet the HMO License standards for size, with the smallest being approximately 9sqm. All bedrooms have en-suite facilities and there is 13.15sqm shared lounge and kitchen area.
17. The Council's Community Connections Department raised no objections to the proposal. It was noted by Community Connections that adequate kitchen facilities need to be provided within the kitchen. This is a requirement of the HMO License, but this level of detail is not required for the planning approval.
18. Externally, the adopted Development Guidelines SPD recommends that a mid-terrace dwelling provides 50sqm of external amenity space. The emerging Draft SPD recommends a level of 15sqm per person, creating a level of 120sqm external amenity space. The site provides 80sqm at the rear, with an additional front garden space of 54.8sqm, creating a total of 134sqm. This exceeds both the well in excess of the recommended levels.



19. Overall, the HMO is considered to provide an acceptable level of accommodation for occupants and accords with Policies DEV1, DEV2 and DEV10 of the Joint Local Plan.

#### Neighbour Amenity Impacts

20. The use of the building as a dwelling has been established and there are no extensions or insertion of new windows. There is no significant overlooking of neighbouring properties from the existing windows and this will not be altered by the proposal.
21. It is considered that due to the property being within the HMO threshold limits, and for the reasons above, that there will be limited amenity impacts on neighbouring dwellings through noise, privacy or other impacts.
22. The main dwelling will be subject to an HMO License, which will provide contact points in case of any amenity impacts generated from the use and a route for action to be taken should the property fail to be managed in accordance with the license.
23. The existing residential use of the dwelling, lack of external alterations and the requirement to have an HMO License mean that it is, on balance, considered that there are no significant amenity impacts generated from the proposal in accordance with Policies DEV1 and DEV2 of the Joint Local Plan.

#### Refuse Storage

24. The rear courtyard building is proposed to be used for storage of waste and recycling bins and this is considered a suitable location, screening it from view and keeping it away from the public highway. In order to protect the amenity of the surrounding area and prevent obstruction of the public highway it is recommended to add a condition on any approval requiring that the bin and recycling containers to be stored in this area at all times except collection day.
25. With the use of this condition the proposal will provide adequate bin storage and accords with Policies DEV1, DEV2 and DEV29 of the Joint Local Plan.

#### Highway Considerations

26. There is no off-street parking currently provided at the site, and it is not proposed to provide any either. The proposed use as an 8 bed HMO would be expected to provide 1 parking space per 2 bedrooms, creating a total demand of 4 spaces. The existing use of the property as Class C3(c) would have a parking demand of 2 spaces, leaving a shortfall of 2 spaces through the change of use to an HMO.
27. The Local Highway Authority were consulted on the proposal and raised no objection. They confirmed that although there is a shortfall of parking at the site it is within a Controlled Parking Zone in operation for more than 6 hours per day, 6 days per week and is within a sustainable city centre location with good links to public transport. In accordance with Paragraph 8.5.2 of the Development Guidelines SPD the proposal is therefore considered acceptable as car free development.
28. In light of the lack of vehicle parking it is necessary to provide cycle storage to promote sustainable transport measures. The Local Highway Authority advised that due to the lack of vehicle parking there should be a cycle space provided for each occupant, creating a total of 8

spaces. Space has been shown in the rear outbuilding for cycle storage and a condition is recommended to ensure this is provided within 3 months of any approval decision.

29. As the proposal will see an intensification of use and is within a controlled parking zone that is currently oversubscribed the Local Highway Authority has advised that the property will be excluded from obtaining permits and purchasing visitor tickets. An informative will be placed on the decision notice to advise the applicant of this.

#### Historic Considerations

30. There are no external alterations to the building and there is not considered to be any significant impact on the setting of the listed building or the conservation area through the use as an HMO. The building is an existing residential dwelling and will continue to be within residential use.
31. The refuse and cycle storage will be incorporated into the existing rear outbuilding and will not see any external alterations to the building.
32. There will be internal works to the main building, however these are considerations of the associated listed building consent 20/02066/LBC and do not form part of this application.
33. In terms of historic impacts the change of use is considered acceptable and accords with Policy DEV21 of the Joint Local Plan.

#### Intentional Unauthorised Development

34. Since August 2015 national planning policy requires consideration to be given as to whether intentional unauthorised development has been carried out. The policy applies to all relevant planning decisions made by Local Planning Authorities and Planning Inspectors. The policy was introduced largely as a result of Government concerns about the harm caused by unauthorised developments in the Greenbelt, but applies equally elsewhere.
35. 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.
36. It is clearly highly undesirable for any development to take place before planning permission has been properly sought, and obtained, in any circumstances. However, it should be noted that this new policy only applies where unauthorised development has taken place with the full knowledge of the person(s) undertaking the work that it lacks the necessary consent. In reality, given the difficulties in interpreting these points, it is considered that little or no weight can be given to this aspect, unless the Council has clearly indicated to the applicant that unauthorised development is being carried out, and that works have then continued beyond that point, or where there is some other compelling evidence that such work has intentionally been carried out.
37. Neither of these factors appear to apply in this case, and so it is considered that no weight should be afforded to this particular point in the determination of this application.

### **9. Human Rights**

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

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

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 application does not cause discrimination on the grounds of gender, race and disability. The original proposal raised significant issues with regards to safe access for all (as required under Policy DEV10), however this element has now been removed.

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

Following revisions to the proposal to remove the separate rear dwelling the proposal is considered acceptable. It is below the HMO level threshold and will provide a good level of amenity for occupants, will be subject to an HMO License and is considered suitable for car free development. 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 13.01.2020 it is recommended to Grant Conditionally.

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

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

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

Proposed Floor Plans 01 - received 24/12/19

Existing Floor Plans 3665 GA01 - received 24/12/19

Existing Elevations and Barn 3665 GA02 - received 24/12/19

Site Location Plan 13012020 - received 13/01/20

Proposed Stable Floor Plans 02 Rev A received 09/03/20

**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: CYCLE PROVISION**

Within 3 months of the date of this decision the space shown on the approved plans shall be laid out for 9 bicycles to be securely parked individually. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

**Reason:**

In order to promote cycling as an alternative to the use of private cars in accordance with Policy DEV29 of the Plymouth and South West Devon Joint Local Plan 2019 and the National Planning Policy Framework 2019.

**3 CONDITION: BIN STORAGE**

In accordance with the approved plans waste and recycling containers shall be stored in the detached rear building at all times except for collection days. The allocated bin storage area shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

**Reason:**

To ensure adequate refuse and recycling storage and to prevent amenity impacts to the surrounding area or highway safety conflict in accordance with Policies DEV1, DEV2 and DEV29 of the Plymouth and South West Devon Joint Local Plan 2019 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.

**3 INFORMATIVE: CYCLE STORAGE**

In relation to the condition requiring secure cycle storage it is recommended that Sheffield stands are used to allow individual locking of bicycles.

**4 INFORMATIVE: RESIDENT PARKING PERMIT SCHEME**

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

# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	19/02066/LBC	<b>Item</b>	<b>04</b>
<b>Date Valid</b>	13.01.2020	<b>Ward</b>	ST PETER AND THE WATERFRONT
<b>Site Address</b>	32 Wyndham Square Plymouth PL1 5EG		
<b>Proposal</b>	Change of use and alterations to form 8-bed HMO (Sui Generis) with associated refuse and cycle storage (Retrospective)		
<b>Applicant</b>	Mr Hedley Putnam		
<b>Application Type</b>	Listed Building Consent		
<b>Target Date</b>	<b>09.03.2020</b>	<b>Committee Date</b>	<b>18.06.2020</b>
<b>Extended Target Date</b>	<b>02.04.2020</b>		
<b>Decision Category</b>	Councillor Referral		
<b>Case Officer</b>	Mr Chris Cummings		
<b>Recommendation</b>	Grant Conditionally		



This application has been referred to Planning Committee by Councillor Tuffin. The applicant has declined a request for an extension of time to the decision target date in order for it to be discussed at Planning Committee.

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

32 Wyndham Square is a Grade II, three-storey mid-terrace property located in the North Stonehouse Conservation Area. The front of the site faces onto Wyndham Square, with the rear of the site having a detached stable block fronting onto a service lane that runs adjacent to flats on Stoke Road.

### **2. Proposal Description**

The original proposal was for:

Change of use and alterations to form 8-bed HMO (Sui Generis) and one-bed coach house (Class C3), with associated refuse and cycle storage (Retrospective)

Following assessment the rear coach house did not meet policy requirements in terms of floor space and was removed from the proposal. The revised description is as follows:

Change of use and alterations to form 8-bed HMO (Sui Generis) with associated refuse and cycle storage (Retrospective)

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

None

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

11/00253/EXUS - To establish existing use of property as C3 (c) residential (small religious community) - Lawful use certificate issued

19/02065/FUL - Change of use and alterations to form 8-bed HMO (Sui Generis) and one-bed coach house (Class C3), with associated refuse and cycle storage (Retrospective) - Pending consideration

### **5. Consultation Responses**

Historic Environment - No objection to the proposal, with the removal of unsympathetic additions to the internal fabric welcomed. It was recommended to require details of how the alterations will be undertaken via condition.

### **6. Representations**

Ten letters of representation have been received objecting to the proposal. The majority of representations raised issues that are not relevant to the listed building consent, but will be covered under the associated full application 19/02065/LBC.

These matters include:

- Discrepancies on number of people allowed in the property under the HMO License.
- Unauthorised use of the property as an HMO
- Liability for CIL
- Access to cycle storage through rear building if changed to dwelling
- Access to bin storage through rear building if changed to a dwelling
- Queries over statement regarding reduction in bedrooms and the HMO License
- Loss of potential family dwelling
- High levels of HMOs in the surrounding area
- Increase in parking demand on the surrounding area
- Concerns over size of internal communal areas

The relevant listed building consent comments are:

- Retrospective nature of the application and whether the works have actually occurred.
- Harm to internal layout of listed building

With regards to the retrospective nature of the application the property has been in unauthorised use as an HMO, whilst the listed building works have not been undertaken at this time.

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

In addition the legislation under which listed building consent applications, and those in Conservation Areas, are considered is the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in considering whether to grant listed building consent for any works (and planning permission where these impact on a listed building) the local planning authority .....shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This Act has an equivalent requirements for applications within a Conservation Area.

NPPF CHAPTER 16 Conserving and enhancing the historic environment paragraphs 190, 192, 193 are also particularly relevant to this application.

Paragraph 190 states:

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset)

taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 192 states:

In determining planning applications, local planning authorities should take account of:

- \* the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- \* the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- \* the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 states:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.

As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional.

Therefore the relevant heritage assets to this application are the Grade II Listed Building.

## **8. Analysis**

1. This application has been considered in the context of the Planning (Listed Buildings and Conservation Areas) Act 1990 as set out in Section 7.
2. The site is currently in use as an unauthorised house in multiple occupation, with this proposal seeking to undertake works to the listed building to improve the layout for occupants alongside an associated retrospective application for the change of use.
3. The following is an extract from the Historic England listing description, dating from 1989: *Terrace of houses in planned square. c1815 by John Foulston. Incised stucco with sill bands; dry slate roofs with projecting eaves; rendered stacks over the cross walls. Double-depth plan. 3 storeys; symmetrical overall with central pedimented 5 bays broken forward, 3-window canted ends and 3-window range set back between on each side of the centre block. No.30 has original hornless sashes with some glazing bars removed, otherwise late C19 or C20 horned sashes, those of No.29 (left) with glazing bars; moulded hoods on brackets to 1st-floor windows to centre of pediment and centre of flanking ranges. Ground floor has round-arched openings with moulded arches and impost strings. Many ground-floor windows with spoked fanlight heads and similar fanlights to doorways; original panelled door to No.34, otherwise later doors. INTERIOR: not inspected but likely to be of interest. Part of a rare virtually complete planned group by Foulston*

### **Impacts on the Special Architectural and Historic Interest of the Building**



4. With regards to the change of use, the existing building is in residential use and the proposed use as an HMO will continue to keep residential use of the property. It is not considered that the change of use will generate any significant harm to the listed building.
5. Externally, there are no extensions proposed to the building with the only external works being the refurbishment of external windows. These will be repaired and will not see the design or materials changed and would not normally require listed building consent as they are like-for-like works. An informative will be placed on the decision notice to advise the applicant that any changes to the windows would require separate listed building approval.
6. Internally there will be the removal of stud walls to provide increased room sizes and insert en-suite facilities. The proposed alterations are broken down by floor as follows:  
Ground floor - Insertion of en-suites into bedroom 1 and bedroom 2. Blocking up of opening between Rooms 1 and 2. Removal of stud wall in rear tenement lounge/kitchen.  
First floor - Removal of stud walls in Bedroom 3, insertion of en-suites into bedrooms 3 and 4. Removal of stud wall in rear tenement in Bedroom 5.  
Second floor - Removal of stud wall in Bedrooms 6 and 7 and 8 and insertion of en-suites.
7. The internal walls that are being removed are considered to be later additions to the property and are not considered to sit well with the original layout of the building. For example, one of the proposed walls to be removed, in Bedroom 7, is currently set across the middle of an existing window.
8. There will be en-suites installed for each room, which is a typical feature of recent HMO conversions. Whilst there will be a limited level of harm to the listed building generated through their insertion, the other works and the improved layout of the building is considered to generate less than substantial harm to the listed building.
9. However, there is a lack of detail relating to how the walls will be removed or blocked up or details of the fixtures and fittings. Detail are also required as to how the en-suites will be installed and how the fixtures and fittings as well as services and foul waste connections will be installed. Any approval is therefore recommended to have conditions requiring full details of each aspect prior to the work being undertaken to ensure the historic fabric is not significantly harmed.
10. With the use of these conditions to ensure the alterations are acceptable and the fabric and details of the building are protected through the works the proposal is considered to generate less than significant harm to the building and accords with Policy DEV21 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 application does not cause discrimination on the grounds of gender, race and disability. The original proposal for the rear dwelling generated access issues due to the positioning up a cobbled rear service lane, but this element has now been removed.

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

The proposal is considered to generate less than significant harm to the listed building, removing later addition walls and adding in additional facilities for occupants.

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 13.01.2020 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 13012020 - received 13/01/20

Proposed Floor Plans 01 - received 24/12/19

Existing Floor Plans 3665 GA01 - received 24/12/19

Existing Elevations and Barn 3665 GA02 - received 24/12/19

Proposed Stable Floor Plans 02 Rev A received 09/03/20

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: TIME LIMIT COMMENCEMENT****

The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason:

To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

**3 CONDITION: WALLS****PRE-WALL WORKS**

No works shall take place on the removal or installation of any walls until details of the new walls have been submitted to and approved in writing by the Local Planning Authority. The details shall include method of fixing to existing walls and full details of the proposed walls including any skirting, cornice or other features. The works shall be carried out strictly in accordance with the approved schedule.

Reason:

To ensure that the details of the proposed work do not conflict with Policy DEV21 of the Plymouth and South West Devon Joint Local Plan 2019 and the National Planning Policy Framework 2019.

**4 CONDITION: EN-SUITE DETAILS****PRE-INSTALLATION**

No works shall take place until full details of the en-suites have been submitted to and approved in writing by the Local Planning Authority. The details shall include location of all fittings, detail of all fixtures and connections. The works shall be carried out strictly in accordance with the approved details.

Reason:

To ensure that the details of the proposed works do not conflict with Policy DEV21 of the Plymouth and South West Devon Joint Local Plan 2019 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.

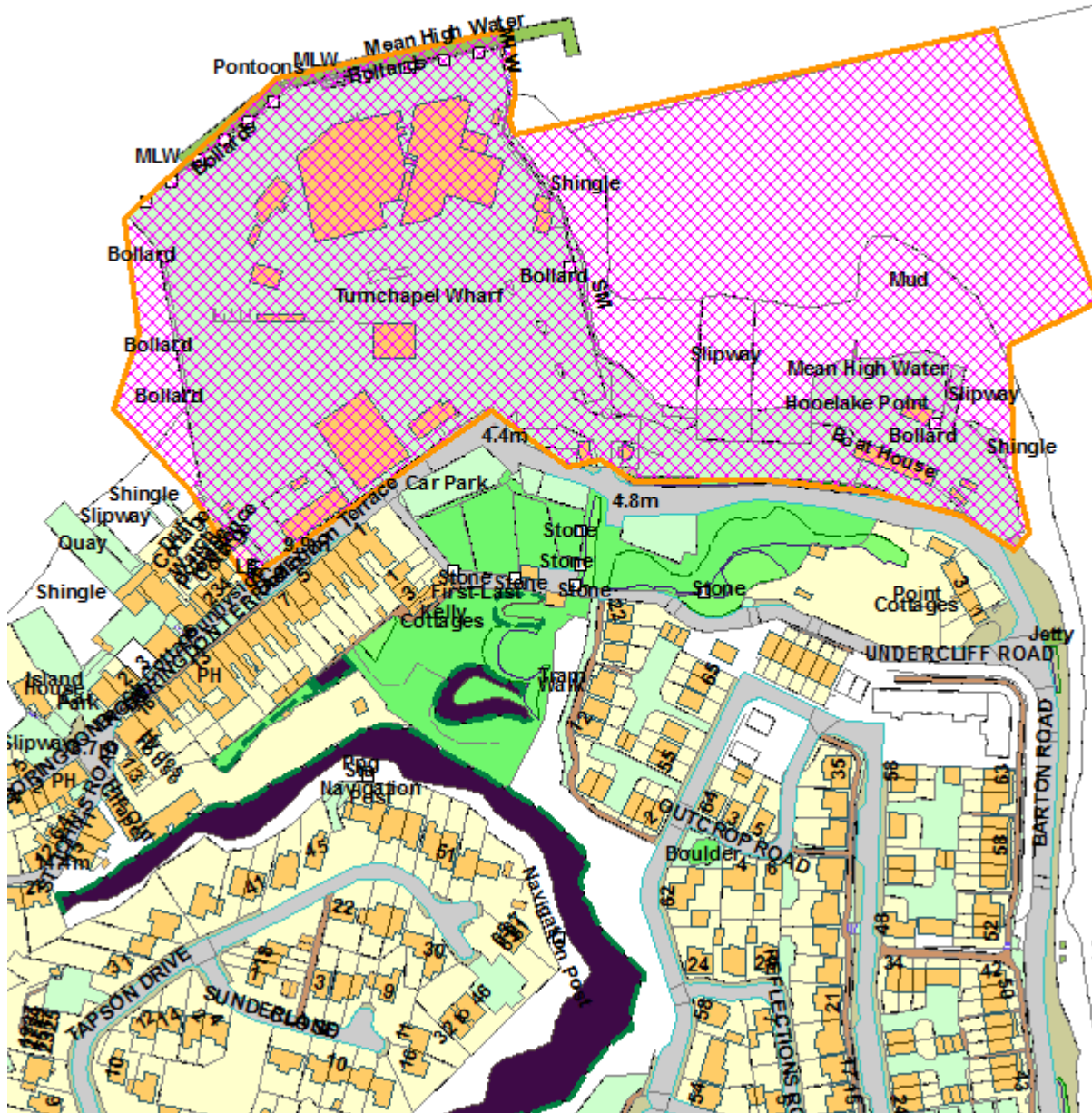
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# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	19/01810/FUL	<b>Item</b>	<b>Item 05</b>
<b>Date Valid</b>	20.01.2020	<b>Ward</b>	PLYMSTOCK RADFORD
<b>Site Address</b>	Turnchapel Wharf Barton Road Plymouth PL9 9RQ		
<b>Proposal</b>	Demolition of Unit 38 and construction of a new industrial unit		
<b>Applicant</b>	Mr Ryan Bonney		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>16.03.2020</b>	<b>Committee Date</b>	<b>18.06.2020</b>
<b>Extended Target Date</b>	<b>18.06.2020</b>		
<b>Decision Category</b>	Councillor Referral		
<b>Case Officer</b>	Mr Dan Thorning		
<b>Recommendation</b>	Grant Conditionally		

on st Bdy  
& Ward Bdy



This application has been referred to Planning Committee by Councillor Watkin.

### **I. Description of Site**

Turnchapel Wharf is a waterfront business park covering approximately 6 hectares in the Plymstock Radford ward of Plymouth. The site was home to 539 Royal Marines Assault Squadron and its feeder unit, 10 Loading Craft, until these units relocated in early 2013. The site was declared surplus to military requirements and acquired by Yacht Havens in 2014. Since then, the site has undergone a major transformation into a modern, thriving business park providing offices, workshops and warehouses for a wide range of local, national and international marine businesses.

The site has one large vehicular access gate and can be accessed from the sea via the Cattewater. The site is relatively flat whilst predominantly hard surfaced. There are a mix of historic stone

warehouses and modern metal industrial units within the business park and car parking is provided on site.

The site borders the Turnchapel Conservation Area, which comprises predominantly residential use, and it is immediately adjacent to grade II listed Mansion House, 1 Boringdon Terrace (list entry 1330578) and numbers 2-12 (consecutive) Boringdon Terrace (list entry 1330580).

## **2. Proposal Description**

The application proposes to demolish Unit 38 and construct a new detached industrial unit in the south west corner of Turnchapel Wharf.

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

19/01089/MOR - Pre-application for industrial unit: positive advice was provided although further information was required to enable full consideration of the impacts on residential amenity, designated heritage assets, the marine environment, protected species, flood risk and highways considerations.

## **4. Relevant Planning History**

16/01839/FUL - Erection of 18 BI(b) (Research and Development) and BI(c) (Light Industrial) units, ancillary café, office and parking, including demolition of 3 existing buildings - Grant Conditionally

15/00606/FUL - Extension to pontoon (Please also see associated marine management organisation application MLA/2015/000157) – Grant Conditionally

14/01337/FUL - Construction of residential institution for maritime training events (Demolition of former MOD police station) - Grant Conditionally

## **5. Consultation Responses**

Economic Development Department – strongly supports the application

Environment Agency – no objections

Historic England – no comment

Historic Environment Officer – objects as the proposal neither conserves nor enhance the Conservation Area contrary to Policy DEV21 (Development affecting the historic environment). The proposal would cause substantial harm to the setting of designated heritage assets.

Lead Local Flood Authority – no objections subject to securing conditions

Local Highway Authority – no objections subject to securing conditions

Natural England – no comment (which implies that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes)

Natural Infrastructure Team – no objection subject to securing conditions

Public Protection Service – no objection subject to securing conditions

Urban Design Officer – objects as it is considered contrary to Policy PLY20 (Managing and enhancing Plymouth's waterfront)

No responses were received from the Queens Harbour Master, Cattewater Harbour Commissioner and the National Amenity Societies.

## **6. Representations**

The application was advertised for a period of 21 days from the 28th January 2020. The applicant met with residents and representatives of the Turnchapel Residents Association, a Ward Councillor and officers on the 4th March 2020 to discuss residents' objections and seek ways to ameliorate the impacts of the development. The applicant amended the design in response to this meeting and these changes are outlined in more detail in paragraphs 16 and 17. The revised plans were advertised for a period of 14 days from the 10th March 2020.

In total, the Local Planning Authority received one letter of support and 146 letters of objections from 78 members of the public. The letter of support stated that the design is in keeping with the surrounding buildings; it would not result in loss of views; it would create jobs; and result in increased spending to support local businesses. The main reasons for the objections include:

- \* Impacts on designated heritage assets including the character and setting of grade II listed buildings and the Turnchapel Conservation Area. Multiple objections questioned the methodology and disputed the findings of the Heritage Statement and highlighted the absence of a Turnchapel Conservation Area Appraisal and Management Plan.
- \* Loss of public views from Boringdon Road, which forms part of the South West Coast Path.
- \* Scale, massing and industrial design.
- \* Increased traffic and car parking pressures, particularly given the absence of pavements on Barton Road. Objectors disputed the figures provided in the Transport Statement relating to historic vehicular movements during the MoD's occupation of the site.
- \* Impacts on residential amenity including loss of light, outlook, pollution and noise with the latter exacerbated by the inability of owners to install modern windows in the grade II listed dwellings on Boringdon Terrace.
- \* Public protection concerns including increased pollution, noise, dust, hazardous materials and fire hazards.
- \* Loss of earnings to local businesses that would be affected by a reduction in the number of visitors/tourists using the South West Coast Path.
- \* The height of the proposal has not been justified. Instead it appears to take its height from the adjacent building (Unit 16), which was Crown development, thus it was built without the requirement to secure planning permission.
- \* Piecemeal development within Turnchapel Wharf.
- \* The applicant has units available at Mount Batten, therefore the proposed unit is not required.
- \* The 3D visualisations do not accurately represent the proposal.
- \* Employment figures are disputed.
- \* A nearby application (reference 09/01529/FUL) was refused on impact to the South West Coast Path.



\* There is a South West Water pipe underground.

\* Impacts on bats.

\* Archaeological impacts.

\* Non-material planning matters.

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

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

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government of their choice to monitor at the whole plan level. This is for the purposes of the Housing Delivery Test and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019. This confirmed the Plymouth, South Hams and West Devon's revised joint Housing Delivery Test Measurement as 163% and that the consequences are "None". It confirmed that the revised HDT measurement will take effect upon receipt of the letter, as will any consequences that will apply as a result of the measurement. It also confirmed that that the letter supersedes the HDT measurements for each of the 3 local authority areas (Plymouth City, South Hams District and West Devon Borough) which Government published on 19 February 2019.

Therefore a 5% buffer is 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 6.4 years at end March 2019 (the 2019 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2019 (published 26 July 2019). The methodology and five year land supply calculations in the Housing Position Statement are based on the relevant changes in the revised National Planning Policy Framework published 19 February 2019 and updates to National Planning Practice Guidance published by the Government in September 2018, subsequently amended by NPPG Housing Supply and Delivery published 22 July 2019.

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

\* The emerging Plymouth and South West Devon Joint Local Plan 2014-2034 Supplementary Planning Document (SPD) 2019

\* The adopted Development Guidelines Supplementary Planning Document (SPD) First Review (2013)

In terms of weight of the SPDs, the following points should be considered in making the decision:

\* The Plymouth and South West Devon Joint Local Plan SPD has completed its consultation phase but can carry limited weight prior to its formal adoption. However, at best very limited weight should be given to provisions of the SPD that have been objected to in a substantive way.

\* The adopted SPDs were set within the context of the previous development plan (Core Strategy). However, provisions of these SPDs would only carry weight where they are clearly consistent with the policies of the adopted Joint Local Plan.

## **8. Analysis**

1. This application has been considered in the context of the development plan, the adopted Joint Local Plan (JLP), the Framework and other material policy documents as set out in Section 7. The application turns upon Policies SPT4 (Provision for employment floorspace), SPT11 (Strategic approach to the historic environment), SPT14 (European Sites – mitigation of recreational impacts from development), PLY1 (Enhancing Plymouth's strategic role), PLY2 (Unlocking Plymouth's regional growth potential), PLY3 (Utilising Plymouth's regional economic assets), PLY20 (Managing and enhancing Plymouth's waterfront), PLY60.6 (Site allocation for Former MoD site Turnchapel Wharves, Turnchapel), DEV1 (Protecting health and amenity), DEV2 (Air, water, soil, noise, land and light), DEV14 (Maintaining a flexible mix of employment sites), DEV20 (Place shaping and the quality of the built environment), DEV21 (Development affecting the historic environment), DEV23 (Landscape Character), DEV26 (Protecting and enhancing biodiversity and geological conservation), DEV29 (Specific provisions relating to transport), DEV31 (Waste management), DEV35 (Managing flood risk and water quality impacts) and DEV36 (Coastal Change Management Areas) of the JLP.

2. The primary planning considerations for this application include the principle of development, the economy, design, impacts of designated heritage assets, amenity, highways considerations, flood risk, biodiversity and water quality.

### **Principle of Development and Economic Development Considerations**

3. This application proposes to develop a new industrial unit for use for the research and development of marine autonomous systems (Use Class B1b). Officers understand that the unit has been designed to meet the operational requirements of Thales Group, which is a French multinational company that serves the aerospace, space, ground transportation, digital identity and security, and defence and security sectors. Thales already occupies Units 5 (first floor), 10 and 16 on Turnchapel Wharf. Officers understand that the proposal represents an expansion of Thales' location operations, thus it is proposed by the applicant that Thales will continue to occupy Units 5, 10 and 16 if the new development completes.

4. Policy 60.6 (Site allocation for Former MoD Site, Turnchapel Wharves) of the JLP allocates the wider Turnchapel Wharves site for marine employment uses (B1b, B1c, B2 and B8), stating that wharves and slipways are to be retained for marine use purposes. The proposed use aligns with site allocation, thus the principle of development is considered acceptable.

5. The following JLP policies and objectives for economic development are considered relevant to the consideration of this application:

\* Policy SPT4 (Provision for employment floorspace) seeks to provide a net increase of at least 61,100 sqm of B1/B2 industrial floorspace within the Plymouth Policy Area to drive economic growth;

\* Strategic Objection SO2 seeks to consolidate Plymouth's role as major regional city by strengthening the role of the waterfront as a regional and economic driver and by growing the marine sector;

- \* Policy PLY2 (Unlocking Plymouth's regional growth potential) supports a co-ordinated approach to economic development, spatial planning and infrastructure planning within the growth areas;
- \* Policy PLY3 (Utilising Plymouth's regional economic assets) states that the City will work with the Heart of the South West Local Enterprise Partnership and the Plymouth and the Southwest Peninsula City Deal to strengthen its higher value industries including marine, advanced manufacturing and knowledge based economic sectors;
- \* Policy PLY20.6 (Managing and enhancing Plymouth's waterfront) safeguards port functions and key infrastructure to support the priority marine employment sector and development that requires proximity to the sea; and
- \* DEVI4 (Maintaining a flexible mix of employment sites) requires employment sites with access to wharves and/or deep water facilities, quays and pontoons to be protected for marine related uses appropriate to the site and location.

6. Plymouth promotes itself as a global centre of excellence for marine science and technology with one of the largest clusters of expertise in Europe. Marine and defence industries provides 17,108 FTE jobs in Plymouth (2017) and create £993 million of GVA for the local economy (2017). Therefore the marine and defence sectors and their growth are economically important to Plymouth.

7. Turnchapel Wharf is a 6 hectare marine business park that is located alongside 200 metres of deep water berthing. The proposal will create an additional 567 square metres of B1b business floorspace within the marine employment sector. The applicant has advised that it will create 7-12 permanent jobs and 20 temporary jobs and it will attract around 30 customers/clients within the first two years. At a GVA per job of approximately £60,000 per annum (salaries typically double the city average), the additional GVA of this proposal could be well over £1 million per annum to the local economy.

8. The Heart of the South West Local Enterprise Partnership has recently put marine autonomy as a Department of Trade high value opportunity with Plymouth at the centre of that proposition; and the City's ask is to be the national centre for marine autonomy, with Turnchapel Wharf playing a key role in that proposal.

9. The Economic Development Department strongly supports the application for the reasons outlined above. It advised that there are no other sites in the city which are currently available and that have the facilities for the particular type of high-tech investment. The application site has the combination of the flat layout and access to deep water and slipways. As an ex-military site it is secure and has a cluster of like-minded businesses co-located. Oceansgate Phase 3 will not be available for some time yet although the Turnchapel Wharf and Oceansgate Phase 3 sites are considered complimentary. Therefore it is the view of the Economic Development Department that if planning permission is refused, the City would likely lose wider marine investment.

10. The Economic Development Department considers that the proposed units will underpin the expansion of activity through the area's Marine Business Technology Centre initiative and Plymouth as a National Centre of Excellence in marine autonomy. It also adds that Thales is a key investor in the marine autonomous test zone, Smart Sound, which is a project that has just secured £1.8 million from the Local Enterprise Partnership to help build a national testing asset for marine autonomous systems in Plymouth Sound. It believes that this space not being available could well add risk to the funding and delivery of the Smart Sound project and additional Department for Digital, Culture, Media and Sport funding that the City is bidding for to further support Smart Sound.

11. Finally, a number of public objections suggested that the loss of the waterfront vistas will result in adverse impacts on tourism and spending in Turnchapel's businesses including accommodation and

the local pubs/restaurants. Officers consider that the proposal is likely to enhance village economy by virtue of creating high-earning employment opportunities and clients/customers that will likely stay in local accommodation.

12. To summarise, the proposal is to create additional marine employment floorspace within a marine business park that has been allocated in the JLP for marine employment uses. The proposal safeguards this important deep water facility for marine sector uses and it will help to promote Plymouth as a major regional, and perhaps international city, by growing the marine sector through high-tech marine autonomous systems. The proposal aligns with Plymouth and the Local Enterprise Partnership's co-ordinated approach to economic development. Officers consider that the proposal will result in substantial public benefits in terms of high value job creation, inward investment and new technologies that would not otherwise be realised due to the lack of other suitable sites.

13. Officers recommend securing a condition to restrict use to marine employment uses falling under use class B1b business (research and development) in line with the allocation and to prevent this valuable site being lost to uses not appropriate to the site nor location.

14. Officers therefore consider that the proposal aligns with Policies SPT4 (Provision for employment floorspace), PLY1 (Enhancing Plymouth's strategic role), PLY2 (Unlocking Plymouth's regional growth potential), PLY3 (Utilising Plymouth's regional economic assets), PLY20.6 (Managing and enhancing Plymouth's waterfront), PLY60.6 (Site allocation for Former MoD site Turnchapel Wharves, Turnchapel) and DEV14 (Maintaining a flexible mix of employment sites) of the JLP.

### Design

15. Turnchapel Wharf comprises a mix of nineteenth century stone buildings and modern metal warehouses. The application site is currently occupied by a metal warehouse (Unit 38) with a shallow double-pitched roof measuring approximately 5.5 metres high, 26.5 metres wide and 7.7 metres deep, and with a gross internal floor area of approximately 204 square metres. There is a significant change of levels between Turnchapel Wharf and Boringdon Road to the south/southeast. These are separated by a stone retaining wall approximately 6.2 metres in height.

16. The application proposes to demolish the existing Unit 38 and construct a new industrial warehouse unit. The proposed unit will appear as three units with three double-pitched gabled roofs separated by valleys. The initial plans proposed to orientate the building to face towards the southwest corner of the site with the three ridgelines running parallel to the dwellings on Boringdon Terrace. The ridge height was proposed to be approximately 9.6 metres with an eaves height of 6.3 metres and 6.7 metre high valleys.

17. Following a meeting between the applicant, residents and representatives of the Turnchapel Residents Association, a Ward Councillor and officers on the 4th March 2020, the applicant has re-orientated the unit by 90 degrees so that it is faces towards the Cattewater, and reduced the height of the ridge by 1 metre. Therefore the unit will have a ridge height of approximately 8.6 metres, an eaves height of 6.3 metres and 6.7 metre high valleys. The unit will be 29.1 metres wide and 19.5 metres deep with a gross floor area of 567 square metres. The proposed unit will be approximately 3.1 metres higher and 2.6 metres wider than the existing unit whilst the gross floor area will be 2.8 times larger.

18. The steel framed building will be clad with profiled metal sheeting panels to the walls and roof with translucent roof panels providing natural lighting. Internally, the unit will be separated by three folding or sliding partitions to create three separate units, each served by roller shutter doors to the front and steel doors to the front and rear of the building. The unit will be industrial and utilitarian in appearance with the design, colour and materials closely matching those of the adjacent modern warehouses located on the southern part of the site. Officers recommend securing a condition that

requires the applicant to submit to further details of the external materials prior to commencement of development.

19. Officers consider that the development will conflict with the architectural style of the surrounding residential dwellings within Turnchapel Village. However, the industrial foreshore forms part of the established setting and contributes to the character of the Conservation Area (as discussed in detail in the following section). Turnchapel Wharf is already in use as a marine business park and there are a number of similar metal warehouses, including on the application site. In addition, the site has been allocated for marine employment uses, therefore some degree of architectural contrast is to be expected. Therefore on balance, officers consider the design of the development appropriate to its location within a marine business park. As such, the proposal is not considered to conflict with Policy DEV20 (Place shaping and the quality of the built environment) of the JLP.

#### Heritage Impacts

20. The application site is located immediately adjacent to the boundary of the Turnchapel Conservation Area and a combined terrace of grade II listed residential dwellings known as Mansion House, 1 Boringdon Terrace and numbers 2-12 (consecutive) Boringdon Terrace. The proposal will affect the setting of designated heritage assets, therefore Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraphs 189 to 202 of the NPPF apply. The sections/paragraphs relevant to this proposal include:

#### Planning (Listed Buildings and Conservation Areas) Act 1990

##### Section 66:

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

##### Section 72:

Special attention shall be paid to the desirability of preserving or enhancing the character or appearance of any buildings or other land in a conservation area.

#### NPPF

##### Paragraph 189:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

##### Paragraph 190:

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.

##### Paragraph 192:

In determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets; the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

##### Paragraph 193:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194:

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of grade II listed buildings should be exceptional.

Paragraph 195:

Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Paragraph 196:

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

21. The applicant has submitted a Heritage Statement in support of the application. The Historic Environment Officer considers that the Heritage Statement is proportionate and in accordance to paragraph 189 of the NPPF. However, a number of public representations disputed the methodology and findings of the Heritage Statement, and the Turnchapel Residents Association has commissioned its own Assessment of Character and Special History in support of its representation. Therefore officers have taken both the applicant's and the Residents Association's heritage reports into account in consideration of this application.

22. According to a conservation study commissioned by the Council in around 1990, Turnchapel was designated a Conservation Area because of its historical associations and its attractive grouping of predominantly residential dwellings against the natural setting of the waterside and the steep limestone quarry face that provides a backdrop to the village. The character of Turnchapel derives principally from its layout and built form comprising predominantly nineteenth century buildings and interesting architectural features including limestone boundary walls, iron railings and pavements of limestone, granite and yellow brick. The development pattern of the village is terraced properties orientated toward views of the Cattewater on either side of St John's Road and Boringdon Road.

23. The formal grade II listed Boringdon Terrace is the key architectural group within the village and it comprises 12 consecutive terraced dwellings that were built in the earliest phase of village development in the early nineteenth century. These are two storeys with an attic and dormer to a steep slate roof. Their formality and architectural quality give a grander appearance than the otherwise traditional smaller terraced cottages and they have architectural features including incised stucco render, tripartite windows, door architraves and steep slate roofs with a dormer. These dwellings are painted different colours to give the village a distinctive character that can be found in some coastal settlements.

24. Numbers 1-7 Boringdon Terrace benefit from an open outlook across Turnchapel Wharf and the Cattewater towards Cattedown. There are also distant views towards Queen Anne Battery, the Barbican and the eastern part of the Hoe, although these views are obscured by passing vessels and boat masts from the Clovelly Bay Marina.

25. Views towards Boringdon Terrace and the Conservation Area can be experienced from Turnchapel Wharf and Cattedown Wharves, including from the South West Coast Path. Beyond that, views of the site appear limited, with the colourful Boringdon Terrace just about visible from Queen Anne Battery, Madeira Road, Tinside Lido and Smeaton's Tower.

26. The Heritage Statement assesses the significance of the Conservation Area and the listed buildings including the contribution made by the setting of these heritage assets. It states that the established setting of the listed buildings comes from its consistency of architectural group and its group value, and that it can be appreciated from within the village. The Conservation Area significance comes from the appreciation of the raised formal terrace in contrast to the street enclosure and smaller cottage style homes elsewhere in the village.

27. In addition, the Heritage Statement and the Assessment of Character and Special Interest commissioned by the Turnchapel Residents Association state that publically accessible views to and from Boringdon Terrace contribute towards the special interest of the Conservation Area. Looking towards the Conservation Area, Boringdon Terrace appears as a formal planned terrace with a good level of architectural consistency. The steep slate roofs with dormers provide a consistent ridgeline and the palette of colours provide a striking vertical emphasis to the individual dwellings, which are set against a backdrop of limestone quarry walls and industrial and maritime operations in the foreground.

28. At present, these views towards Boringdon Terrace are uninterrupted but for passing vessels and boat masts as the existing Unit 38 ridgeline is below the stonewall on Boringdon Road. The original plans proposed a 9.6 metre high warehouse with a ridgeline running parallel to Boringdon Terrace. This development would have projected over the stonewall by approximately 3.4 metres substantially blocking views to and from Boringdon Terrace. Despite this, the Heritage Statement concluded that the significance, setting and character of the heritage assets would undergo some less than substantial harm that would be outweighed by the public benefits of providing increasing commercial floor space and employment opportunities.

29. Officers have since negotiated with the applicant following significant public objection to the proposal and the development has been rotated clockwise 90 degrees so that gabled front elevation is orientated towards the Cattewater, and the height of the apexes have been reduced by 1 metre. Officers have challenged the applicant but understand that it is unable to reduce the building height any further as it would be unable to accommodate the gantry cranes required to enable work on vessels. Therefore the ridgelines and valleys will project approximately 2.4 metres and 0.5 metres above the stonewall on Boringdon Road, respectively.

30. The applicant has provided a Google Earth model to enable 3D visualisations of the proposal from various eye-level viewpoints, including from on the water. Officers consider that views towards Boringdon Terrace and the Conservation Area will be relatively unaffected by the proposal as the principal viewpoints are elevated above the application site and the valleys allow glimpses of Boringdon Terrace. As such, Boringdon Terrace will continue to be perceived as a formal terrace with a continuous roof line and vertical bands of colour set against the backdrop of the limestone quarry walls, and with the maritime business park in the foreground.

31. However, officers consider that the proposal will impact on the quality of the street scene and townscape as it will limit the open, attractive and far-reaching waterfront views. The 3D visualisations reveal that glimpses of distant views may be possible through the valley sections but these are limited in comparison to the existing open vista, which contributes to the street's character. In addition to the street's open vista being lost, it is considered that the scheme, by virtue of its height and blank elevation treatment, would have a negative impact on the character and appearance of the street scene and the character of the Conservation Area.

32. The Urban Design Officer was consulted on the application and objected, stating that it is considered contrary to Policy PLY20, which seeks to protect iconic and historic landscapes and sites that enable a visual and physical connection to the water environment, and seascapes and views that define the city, whilst enhancing the relationship between Plymouth and the surrounding landscapes that provide its enviable setting. The proposal is also considered to conflict with JLP Policy DEV23 (Landscape character), which protects townscape character and visual quality.

33. In addition, the Historic Environment Officer has objected, advising that the apexes of the development will result in substantial harm to wider views and the setting of the characterful terrace and Conservation Area, and that the development will have an uncomfortable relationship with Boringdon Terrace. The Historic Environment Officer advises that the proposal will neither conserve nor enhance the Conservation Area contrary to Policy DEV21 (Development affecting the historic environment) of the JLP.

34. Furthermore, a substantial number of representations objected to the application, stating that the proposal would result in irreparable damage to the grade II listed Boringdon Terrace (including Mansion House and 2-12 Boringdon Terrace), the Conservation Area and the character of Turnchapel Village.

35. Officers have taken account of the available evidence and any necessary expertise and representations in line with the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraph 190 of the NPPF and Policy DEV31 (Development affecting the historic environment) of the JLP. Officers consider that the architectural features and the grouping of the terrace will remain relatively unaffected by the proposal, with views towards the listed buildings available from across the Cattewater and from within the Conservation Area. However, contrary to the findings of the applicant's Heritage Statement, it is considered that the setting and significance of the listed buildings and Conservation Area will likely undergo substantial harm by virtue of the development's impact on the streetscene, particularly the loss of an attractive vista.

36. As substantial harm to designated heritage assets has been identified, the proposal must provide a clear and convincing justification with substantial public benefits outweighing the substantial harm (paragraphs 194 and 195 of the NPPF). In addition, to override the substantial harm there must be particularly strong countervailing factors and the development must be deemed necessary to the location (*Barnwell Manor Wind Energy v East Northamptonshire DC (2014)* and *Whitby v Secretary of State for Transport (2015)*).

37. In this case, the clear and convincing public benefits include skilled employment opportunities and GVA to the local economy as detailed in paragraph 7, the promoting of Plymouth as a national centre for marine autonomy, and inward investment. Officers consider these public benefits substantial, particularly as the City seeks to recover from the prevailing economic downturn following the COVID-19 pandemic.

38. Furthermore, officers consider that there are a number exceptional circumstances relevant in considering whether the location of the development is necessary:

- \* The site is located within a marine business park that has been allocated in the JLP as a marine employment site, therefore some intensification of use is to be expected.
- \* The proposed use must be located adjacent to a deep water facility and officers understand there are no other suitable locations available at present. Oceansgate Phase 3 will not be available for some time and upon completion, the two developments will be complimentary in terms of growing Plymouth's marine sector.
- \* The proposal is considered suitable to its locations and it will help to safeguard key infrastructure and public assets including a deep water berthing for marine sector use.



\* The maritime/industrial foreground is considered to contribute towards the character and setting of the Conservation Area.

39. Officers have demonstrated reasonable efforts to mitigate the extent of the harm and the applicant has reduced the harm as far as is reasonable to allow a marine employment use to be realised. Given the exceptional circumstances, officers consider that substantial harm is necessary in this location to achieve development that accords with the JLP and to safeguard key infrastructure to support the priority marine employment sector and development that requires proximity to the sea.

40. There is a risk that Thales does not occupy the development and that public benefits are not realised. However, Thales has assured officers that it is committed to expanding its maritime operations at Turnchapel Wharf regardless of the prevailing economic downturn. On the balance of probability, officers consider that the building will likely be used for the research and development of new marine sector technologies. Nevertheless, officers recommend securing a condition to restrict use to B1b business (research and development) use in the marine sector to ensure that the development is safeguarded for uses that are appropriate and necessary for the location, and that continue to outweigh substantial harm to the historic environment.

41. To summarise, the substantial public benefits of the development are considered, on balance, to outweigh the substantial harm to designated heritage assets, thus the application is considered to comply with Policy DEV21 (Developing affecting the historic environment) of the JLP and paragraphs 189-202 of the NPPF.

#### Amenity

42. Officers consider that the development will have a negative impact on the outlook of the residential dwellings on Boringdon Terrace and on public views from the South West Coast Path. The rear elevation of the development will be approximately 10.3 metres from the front of the dwellings on Boringdon Terrace with the roof apex projecting approximately 2.4 metres above the stonewall. Paragraphs 13.28-13.29 of Appendix 1 of the emerging SPD and paragraphs 2.2.31-2.2.32 of the adopted Development Guidelines SPD state there should normally be a minimum of 12 metres of separation between a habitable room window and a blank wall, with an extra 3 metres of separation provided for every 2 metres increase in height. However, the site is located approximately 6.2 metres below the stonewall on Boringdon Road and the valleys will reduce the massing to allow restricted views.

43. The outlook from Boringdon Terrace is north/northwest facing and officers consider that the proposal is unlikely to result in a significant loss of daylight or sunlight to habitable rooms. In addition, the proposal is unlikely to result in overlooking or loss of privacy impacts to existing residents or visitors to the South West Coast Path. Whilst public views from the South West Coast Path will undergo harm, other waterfront views are available from Turnchapel's slipways and from St John's Road.

44. A number of objections referred to noise concerns as occupiers of the grade II listed dwellings on Boringdon Terrace are unable to install modern double glazed windows. The Construction Environmental Management Plan, which should be conditioned, states that construction hours will be limited to 08:00 till 17:00 on Mondays to Friday and 08:00 till 13:00 on Saturdays (unless otherwise agreed by the Public Protection Service).

45. The Noise Impact Assessment that was submitted with the application states that whilst the exact noise levels are not yet known, the development is expected to afford sufficient attenuation to ensure that external noise levels should not exceed existing levels. Given the exact noise levels are not known, officers recommend securing a condition to ensure that noise levels from the development do not exceed 5 decibels above the background level at the façade of the nearest

residential dwelling. The information supplied by the acoustic consultant suggests that this will be met but the condition is required to ensure future operations remain as quiet as predicted.

46. There was no requirement for a Contaminated Land Assessment as the applicant proposes to bolt the development to the existing reinforced concrete hardstanding, thus there will be minimal disturbance to the underlying ground. However, officers recommend securing an unexpected contamination condition requiring the developer to report any contamination to the Local Planning Authority and provide a remediation scheme where necessary.

47. On balance, officers consider that the proposal accords with Policy DEVI (Protecting health and amenity) and DEV2 (Air, water, soil, noise, land and light) of the JLP.

#### Highways Considerations

48. The application proposes to provide 6 car parking spaces in addition to the 110 spaces that are already provided on the Turnchapel Wharf site. The applicant has provided a Transport Statement which includes information on the number of vehicular trips along Barton Road during the Royal Marine's occupation of the site, as identified by the Defence Infrastructure Organisation (DIO). The Statement indicates that there were 40-60 HGV movements per day consisting of predominantly 6-8 tonne trucks. There would typically have been 100 cars parked on site per day, which would have generated around 200 two-way trips, with significantly more around ten times a year during military operations. These figures are significantly more than the 12 car movements per day and one HGV movement per month suggested by the Transport Statement for this proposal.

49. The Local Highways Authority was consulted on the application and raised no objections, subject to securing conditions to provide car parking and cycle provision prior to occupation of the unit. The Local Highways Authority advised that the SPD indicates that for a B1 business use, one space per 30 square metres of gross floor-space is required. Therefore there is an expectation that the development would provide 19 car parking spaces. However, the Transport Statement suggests that the 6 car parking spaces added to the 110 existing spaces would be sufficient, with additional space available should there be a demand. Disabled car parking is also proposed in line with policy and space for bicycles inside the individual business units. The Local Highways Authority therefore considers that the overall car parking provision across the Turnchapel Wharf site accords with the minimum car parking standards for B1 business use.

50. The local planning authority received a substantial number of public objections relating to highway safety concerns along Barton Road and additional car parking pressures that would be created in Turnchapel village. In addition, a number of representations disputed the DIO vehicular movement figures provided in the Transport Statement.

51. The Local Highways Authority acknowledged that the application does not provide a baseline for the current level of vehicle trips; nor does it consider the overall site wide cumulative increase. In addition, approximately 184 homes have been built at nearby Hooe Lake, which shares the same access road, since the MOD discontinued use of the application site. Notwithstanding the above, the Local Highway Authority considers that the application site has an established and unrestricted B1 business use along with its associated vehicle movements and traffic attraction, which will permit and allow for significant daily traffic fluctuations and unrestricted increases associated with its permitted use. It considers that the traffic increase associated with this proposal will be modest and it is unlikely to give rise to any significant impacts in capacity or cause highway safety concerns. It did however advise that a business use the size of Turnchapel Wharf should have a site wide Travel Plan, or at least a site-wide framework travel plan in operation, depending on the current level of activity on the site. Therefore the applicant should be advised that a Travel Plan should be provided in support of any further planning applications for Turnchapel Wharf.

52. The proposal is therefore considered to comply with Policy DEV29 (Specific provision relating to transport) of the JLP.

### Flood Risk

53. The application site is located in Flood Zone 1 and at low risk of fluvial or tidal flooding. A Flood Risk Assessment has been submitted in support of the application. This states that the finished floor level for the proposed unit will be 4.4 metres AOD (above ordnance datum). The surface water drainage is proposed to connect to the existing drainage for the adjacent unit, which is collected by ACO drains surrounding the unit. Surface water discharges directly into the Cattewater.

54. The Environment Agency was consulted on the application and raised no objections. The Lead Local Flood Authority raised no objections subject to securing a condition that requires a scheme for the provision of surface water management to be submitted to and approved by the Local Planning Authority. This should include a flood plan that details emergency exits in the event of a flood warning, and details of the surface water drainage system. The proposal is therefore considered compliant with Policy DEV35 (Managing flood risk and water quality impacts) of the JLP.

### Biodiversity and Water Quality

55. The applicant has supplied an Ecological Enhancement and Mitigation Strategy, which states that the existing building is considered to have negligible suitability for roosting bats and there is no evidence of breeding birds. This report recommends providing two bat boxes to provide roosting provisions for bats and to provide a biodiversity net gain in line with paragraphs 170 and 175 of the NPPF and Policy DEV26 (Protecting and enhancing biodiversity and geological conservation) of the JLP.

56. In addition, a Construction Environmental Management Plan that defines the general approach by which the works will be undertaken, has been submitted to reduce the risk of adverse impacts of construction works on sensitive environments and to minimise disturbance to local residents and users of the estuary. This document includes provisions for minimising impacts on water quality to ensure the Cattewater is kept free of construction debris and pollution, and to minimise disturbances to habitats, flora and fauna. Officers recommend securing conditions to ensure the development is implemented in accordance to the Construction Environmental Management Plan and the Ecological Mitigation and Enhancement Strategy.

57. The Natural Infrastructure Team undertook a Habitats Regulations Assessment and concluded that the proposal can be eliminated from further assessment because it cannot have a conceivable effect on a European site. Furthermore, Natural England did not wish to comment on the application as it considers that the proposal is unlikely to result in significant impacts on statutory designated nature conservation sites or landscapes. Officers therefore considered that the proposal is unlikely to have an effect on statutory and non-statutory designated sites including local Sites of Special Scientific Interest (SSSIs) and the Plymouth Sound and Estuaries Special Areas of Conservation.

58. The Natural Infrastructure Team and the Lead Local Flood Authority have advised that the application does not identify potential pollution risks and demonstrate how the development will control water pollution during operation. Therefore officers recommend securing a condition that requires the applicant to identify pollution risks and demonstrate how the water environment will be protected from pollution during use. The application is therefore considered to comply with Policies DEV26 (Protecting and enhancing biodiversity and geological conservation) and DEV35 (Managing flood risk and water quality impacts) of the JLP, subject to agreeing conditions.

### **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**

There are no local finance considerations.

### **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 assessed the application against the JLP policies and the recommendation is for conditional approval.

The application proposes to create additional B1b business (research and development) floorspace in the marine sector within an existing marine business park on a site that has been allocated for marine employment uses. The proposal safeguards an important deep water facility and supports growth of the marine sector in Plymouth through high value job creation, new technologies and attracting inward investment. The principle of development is therefore considered acceptable and the public benefits are deemed substantial.

The development is immediately adjacent to, and will impact upon the setting and significance of the Turnchapel Conservation Area and a terrace of grade II listed buildings, known as Mansion House (number 1) and numbers 2-12 (consecutive) Boringdon Terrace. Officers have taken account of the available evidence and the necessary expertise and representations in line with the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraph 190 of the NPPF and Policy DEV31 (Development affecting the historic environment) of the JLP. Officers consider that the development will result in substantial harm to the setting and significance of the designated heritage assets by virtue of the development's impact on the streetscene, particularly the loss of an attractive vista.

Where substantial harm to a heritage asset is identified, that harm must be outweighed by the substantial public benefits of the development. Officers consider that the applicant has reduced the harm as far as is reasonable to still allow a marine sector use to be realised. The development is considered necessary for the location and the public benefits are considered substantial. On balance, officers consider that the substantial public benefits outweigh the substantial harm to the Turnchapel Conservation Area and the grade II listed dwellings on Boringdon Terrace.

A range of supporting information has been supplied in order to demonstrate that the impact on residential amenity, the highways network, biodiversity, flooding and water quality will be acceptable. Suitable conditions are recommended to control and request further details of different aspects of the development.

#### **14. Recommendation**

In respect of the application dated 20.01.2020 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**

Proposed Floor Plan Layout 06032020 Rev A received 05/03/20

Site Location Plan 26007/100 received 12/11/19

Existing Elevations 21112019 - received 19/11/19

Existing Floor Plan Layout 21112019 - received 19/11/19

Existing Refuse Compound with Proposed Additional Refuse Unit 20012020 - received 20/01/20

Block Plan 06032020 - received 05/03/20

Proposed Front Elevations 15042020 Rev B received 15/04/20

Proposed Elevations 06032020 - received 05/03/20

Reason:

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

##### **2 CONDITION: COMMENCE WITHIN 3 YEARS**

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

Reason:

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

##### **3 CONDITION: EXTERNAL MATERIALS**

###### **PRE-COMMENCEMENT**

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

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy DEV20 of the Plymouth and South West Devon Joint Local Plan 2014-2034 and the National Planning Policy Framework 2019.

Justification:

To ensure that the development can reasonably accommodate the external materials that are acceptable to the local planning authority.

#### **4 CONDITION: SCHEME FOR THE PROVISION OF SURFACE WATER MANAGEMENT**

##### **PRE-COMMENCEMENT**

No development approved by this permission shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:

a) A flood plan is required for any development at risk from flooding that details actions to be taken in the event of a flood warning, including safe access and egress of occupants. Emergency exits should not direct occupants towards the source of flooding, in this case, the Cattewater. In the event of a flood, occupants should be directed to higher ground.

b) Public sewer records indicate a SWW combined sewer within the site. SWW should be consulted for consent to build over or near the sewer.

c) Details of the existing surface water drainage system should be submitted, and opportunities should be explored to enable the development to meet the Local Flood Risk Management Strategy requirement for a 1 in 100 year return period (1% AEP) design standard with a 40% allowance for climate change, and reduce surface water discharge rates to 1 in 10 year greenfield run off rates. Calculations and modelling data should be produced in support of any drainage design showing that the defences and drainage system are designed to the required standard, taking into account the elevation of the outfall and the impact of potential tide-locking during extreme tide levels.

d) The Plymouth Local Flood Risk Management Strategy requires that entrances to the property should have a threshold level above 4.81mAOD, or be able to provide protection to this level with approved flood boards or flood-proof doors. It is recommended that the ground floor is made flood resilient with the use of waterproof walls and floors and power and communications connections located above this level.

e) Details should be provided that confirm that the water environment is protected from pollution during use. Information should include

- o Identification of pollution risks

- o Pollution prevention measures included to address pollution risks. Such measures could include; silt traps, bunded areas, oil separator, or the incorporate a shut of valve to stop any discharge into the sea, and any maintenance regimes associated.

- o Operational emergency pollution response plan.

Reference should be made to the pollution risk matrix and mitigation indices in the CIRIA SuDS Manual to minimise pollution during use.

Prior to occupation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To reduce the risk of flooding to and from the development, and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory surface water management and disposal during and after development. The drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure in accordance with policy DEV35 of the Plymouth and South West Devon Joint Local Plan 2014-2034 and the National Planning Policy Framework 2019.

Justification:

Necessary because of the essential need to ensure the drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure and water environment.

**5 CONDITION: CYCLE PROVISION**

**PRE-OCCUPATION**

The building shall not be occupied until space has been identified within the building for bicycles to be securely parked. The secure area for storing bicycles shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority. The cycle parking shall align with site Travel Plan details.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy DEV29 of the adopted Plymouth & Southwest Devon Joint Local Plan 2014-2034.

**6 CONDITION: PROVISION OF PARKING AREA**

**PRE-OCCUPATION**

Each parking space shown on the approved plans shall be marked-out and made available for use before the unit of accommodation that it serves is first occupied and thereafter that space shall not be used for any purpose other than the parking of vehicles associated with the subject commercial unit.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policy DEV29 of the adopted Plymouth & Southwest Devon Joint Local Plan 2014-2034.

**7 CONDITION: MARINE SECTOR USE**

Use of the development hereby permitted shall be restricted to B1b business use within the marine sector.

Reason:

To safeguard and protect employment sites with access to wharves and/or deep water facilities, quays and pontoons for marine related uses appropriate to the site and location in accordance with Policies PLY20, PLY60.6 and DEV14 of the adopted Plymouth & Southwest Devon Joint Local Plan 2014-2034.

**8 CONDITION: REPORTING OF UNEXPECTED CONTAMINATION**

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors, in accordance to Policy DEV2 of the Plymouth and Southwest Joint Local Plan 2014-2034 and the National Planning Policy Framework 2019.

**9 CONDITION: ECOLOGICAL MITIGATION AND ENHANCEMENT STRATEGY**

Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy [TE0382/EMES/A].

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance to Policies SPT12 and DEV26 of the Plymouth and South West Devon Joint Local Plan 2014-2034 and the National Planning Policy Framework 2019.

**10 CONDITION: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Construction Environmental Management Plan (CEMP) for the site [I5936/R1].

Reason:

In the interests of the retention and protection of the marine environment, including the European Marine Site features, in accordance with Policies SPT12, SPT13, SPT14 and DEV26 of the Plymouth and Southwest Devon Joint Local Plan 2014 -2034 and the National Planning Policy Framework 2019.

**11 CONDITION: NOISE**

The noise level from the development shall not exceed 5dB above the background level at the façade of the nearest residential dwelling.

Reason:

To protect the residential and general amenity of the area from noise emanating from delivery and waste collection activities and avoid conflict with Policies Policy DEV1 and DEV2 of the Plymouth and South West Devon Joint Plan Plan 2014-2034 and the National Planning Policy Framework 2019.

**INFORMATIVES**

**1 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 including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.

**2 INFORMATIVE: (£0 CIL LIABILITY) DEVELOPMENT DOES NOT ATTRACT A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION**

The Local Planning Authority has assessed that this development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to its size or nature, under our current charging schedule. The Levy is subject to change and you should check the current rates at the time planning permission first permits development (if applicable) see [www.plymouth.gov.uk/cil](http://www.plymouth.gov.uk/cil) for guidance.

Further information on CIL can be found on our website here:

<https://www.plymouth.gov.uk/planninganddevelopment/planningapplications/communityinfrastructuralevy>



More information and CIL Forms can be accessed via the Planning Portal:

[https://www.planningportal.co.uk/info/200126/applications/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5)

More detailed information on CIL including process flow charts, published by the Ministry of Housing, Local Communities and Government can also be found here:

<https://www.gov.uk/guidance/community-infrastructure-levy>

### **3 INFORMATIVE: SITE WIDE TRAVEL PLAN**

Turnchapel Wharf should implement a site wide Travel Plan, or at least have a framework travel plan in operation, depending on the current level of activity at the application site. Which would need to form part of any future planning applications. In order to encourage sustainable means of travel including cycling in accordance with current planning policy initiatives.

### **4 INFORMATIVE: PROTECTED SPECIES INFORMATIVE**

The proposed works may take place on a building with suitability for bats or breeding birds. Under the Wildlife and Countryside Act (1981), bats and breeding birds are legally protected against disturbance, injury or killing and bat roosts are protected against obstruction, damage or destruction. If bats or a bat roost is present in the building, a licence to carry out the works from Natural England may be required. In practice, if any protected species are found on site (such as nesting birds, bats or reptiles) works must cease immediately, and a suitably qualified Ecologist consulted. For further information please contact Plymouth City Council's Natural Infrastructure Officers.

Reason:

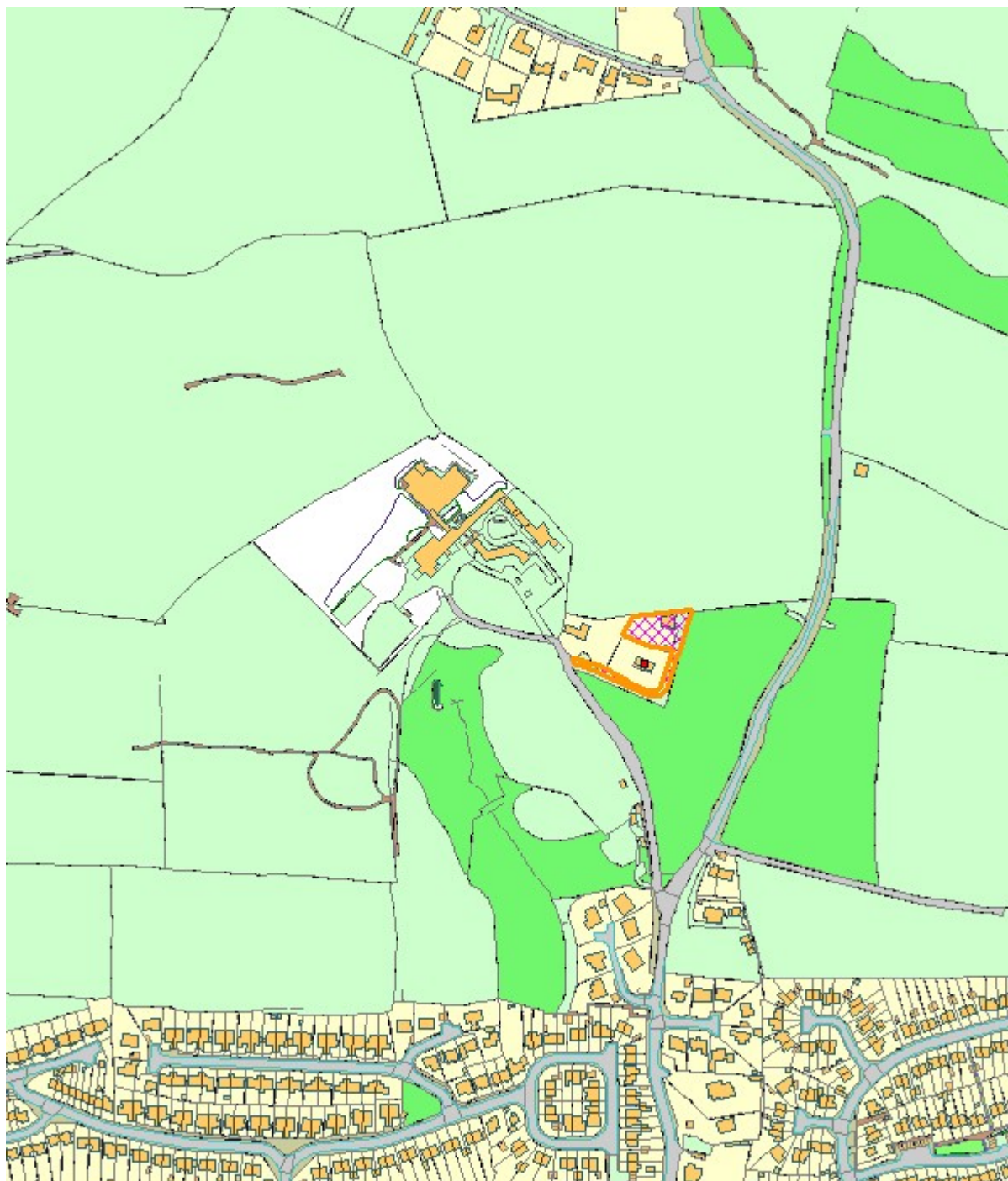
In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Policies SPT12 and DEV26 of the Plymouth and Southwest Devon Joint Local Plan 2014 - 2033 and the National Planning Policy Guidance.

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# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	20/00333/FUL	<b>Item</b>	<b>06</b>
<b>Date Valid</b>	28.02.2020	<b>Ward</b>	PLYMPTON ST MARY
<b>Site Address</b>	Boringdon Croft Boringdon Hill Plymouth PL7 4DP		
<b>Proposal</b>	Erection of dwelling with associated landscaping, car parking and refuse storage inc. demolition of the existing outbuilding		
<b>Applicant</b>	Mr Damian Lidstone		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>24.04.2020</b>	<b>Committee Date</b>	<b>18.06.2020</b>
<b>Extended Target Date</b>	<b>31.07.2020</b>		
<b>Decision Category</b>	Departure from Joint Local Plan		
<b>Case Officer</b>	Mr Jon Fox		
<b>Recommendation</b>	Grant Conditionally		



### **I. Description of Site**

- I.1 The site comprises part of the grounds of the original Boringdon Croft dwelling, which is a single-storey building situated at the forefront of this large plot. Access to the existing plot is off the road serving Boringdon Hall, which is a Grade I listed building. The site includes a large parking area just inside the entrance gates and a long, curved drive that leads to a large, single-storey outbuilding at the rear, close to the northern site boundary and the field beyond, where the land continues to rise gently northwards from the site. This outbuilding is in the position of the proposed bungalow. The northern part of the plot comprises the application site, while the southern part, where the existing bungalow lies, is the area approved for redevelopment by the erection of two houses. The site contains a large pine tree, near the western boundary. The neighbouring land to the west comprises a substantial residential plot, which contains a large number of mature evergreen and deciduous trees. The surrounding land to the south and east is undeveloped greenspace. The site is also within the

Plym Valley Strategic Greenspace as identified in Policy PLY45 of the Plymouth and South West Devon Joint Local Plan JLP.

## **2. Proposal Description**

- 2.1 The proposal is for the erection of a dwelling with associated landscaping, car parking and refuse storage including demolition of the existing outbuilding.

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

- 3.1 19/01435/MOR – A pre-application enquiry was submitted for the demolition of existing outbuildings; erection of a detached single-storey dwelling with associated landscaping, car parking and refuse storage. This proposal was for a very similar scheme to that now being proposed, the floor plans for which appear identical to those being submitted under the current application.
- 3.2 The pre-application enquiry attempted to overcome the objections of the Planning Inspector, who had previously dismissed an appeal for a dwelling on the site (see the relevant planning history, below). The LPA's view was that the scale and design of the proposed building had been appropriately reduced, and that together with landscape enhancements had overcome the obstacles to building on this part of the overall site.

## **4. Relevant Planning History**

- 4.1 19/01443/S73 - Variation of condition 2 (Approved Plans) of planning permission 17/01034/FUL (see below). Granted conditionally.
- 4.2 17/01034/FUL – This application was for demolition of existing dwelling to be replaced by 3no four bedroom dwellings with associated works. The application was refused on the grounds of unsustainable development and location; inadequate pedestrian provision and impact on strategic greenspace. The case went to appeal and the Inspector refused the proposed dwelling on what is the current application site, but allowed the other two dwellings, which are further away from the northern site boundary, and the open countryside beyond. The Inspector said that House Type A (where the current application site is) would be likely to intrude into the green ridgeline and harm the character and appearance of the SGS (Strategic Greenspace). He said that this harm could be compounded by lighting in and around this new house, which would accentuate the presence of House Type A in this part of the landscape.

## **5. Consultation Responses**

Historic England (HE)

HE do not wish to offer any comments. They suggest seeking the views of the Council's specialist conservation and archaeological advisers, as relevant .

Historic Environment

The Council's Archaeologist considers that an archaeological condition is not justified in this case.

Natural Infrastructure Team

No objection.

Natural England (NE)

Natural England required further information regarding the impact of the proposals on designated sites. This matter is covered by the Habitats Regulation Assessment, which is administered by the Council's Natural Infrastructure Team.

Public Protection Service (PPS)  
No objection.

Lead Local Flood Authority (LLFA)  
No objection, subject to a condition on surface water disposal.

Society for the Protection of Ancient Buildings  
No objection. Suggest that an archaeological condition may be advisable.

Highway Authority  
Objects owing to the site being in an unsustainable location and there being no adequate footways for pedestrians.

South Hams District Council  
No objection to the proposal subject to appropriate planting of the northern boundary.

## **6. Representations**

None received.

## **7. Relevant Policy Framework**

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

On 26 March 2019 the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government of their choice to monitor at the whole plan level. This is for the purposes of the Housing Delivery Test and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019. This confirmed the Plymouth, South Hams and West Devon's revised joint Housing Delivery Test Measurement as 163% and that the consequences are "None". It confirmed that the revised HDT measurement will take effect upon receipt of the letter, as will any consequences that will apply as a result of the measurement. It also confirmed that that the letter supersedes the HDT measurements for each of the 3 local authority areas (Plymouth City, South Hams District and West Devon Borough) which Government published on 19 February 2019.

Therefore a 5% buffer is 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 6.4 years at end March 2019 (the 2019 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2019 (published 26 July 2019). The methodology and five year land supply calculations in the Housing Position Statement are based on the relevant changes in the revised National Planning Policy Framework published 19 February 2019 and updates to National Planning Practice Guidance published by the Government in September 2018, subsequently amended by NPPG Housing Supply and Delivery published 22 July 2019.

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG) and National Design Guidance. Additionally, the following planning documents are also material considerations in the determination of the application: Supplementary Planning Document. The Plymouth and South West Devon Supplementary Planning Document (SPD) has been prepared by Plymouth City Council (PCC), South Hams District Council (SHDC) and West Devon Borough Council (WDBC) to amplify and give guidance on the implementation of the policies of the Plymouth and South West Devon Joint Local Plan (JLP). Public consultation on the SPD ended on 6 January 2020 and it is currently anticipated that the plan will be formally adopted in July 2020. Full weight appropriate to an SPD cannot be given until its formal adoption, although given that the SPD is at an advanced stage it may be appropriate to give its provisions limited weight until then, especially where they have not been subject to objections.

## **8. Analysis**

- 8.1 This application has been considered in the context of the development plan, the Framework and other material policy documents as set out in Section 7.
- 8.1.2 This case turns on the following policies of the Plymouth and South West Devon Joint Local Plan: DEV1 (Protecting health and amenity); DEV10 (Delivering high quality housing); DEV20 (Place shaping and the quality of the built environment); DEV21 (Development affecting the historic environment); DEV23 (Landscape character); DEV26 (Protecting and enhancing biodiversity and geological conservation); DEV27 (Green and play spaces); DEV28 (Trees, woodlands and hedgerows); DEV29 (Specific provisions relating to transport) and; DEV35 (Managing flood risk and water quality impacts).
- 8.1.3 The key planning considerations are the impact of the development on the setting of the Strategic Green Space, including landscape character and views of the site from the countryside; heritage assets and transport considerations.

### **Principle of Development**

- 8.2. Development of this kind can seriously erode the intrinsic qualities of the Strategic Green Space. DEV27 states that: In these areas development will normally only be permitted where it enhances the value of the green space, for example through sports, allotment and play provision, lighting, cafes, educational uses and sustainable transport routes. Given that the proposed development is for a dwelling, the application constitutes a departure from the JLP.
- 8.2.1 A departure such as this would normally be considered unfavourably in principle. However, in this case a Planning Inspector has allowed two houses within close proximity to the site, and did not allow one on the same site owing to its scale and consequent impact on the SGS and heritage assets. Given the proximity of the proposed scheme, to the approved houses, and the fact that a large, single-storey out-building exists on the site, this case is not clear-cut. The applicant has sought to address the Inspector's concerns by reducing the scale of the proposed building and enhancing the landscape qualities of the site. The design and, more importantly, the scale of the building is critical to the success of the scheme, since this is what led to the refusal of the previous proposals for a dwelling.
- 8.2.2 The planning appeal, referred to here, preceded the adoption of the Plymouth and South West Devon Joint Local Plan by about seven months, which means the appeal decision carries less weight than if it had been made in the context of an adopted plan. However, the emerging JLP was recognised by the Inspector as having reached an advanced stage towards adoption and could therefore be given moderate weight. As the appeal Inspector pointed out, one of the main issues is whether any adverse impacts of the development, having

particular regard to the likely effect upon the Plym Valley Strategic Green Space (SGS), would significantly and demonstrably outweigh the benefits. The appeal decision, which refused house type A (i.e. the site of this application) refers to how much the height of the proposed building would intrude into the green ridgeline and harm the character and appearance of the greenspace. The lighting in and around the new house was also considered to accentuate the presence of the building in this part of the landscape.

8.2.3 The Inspector's decision letter, in which he allows the two fronting dwellings (house types B and C), states that:

'The extent of the 'footprint' for the proposed dwellings and associated hard surfaced areas would be broadly similar to that of the existing bungalow and its associated buildings and hard surfaced areas.'

The decision letter also says that:

'The two other proposed dwellings (House Type B and House Type C) would be sited on lower ground to the south and on the 'footprint' of the existing bungalow and parking area.'

8.2.4 In the opinion of the LPA these comments point to the fact that the overall developed area of the site, including house types B and C, is a factor (in addition to the height of the buildings) that impacts on the Strategic Greenspace. In this respect the floor area of the proposed bungalow is approximately 146% of the original proposed footprint of the refused two-storey dwelling. The bungalow accommodation includes four substantial bedrooms, large kitchen/diner and separate living area. The scheme also includes a reception hall, and a substantial utility room and garage. The proposed study and walk-in wardrobe etc. adds to the considerable footprint of the dwelling.

8.2.5 At the pre-application stage, it was considered that a dwelling of this size, located on the fringe of the built-up area, should 'grade' more sympathetically into the surrounding countryside. What this new application has done is to reduce the height of the building to just below 88 metres AOD, which is more than a two-metre reduction from the height of the appeal building, and is also below the height of the existing large outbuilding on the site. In addition to this, officers' initial reservations, at the size of the footprint of the bungalow, were lessened by further reductions in the overall footprint of the building.

8.2.6 The Submitted Landscape and Visual Impact Assessment (LVIA) states that: It is the presence of the proposed bungalow on what is described as an undeveloped and open ridgeline that forms the setting of Plympton, which has the potential for adverse effects to the character of the Strategic Green Space (DEV27). After much analysis, the LVIA concludes that the proposals would have a 'neutral' impact on the character of the area. The term 'neutral' is given as 'No discernible deterioration or improvement in existing views; the proposals would avoid being visually intrusive.' On balance, officers concur with this view, and consider that the scheme as now presented would have no more impact on the character of the area than the two houses allowed by the appeal Inspector.

8.2.7 On balance it is considered that the scale and design of the proposed development would not be harmful to the strategic greenspace and therefore is not in conflict with policies DEV27 (Green and play spaces) and PLY45 (Plym Valley Strategic Greenspace) of the JLP. The latter policy seeks to protect the functions of the greenspace by (among other things) ensuring the landscape value of the site is protected and enhanced and the site continues to provide a strong natural edge and attractive setting for Plymouth. The proposals now include a planted



bund on the northern site boundary, a green roof on the northern side of the building, and a darker coloured render, all of which helps to blend the development into the natural environment.

### Amenity

- 8.3 The SPD guidance states that detached dwellings should have 100m<sup>2</sup> of associated amenity space and the proposals achieve this standard. The internal space standards for a four bedroomed, single-storey bungalow range from 90m<sup>2</sup> to 117m<sup>2</sup> depending on the number of occupants. The floorspace of the building easily exceeds these standards. The proposed bund between the plot and the two previously approved units would provide a good screen and neighbours would be relatively unaffected, especially as the proposals are for a bungalow. The proposals are considered to accord with policies DEV1 (Protecting health and amenity) and DEV10 of the JLP.

### Other Impacts

- 8.4 Historic Environment: The appeal Inspector found that by virtue of its height and siting, the previously proposed dwelling would intrude into the rural landscape settings of Boringdon Hall and the Triumphal Arch (which lies to the west, on Plymbridge Road) and detract from their historic interest, and that this harmful impact would not be outweighed by the public benefits of the proposal. The reduced height of the now proposed building would lessen the impact on these two historic assets. The siting and footprint of the building is also considered to be of a sufficiently reduced scale that the impact on heritage assets is not in conflict with policy DEV21 (Development affecting the historic environment). Had the area of disturbance been greater then Historic Environment officers would have considered an archaeological condition but under the circumstances presented do not consider that one can be justified at this stage.
- 8.5 Highways: With regard to transport issues, the LPA's view previously was that the location is unsustainable and that the access road is substandard, leading to conditions prejudicial to highway safety.
- 8.5.1 However, the Inspector said:  
'Whilst the development plan and the Framework include a requirement for new development to reduce the need to travel, they do not prohibit development that requires occupants of new buildings to travel by car. In this instance, the increase in the need to travel generated by two additional dwellings would not be so great as to undermine the objectives of established and emerging local and national planning policies that are aimed at creating sustainable linked communities.'

And that:

'The site is accessed from a private road that serves Boringdon Hall Hotel and Spa. Like much of the countryside around Plymouth there is no footway along this road. However, from what I saw during my visit, vehicles are generally moving slowly along this private road and traffic is intermittent. I also note that there are no personal injury accident records involving pedestrians along Boringdon Hill. The increase in pedestrian traffic associated with two additional dwellings in this location would be unlikely to result in any significant pedestrian/vehicular conflict and would not pose a serious risk to highway safety interests or be likely to interfere with the free-flow of traffic.'

- 8.5.2 The situation is unchanged in this respect and having regard to the Inspector's comments, which relate to the same number of dwellings (cumulatively) as now being proposed, it is

considered that , notwithstanding the Local Highway Authority's objection, the decision of the Inspector carries significant weight in the planning balance and therefore the objection is not a strong enough reason to refuse the planning application.

- 8.6 Other Natural Infrastructure considerations : The proposals include new areas of landscaping on the northern side of the site, as well as new tree planting in place for those specimens that need removing as part of the development, which comprise four category C trees and three category B trees. There are five areas of the site identified in the plans as requiring an arboricultural method statement. These relate to:

AMS1 - block paving within root protection area (RPA) in place of existing tarmac driveway.

AMS2 - installation of earth bund within RPA of TGI (Tree Group 1)

AMS3 - installation of drainage within driveway.

AMS4 - installation of garage and foundation.

AMS5 - relating to the tree planting plan on the northern boundary.

- 8.6.1 In officers' view, the amount of positive landscaping and tree planting is considered a sufficient substitute for the loss of trees on the site. The proposed landscaping and green roof will help to overcome the impact of the development on the Strategic Green Space.

- 8.7 Ecology: the submitted ecology reports show that the site and buildings were surveyed, and that account has been taken of the surrounding natural features. The ecology report concludes that: 'As a relatively small site located just to the north of a substantial suburban area with a relatively high level of human disturbance and with the impact avoidance measures adopted, the proposed development represents a neutral ecological impact at a site level.....Through the implementation of the outlined ecology mitigation and compensation measures, the proposal represents a positive biodiversity impact at site level.'

- 8.7.1 Officers are of the view that providing the development is carried out in accordance with the Construction Environment Management Plan (CEMP), Landscape Ecological Management Plan (LEMP) and Ecological Mitigation and Enhancement Strategy, the proposed development would conform with policy DEV26 (Protecting and enhancing biodiversity and geological conservation).

- 8.8 Drainage: the proposals include a large soakaway situated just to the west of the new bungalow, but also quite close to the retained tree. The drainage of surface water (and details of exceedance flows) is considered acceptable in accordance with policy DEV35 (Managing flood risk and water quality impacts) of the JLP. The Lead Local Flood Authority (LLFA) require more details of drainage and point out that there is a significant risk of surface water flooding to properties downstream from the site in Boringdon Hill, Golden Square and Colebrook. In light of this, it is recommended that surface water be retained on the site as far as practicable.

The Natural Infrastructure Team are of the view that the applicant should consider the inclusion of permeable paving to the driveway to deliver water quality benefits and to reduce the amount of soft landscape area affected by the provision of the soakaway as indicated on the drainage strategy. However, given the potential for flooding downstream, further drainage details should address both landscaping and retention of surface water.

## **9. Human Rights**

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and

expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

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

The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended).

### **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 proposal is not harmful to the landscape character of the area, tree and natural infrastructure, heritage assets, residential amenity and highway safety and convenience, and accords with policy and national guidance and is therefore recommended for conditional approval.

### **14. Recommendation**

In respect of the application dated 28.02.2020 it is recommended to Grant Conditionally.

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

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

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

Location Plan I243-941-0000 - received 28/02/20

Tree Impact and Removal Plan 5379 AIATRP - received 28/02/20

Tree Constraints Plan 5379 AIATRP TPP - received 28/02/20

Tree Protection Plan 5379 TPP - received 28/02/20

Drainage Layout C-14365/C/100 Rev A received 28/02/20

Exceedance Flow Layout C-14365/C/101 Rev A received 28/02/20

Tree Planting Plan 5379 Rev B received 29/05/20

Proposed Site Layout I243 942 0100 Rev D received 22/04/20

Proposed Site Usage I243 942 0101 Rev C received 22/04/20

Proposed Site Sections I243 942 0200 Rev B received 22/04/20

Proposed Plans and elevations I243 942 1000 Rev A received 22/04/20

Reason:

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

**2 CONDITION: COMMENCE WITHIN 3 YEARS**

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

Reason:

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

**3 CONDITION: SURFACE WATER DRAINAGE****PRE-COMMENCEMENT**

No development approved by this permission shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:

a) The Plymouth Local Flood Risk Management Strategy requires that infiltration tests should be completed to confirm the infiltration rate and support the drainage strategy, in accordance with BRE365. Tests should be located where the proposed soakaway devices are to be situated and below any made ground. It's recommended that the test sites be shown clearly on a plan.

A ground investigation study including an assessment of the underlying geology should be undertaken to assess and confirm the anticipated path the water will take having been discharged to the proposed soakaway. This is to confirm that water will not follow a pathway that ultimately impacts upon third party land or property. Details of infiltration testing should be submitted for review.

b) There is a significant risk of surface water flooding to properties downstream from the site in Boringdon Hill, Golden Square and Colebrook. It's recommended that surface water be retained on the site as far as practicable.

c) The location of a soakaway beneath carriageways should be avoided if possible due to the potential of vehicle loading to cause settlement and structural issues. Any infiltration device should be located greater than 5m from property or public highway.

d) A site specific Construction Environment Management (CEMP) should be submitted that describes how the water environment is to be protected during the demolition and construction of the proposed development.

e) Details should be submitted of how and when the drainage system is to be managed and maintained, and any future adoption proposals should be submitted.

Prior to occupation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To reduce the risk of flooding to and from the development, and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory surface water management and disposal during and after development. The drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure in accordance with policy DEV35 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

Justification: This is necessary because of the essential need to ensure the drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure and water environment.

#### **4 CONDITION: HAZARDOUS MATERIALS SURVEY/ASBESTOS CONTROL PRE-COMMENCEMENT**

No demolition works shall commence unless and until a Hazardous Materials Survey is undertaken prior to demolition works taking place. The survey shall be submitted for approval by the LPA. If Asbestos Containing Materials are identified, a plan detailing methods, controls and management procedures relating to removal of all Asbestos Containing Materials associated with the development site and any former structures within it shall be submitted and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved plan. Following completion of measures identified in the approved plan, verification documentation that demonstrates the effectiveness of any removal works carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from asbestos to highways, the environment, future users of the land and neighbouring land are minimised.

Justification: This is necessary to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors; and to avoid conflict with Policy DEV2 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

#### **5 CONDITION: ARBORICULTURAL METHOD STATEMENT PRE-COMMENCEMENT**

No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority in relation to approved planting plan [5379 TREE PLANTING PLAN REV B, 5379 AIATRP, 5379 TPP]. The statement shall detail how the proposed features are to be installed. It shall include measures for protection in the form of barriers to provide a 'construction exclusion zone' and ground protection in accordance with Section 6.1 of BS: 5837:2012 Trees in relation to Design, Demolition and Construction - Recommendations. The measures contained in the approved statement shall be fully implemented and shall remain in place until construction work has ceased.

Reason:

To ensure that the trees on site are protected during construction work in accordance policy DEV28 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

Justification: This is necessary to ensure the trees are protected throughout the scheme.

#### **6 CONDITION: LANDSCAPE DETAILS PRE-DAMP PROOF COURSE LEVEL (DPC)**

The development shall not proceed above damp proof course level until the details of the landscape works including the green roof have been submitted to and approved in writing by the local planning authority. The landscape works shall accord with the following approved drawings and reports:

- o EMES 191117 rev00
- o Landscape strategy 1243 942 0100 REV D
- o Planting Plan 5379 TREE PLANTING PLAN REV B

The landscape works shall include:

- o Soft landscape details:
  - o Full soft landscape specification; plant species and size (to HTA standards), soil/roof build-up details, planting spec and establishment care, including Sedum Roof.
  - o The arrangement of proposed soft landscape elements and soil layouts/elevations (min 1:200 scale). Plans should include a planting schedule for reference.
  - o Planting details (1:20 scale or as appropriate) including (but not limited to) slim-line planter details, tree pit details.
- o Hard Landscape Details: to provide:
  - o Drawings identifying the arrangement of proposed hard landscape elements including (but not limited to) paving materials, street furniture and boundary treatment materials (min 1:200 scale)
  - o Plans should include a specification of the hard landscape materials (e.g. paving materials), street furniture and any boundary treatments.
  - o Boundary treatment details (1:20 scale or as appropriate) e.g. mesh surrounding car park

All landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development. Any dead or defective planting shall be replaced with a period of 5 years.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with JLP policy DEV20 and DEV23 and the National Planning Policy Framework.

## **7 CONDITION: EXTERNAL MATERIALS**

### **PRE-DPC LEVEL**

The development shall not proceed above damp proof course level until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted (including natural stone, cladding, membrane, rain water goods, windows/doors, render colour) have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

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

### **PRE-OCCUPATION**

A Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development for its permitted use, such a Plan shall include the long term objectives of the landscape scheme, and must set out how these objectives will be met. The Management Plan must indicate the ownerships and responsibilities of all landowners or agencies following the completion of the development and intended land transfers and leases etc. for all landscape areas, and must include this information graphically on a plan. The Landscape Management Plan should also set out all maintenance operations for the first 5 year following implementation of the scheme.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with JLP policy DEV20 and DEV23 and Paragraph 127 of the National Planning Policy Framework 2019.

**9 CONDITION: CAR PARKING PROVISION****PRE-OCCUPATION**

The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the approved details and that area shall not thereafter be used for any purpose other than the parking of vehicles.

**Reason:**

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policy DEV29 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

**10 CONDITION: ECOLOGICAL MITIGATION AND ENHANCEMENT STRATEGY**

Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy [191117 rev00] for the site which includes a Construction Environment Management Plan and Landscape Ecology Management Plan.

**Reason:**

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Policies SPT12 & DEV26 of the Plymouth and South West Devon Joint Local Plan and Government advice contained in the National Planning Policy Framework.

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

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

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

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

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

**Reason:**

To ensure that trees or hedgerows retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with Policy DEV28 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

**12 CONDITION: REPORTING OF UNEXPECTED CONTAMINATION**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified; it must be reported in writing immediately to the Local Planning Authority. Development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until this condition has been complied with in relation to that contamination. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme shall be prepared which is subject to the approval in writing of the Local Planning Authority. It is recommended that the applicant contact the Local Planning Authority for further advice on what information should be included in such reports. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared, which is subject to the approval in writing of the Local Planning Authority.

**Reason:**

To ensure that risks from land contamination to the environment, future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors; and to avoid conflict with Policy DEV2 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

**13 CONDITION: RESTRICTIONS ON PERMITTED DEVELOPMENT**

Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order or the 1995 Order with or without modification), no development falling within Classes A (the enlargement, improvement or other alteration of a dwellinghouse), B (the enlargement of a dwellinghouse consisting of an addition or alteration to its roof), C (any other alteration to the roof of a dwellinghouse), D (erection or construction of a porch), E (the provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool, or container used for domestic heating purposes) and F (hard surfaces) of Part I of the Schedule to that Order shall be carried out unless, upon application, planning permission is granted for the development concerned.

**Reason:**

In order to preserve tree roots and the character of the area and the amenities of neighbours in accordance with Policies DEV1, DEV10, DEV20, DEV23 and DEV28 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

**INFORMATIVES****I INFORMATIVE: (CIL LIABLE) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION**

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

Further information on CIL can be found on our website here:

<https://www.plymouth.gov.uk/planninganddevelopment/planningapplications/communityinfrastructuralevy>



More information and CIL Forms can be accessed via the Planning Portal:

[https://www.planningportal.co.uk/info/200126/applications/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5)

More detailed information on CIL including process flow charts, published by the Ministry of Housing, Local Communities and Government can also be found here:

<https://www.gov.uk/guidance/community-infrastructure-levy>

## **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 [including pre-application discussions] and has negotiated amendments to the application to enable the grant of planning permission.

## **3 INFORMATIVE: PROTECTED SPECIES**

The proposed works may take place on a building with suitability for bats or breeding birds. Under the Wildlife and Countryside Act (1981), bats and breeding birds are legally protected against disturbance, injury or killing and bat roosts are protected against obstruction, damage or destruction. If bats or a bat roost is present in the building, a licence to carry out the works from Natural England may be required. For further information please contact Plymouth City Council's Natural Infrastructure Officers.

## **4 INFORMATIVE: CODE OF PRACTICE**

The site is located in a residential area and is surrounded by sensitive receptors. Therefore, the applicant is advised to adhere to the Public Protection Service Code of Practice. The aim of this informative is to prevent or control any nuisance or negative impact on the environment and residential amenity arising from any work carried out. A copy of the Public Protection Service, Code of Practice for Construction and Demolition is available to be downloaded via:

<http://www.plymouth.gov.uk/sites/default/files/ConstructionCodeOfPractice.pdf>

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Plymouth City Council  
 Planning Compliance Summary – to end of May 2020

Cases outstanding	320
Cases received this month	37
Cases closed this month	29
(No breach identified)	(17)
(Informal/formal action taken)	(12)
Planning Contravention Notices Issued	1
Planning Contravention Notices <u>Live</u>	1
Planning Enforcement Notices Issued	0
Enforcement Notices <u>Live</u>	2
Temporary Stop Notices (TSN) issued	1
Temporary Stop Notices (TSN) Live	0
Untidy Land Notices Issued	0
Untidy Land Notices Live	8
Prosecutions Initiated	2
Prosecutions Live	0

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# Planning Applications Determined Since Last Committee

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
02/03/2020	Granted Conditionally	19/01897/FUL	Mr Dominic Squire	Change of use of existing store (Class B8) to offices (Class B1) with associated works	1 Commercial Wharf Madeira Road Plymouth PL1 2NX	Mr Dan Thorning
02/03/2020	Granted Conditionally	19/02021/FUL	Mr Peter Stanton	Two-storey rear extension inc. removal of existing single storey rear extension	The Vicarage Agaton Road Plymouth PL5 2EW	Mr Peter Lambert
02/03/2020	Granted Conditionally	20/00061/FUL	Plymouth City Council	Relocation of 2no. containers: Storage (1) and Officials (2) to new locations. Disposal of 1 x storage container (4) and replace to match existing and make all 3 storage containers (3, 4 & 5) official with this	Brickfields Sports Centre Madden Road Plymouth PL1 4NE	Mr Peter Lambert
04/03/2020	Granted Conditionally	19/01958/FUL	Mr Ian Kendall	Change of use from former public open space to private garden with 1.8m high boundary fence and side extension	50 Kent Road Plymouth PL2 1QF	Mr Mike Stone
04/03/2020	Granted Conditionally	19/01964/FUL	Mr Paul Britton	Demolition and removal of roads, hardstanding, slabs beneath demolished buildings, concrete water tank, pipework (redundant landing lines), contamination from identified 'hotspots' and removal of other redundant services, foundations and obstructions associated with the former use of the site.	Former China Clay Dryer Works Coypool Road Plymouth PL7 4NW	Mr Simon Osborne
04/03/2020	Granted Conditionally	19/02004/FUL	The Co-op Group	Replacement refrigeration plant, shop front alterations, rendered walls and new external lighting	54 - 56 Mutley Plain Plymouth PL4 6LF	Mrs Alumecci Tuima
04/03/2020	Granted Conditionally	20/00022/FUL	Ms Carla Palin	Part single & part two-storey side and rear extension with extended front drive and new rear patio	81 Lower Compton Road Plymouth PL3 5DW	Mrs Alumecci Tuima

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
04/03/2020	Granted Conditionally	20/00050/TCO	Unitbuild Ltd	10x Sycamore, 1x Fir, and a group of Alder, Oak and Hawthorn - fell.1 Hazel - Coppice. Replace with Laurel and Holly hedge and 4 Mountain Ash.	6 Station Road Tamerton Foliot Plymouth PL5 4LD	Mrs Jane Turner
04/03/2020	Granted Conditionally	20/00068/TCO	Mr Nigel Coles	Beech (T1) - Crown raise over neighbours by 3m up to 6m clearance, to clear roof and garden. Holm Oak (T2) - Crown reduce by 5-6m focussing on laterals towards house. Yew (T3) - reduce by 2-3m to improve shape and increase light. Hornbeam (T4) - no work currently required, review in 3 years. 2x Holm Oaks (T5 & T6) - no work currently required, review in 3 years. Yew (T7) - no work currently required, review in 3 years (amendments agreed with agent and owner 3/3/20)	Rockville Seymour Road Mannamead Plymouth PL3 5AR	Mrs Jane Turner
04/03/2020	Granted Conditionally	20/00094/TCO	Mr Alan Irvine	3 X Beech trees: 25% crown reduction and shape.	3 Longbrook Street Plymouth PL7 1NJ	Mrs Jane Turner
05/03/2020	Agreed	19/01815/CDM	Mr Paul Proffitt	Condition Discharge: Conditions 4, 7, 8, 10, 11, 13 & 14 of application 18/01853/FUL	Part Of Car Park, Coypool Retail Park Plymouth Road Plymouth PL7 4SS	Mr Simon Osborne
05/03/2020	Granted Conditionally	19/02008/FUL	Mr & Mrs Peter Jones	First floor extension above existing garage	121 Dunraven Drive Plymouth PL6 6AT	Mr Macauley Potter
05/03/2020	Granted Conditionally	19/02062/ADV	Mr Allan Leigh	3no. car parking signs	The Veterinary Hospital Colwill Road Plymouth PL6 8RP	Mr Macauley Potter
05/03/2020	Granted Conditionally	19/02063/FUL	Interserve Support Services	Installation of a new access ramp and handrails to the south west elevation of Howard Building (B128), inc. construction of stonework and balustrades	Howard Building (B128) HMS Drake HMNB Devonport Plymouth PL2 2BG	Mr Peter Lambert

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
05/03/2020	Granted Conditionally	19/02064/LBC	Interserve Support Services	Installation of a new access ramp and handrails to the south west elevation of Howard Building (B128), inc. construction of stonework and balustrades	Howard Building (B128) HMS Drake HMNB Devonport Plymouth PL2 2BG	Mr Peter Lambert
05/03/2020	Granted Conditionally	20/00168/FUL	Mrs Julia Ford	Single storey rear extension with balcony formed at first floor over extension roof	49 The Old Wharf Plymouth PL9 7NP	Mr Mike Stone
06/03/2020	Granted Conditionally	19/01887/FUL	Mr Alex Passman	Ground floor rear extension (amendment to 19/00282/FUL)	Homeleigh, 5 George Lane Plymouth PL7 1LJ	Mr Macauley Potter
06/03/2020	Granted Conditionally	19/01888/LBC	Mr Alex Passman	Ground floor rear extension (amendment to 19/00283/LBC)	Homeleigh, 5 George Lane Plymouth PL7 1LJ	Mr Macauley Potter
06/03/2020	Granted Conditionally	19/02028/FUL	Mr & Mrs M Beswetherick	Refurbishment, repairs, alterations and extensions inc. dormer windows, conservatory extension, replacement courtyard building and accessibility improvements	101 Fore Street Plympton Plymouth PL7 1ND	Mr Peter Lambert
06/03/2020	Granted Conditionally	19/02029/LBC	Mr & Mrs M Beswetherick	Refurbishment, repairs, alterations and extensions inc. dormer windows, conservatory extension, replacement courtyard building and accessibility improvements	101 Fore Street Plympton Plymouth PL7 1ND	Mr Peter Lambert
06/03/2020	Granted Conditionally	19/02069/S73	Mr Philip Gerry	Variation of condition 1 (Approved Plans) of application 18/01380/FUL inc. external materials, removal of a window and the addition of roof windows	Land Adj. Lelant Nursing Home Glen Road Mannamead Plymouth PL3 5AP	Mr Simon Osborne
06/03/2020	Granted Conditionally	20/00029/LBC	Miss Florence Clayton	Replacement rear external door	Lower Ground Floor Flat, 72 Durnford Street Plymouth PL1 3QW	Mrs Alumeci Tuima

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
06/03/2020	Granted Conditionally	20/00143/FUL	Mrs Katrina Taylor	Installation of railings/handrail on front side boundary	4 Windermere Crescent Plymouth PL6 5HX	Miss Josephine Maddick
09/03/2020	Granted Conditionally	19/01834/ADV	Mr C McBride	Advertisement consent for the installation of scaffolding wrap/shroud to all elevations during construction phase	Intercity House Plymouth Station Plymouth PL4 6AB	Mr Tim Midwood
09/03/2020	Refused	20/00026/FUL	Mr P Turner And Amy Laity	Rear dormer and roof lights on front roof slope (Re-submission of 19/01612/FUL)	97A Foulston Avenue Plymouth PL5 1HN	Mr Peter Lambert
09/03/2020	Refused	20/00048/FUL	Mr P Bennetton	Erection of garage and store (part retrospective)	130 Tavistock Road Plymouth PL6 5EJ	Mr Chris Cummings
09/03/2020	Granted Conditionally	20/00052/TPO	Mrs Deborah Hubbard	Oak - Crown lift from ground 4-5m.	Wesley Court 1 Millbay Road Plymouth PL1 3LB	Ms Joanne Gilvear
10/03/2020	Granted Conditionally	19/02053/ADV	Plymouth City Council	External wayfinding and advertisement on City Museum and Art Gallery and St Luke's Church including Banners, glass marketing advertisements, arrival signage, flags, marketing vinyl, building arrival lettering and metal signage on bell tower of St Luke's Church.	City Museum & Art Gallery Drake Circus Plymouth PL4 8AJ	Mr Peter Lambert
10/03/2020	Granted Conditionally	19/02055/LBC	Plymouth City Council	External wayfinding and advertisement on City Museum and Art Gallery and St Luke's Church including banners, glass marketing advertisements, arrival signage, flags, and marketing vinyl.	City Museum & Art Gallery Drake Circus Plymouth PL4 8AJ	Mr Peter Lambert
10/03/2020	Granted Conditionally	20/00009/FUL	Mr & Mrs Clark	Single storey side extension.	2 Meadow Way Plymouth PL7 4JB	Mr Macauley Potter



Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
10/03/2020	Refused	20/00274/AMD	Mr Ian Pugsley	Non-material Amendment to modify fence boundary of plot 32 for application 13/00048/FUL	Land East And West Of Pennycross Close Plymouth PL2 3NX	Mr Chris King
11/03/2020	Granted Conditionally	20/00008/FUL	Mr & Mrs Kemp	Extension to existing garage together with change from flat to pitched roof	3 Tretower Close Plymouth PL6 6BH	Mr Macauley Potter
12/03/2020	Agreed	19/01877/CDM	Sutton Harbour Services Limited	Condition Discharge: Conditions 3, 4, 5, 7 & 11 of application 19/01487/S73	Harbour Arch Quay Sutton Harbour Plymouth PL4 0HN	Mrs Janine Warne
12/03/2020	Granted Conditionally	19/02078/FUL	Mr Leaves	3no. residential units (Class C3) inc. demolition of existing commercial premise	18 Brookingfield Close Plymouth PL7 1RA	Mr Jon Fox
12/03/2020	Granted Conditionally	20/00017/TPO	Mr Nigel Coles	Sycamore (T1) - Crown reduction to previously reduced height (ie reduce by 3-4 metres to previous pollard points)	1 Crescent Avenue Mews Plymouth PL1 3AP	Mrs Jane Turner
12/03/2020	Granted Conditionally	20/00018/LBC	Mrs Vash Stimpson	Repair works to the main, tenement and flat roofs.	9 Clarence Place Stonehouse Plymouth PL1 3JZ	Mr Mike Stone
12/03/2020	Granted Conditionally	20/00034/TPO	Mr Roger Daw	Oak - Raise crown to 4m over garden. Reduce crown away from property by 1m. Remove deadwod (does not require consent)	16 Caradon Close Plymouth PL6 6BW	Ms Joanne Gilvear
12/03/2020	Granted Conditionally	20/00070/FUL	Mrs Julie Coupe	Single storey side and rear extension and internal alterations.	64 West Down Road Plymouth PL2 3HG	Mr Peter Lambert
12/03/2020	Granted Conditionally	20/00090/FUL	Mr & Mrs John	Rear extension	23 Candish Drive Plymouth PL9 8DB	Mrs Alumeci Tuima

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
12/03/2020	Granted Conditionally	20/00130/FUL	Mrs Nathalie Clark	Side extension	90 Blackstone Close Plymouth PL9 8UW	Mrs Alumeci Tuima
13/03/2020	Granted Conditionally	19/00093/FUL	Mr Steve Vitali	Proposed new garage, render system to side and rear of existing cottage, change of use of workshop to ancillary accommodation and boundary treatments inc. entrance gate details	26 Longbrook Street Plymouth PL7 1NJ	Mr Jon Fox
13/03/2020	Granted Conditionally	19/00227/LBC	Mr Adam Willetts	Change of use to residential within the west half of the Perimeter Building (Alternative layout to houses 6-7, 9-13, and 17-22), removal of the Infill Building and refurbishment of the surrounding courtyard	Perimeter Building Royal William Yard Plymouth	Mr John Douglass
13/03/2020	Granted Subject to S106	19/00313/FUL	Mr Adam Wilets	Change of use to 24 residential units; removal of the Infill Building; refurbishment of the surrounding courtyard including parking	Perimeter Building Royal William Yard Plymouth	Mr John Douglass
13/03/2020	Granted Conditionally	19/00314/LBC	Mr Adam Wilets	Change of use to residential within the west half of the Perimeter Building (Standard layout to houses 6-7, 9-13, and 17-22), removal of the Infill Building and refurbishment of the surrounding courtyard.	Perimeter Building Royal William Yard Plymouth	Mr John Douglass
13/03/2020	Granted Conditionally	19/01457/S73	Mr Ben Elliott	Variation of condition 1 of application 18/00521/FUL to allow amended design (Part Retrospective)	14 West Hill Road Plymouth PL4 7LE	Miss Josephine Maddick
13/03/2020	Granted Conditionally	19/01686/FUL	Mr Steven Mildren	Change of use of upper floors from a dwelling (Class C3) to a 4-bed HMO (Class C4)	Oddfellows Arms 60 Devonport Road Plymouth PL3 4DF	Mr Mike Stone
13/03/2020	Granted Conditionally	19/02056/REM	Mr Stephen O'Higgins	Application for reserved matters with details of appearance, layout and scale following grant of application 17/00247/OUT for a detached dwelling and garage	56 Vinery Lane Plymouth PL9 8DE	Miss Amy Thompson

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
13/03/2020	Agreed	20/00076/CDMLB	Mr Adam Willets	Condition Discharge: Condition 6 of application 16/01377/LBC	Melville Building Royal William Yard Plymouth PL1 3RP	Miss Katherine Graham
13/03/2020	Granted Conditionally	20/00109/FUL	Mr Jones	Single storey side and rear extensions (re-submission of 19/02013/FUL)	75 Beaumaris Road Plymouth PL3 5SA	Mrs Alumeci Tuima
13/03/2020	Granted Conditionally	20/00121/FUL	Mr David Milford	Replace existing window	Stonehouse Pool Boatowners Association Strand Street Plymouth PL1 3RL	Mrs Alumeci Tuima
16/03/2020	Granted Conditionally	20/00051/TPO	Blenheims Estate Management	2x Ash (G1) - Fell to 2ft stumps. 3x Ash (G2) - Fell to 2ft stumps. Trees are showing signs of Ash Dieback.	Mount Wise Crescent Plymouth PL1 4GQ	Ms Joanne Gilvear
16/03/2020	Granted Conditionally	20/00077/FUL	Mr M Bentley	Single storey side and rear extension.	2 Moorcroft Close Plymouth PL9 8PF	Mr Mike Stone
16/03/2020	Granted Conditionally	20/00155/ADV	Mr Andrew Cotterell	Illuminated fascia sign	5 Southside Street Plymouth PL1 2LA	Mrs Alumeci Tuima
18/03/2020	Granted Conditionally	20/00091/FUL	Plymouth City Council	Demolition and replacement of existing toilet block, provision of temporary toilet facilities (part-retrospective) (resubmission of 17/02391/FUL)	Public Toilets West Hoe Park Hoe Road Plymouth	Miss Amy Thompson
18/03/2020	Agreed	20/00187/CDM	Boringdon Primary School	Condition Discharge: Conditions 3, 5 & 6 of application 18/02122/FUL	Boringdon Primary School Courtland Crescent Plymouth PL7 4HJ	Mr Jon Fox

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
18/03/2020	Agreed	20/00204/CDMLB	Mr Adam Willets	Condition Discharge: Condition 5 of application 16/01377/LBC	Melville Building Royal William Yard Plymouth PL1 3RP	Miss Katherine Graham
18/03/2020	Refused	20/00385/AMD	Mr Simon Wagemakers	Non-material Amendment: Change to site layout plan - revision of affordable housing layout for application 18/00082/REM	Land At Seaton Neighbourhood (Phase 9) Plymouth	Mr Tim Midwood
19/03/2020	Agreed	19/01497/CDM	Plymouth City Council	Condition Discharge: Conditions 3, 4 & 5 of application 18/01924/FUL	Railway Line Adjacent To Entrance Of Broxton Drive Plymouth	Ms Marie Stainwright
19/03/2020	Granted Conditionally	20/00042/S73	Mr M Phillips	Variation to approved consent 17/02306/S73 to allow works to remove building 14 to be undertaken prior to the discharge of the pre-commencement conditions 3/4/5/6/7/8/9/10/12/14/16/17/18/19/20/21/23/24/25	Drakes Island Hoe Road Plymouth	Miss Katherine Graham
19/03/2020	Granted Conditionally	20/00065/FUL	Mr & Mrs Lawrence	Single storey rear and side extension, infill between garage and proposed side extension, part conversion of garage and minor garden reconfiguration.	12 Hatshill Close Plymouth PL6 8NN	Mr Macauley Potter
19/03/2020	Granted Conditionally	20/00145/FUL	Mr Arnold Joarder-White	Rear extension	16 Chaddlewood Avenue Plymouth PL4 8RE	Mrs Alumeci Tuima
19/03/2020	Granted Conditionally	20/00146/FUL	Mr & Mrs P Anderson	Replacement of rear conservatory with garden room inc. demolition of single garage (resubmission of 19/00203/FUL)	6 Treago Gardens Plymouth PL6 7EJ	Mr Macauley Potter
19/03/2020	Granted Conditionally	20/00170/FUL	Mrs S Roberts	Change of timber windows to uPVC on Blackfriars Lane elevation	Flat 4, 58 Southside Street Plymouth PL1 2LA	Mr Mike Stone

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
19/03/2020	Granted Conditionally	20/00205/LBC	Mr M Phillips	Dismantling of part of building 14	Drakes Island Hoe Road Plymouth	Miss Katherine Graham
20/03/2020	Granted Conditionally	19/01731/FUL	The Ship Derriford Limited	Change of use to Class D2	Units 7, 8A & 9, 17 Brest Road Plymouth PL6 5XN	Mr Jon Fox
20/03/2020	Granted Conditionally	19/01732/LBC	The Ship Derriford Limited	Change of use to Class D2	Units 7, 8A & 9, 17 Brest Road Plymouth PL6 5XN	Mr Jon Fox
23/03/2020	Refused	19/01951/AMD	Mr P Richards	Non-material Amendment: Amended PV layout, changes to windows (inc louvre positions), feature purple cladding colour, parapet height around plant and rooftop railings for application 18/01390/FUL	Former Ridgeway School Moorland Road Plymouth PL7 2RS	Mr Chris King
23/03/2020	Granted Conditionally	19/02036/TPO	Mr James Cockburn	Lime (A2) - crown raise to 3m above ground level - reduce crown by maximum of 3m to natural growth points, - remove lowest branch across garden.	62 Milehouse Road Plymouth PL3 4DA	Mrs Jane Turner
23/03/2020	Granted Conditionally	20/00043/TPO	Natasha Mason	Ash - Fell due to damage caused to drains/property and presence of Ash die back	Fors Horn Lane Plymouth PL9 9BR	Mrs Jane Turner
23/03/2020	Refused	20/00132/FUL	Mr & Mrs Scott	Rear balcony (retrospective)	47 Pleasure Hill Close Plymouth PL9 7DX	Mr Mike Stone
23/03/2020	Granted Conditionally	20/00147/LBC	Mr Martin Lowe	Remedial works to the existing South Block timber windows and doors including splice repairs, component replacement and full renewal	Stonehouse Barracks Durnford Street Plymouth PL1 3QS	Miss Amy Thompson

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
23/03/2020	Agreed	20/00268/CDM	Mr Colin Salisman	Condition Discharge: Condition 5 of application 17/01997/FUL	23 How Street Plymouth PL4 0DB	Mr Chris King
23/03/2020	Refused	20/00396/AMD	Mr James Brent	Non-material amendment: Reduction of the proposed building footprint and the elevation amendments for application 18/01571/S73.	Home Park Football Ground Outland Road Plymouth PL2 3DQ	Mr Chris King
24/03/2020	Granted Conditionally	19/01892/FUL	Mr Carlos Toran Piquer	Two-storey rear extension inc. first floor terrace; loft conversion and rear dormer; new bathroom window on front elevation; and installation of velux windows on front elevation roof slope	32 Kensington Road Plymouth PL4 7LU	Mr Peter Lambert
24/03/2020	Granted Conditionally	20/00092/FUL	Mr Green	Single storey side extension.	142 Lake View Close Plymouth PL5 4LX	Mr Macauley Potter
24/03/2020	Granted Conditionally	20/00099/TPO	Consort Village Management Company	Tree of Heaven (T5) - various reduction works upto 2-3m. Ash (T18) - Prune to maintain 50cm clearance of BT line (as described in email dated 19/3/20)	Consort Village, 20 Consort Close Plymouth PL3 5TX	Ms Joanne Gilvear
24/03/2020	Granted Conditionally	20/00131/S73	Mr Lawson	Variation of condition 1 (Approved Plans) of application 18/01834/FUL (to reduce western boundary wall height, reduce pitch height of the boundary studio roof revised and amend design for the external staircase and screening)	Alma Yard St Johns Bridge Road Plymouth PL4 0JJ	Miss Amy Thompson
24/03/2020	Granted Conditionally	20/00166/TCO	Mr Richard Parsons	Birch - Fell due to proximity to retaining wall.	6 Boringdon Terrace Plymouth PL9 9TQ	Mrs Jane Turner
24/03/2020	Agreed	20/00224/CDM	Mr Trow	Condition Discharge: Condition 9 of application 15/00858/OUT	Former Chaucer Primary School Chaucer Way Plymouth	Mr Simon Osborne

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
24/03/2020	Granted Conditionally	20/00227/TCO	Mrs A Payton Jones	Ornamental Cherry (T1) - Reduce by 1-1.5m to allow more light.	2 Acre Place Plymouth PL1 4QP	Ms Joanne Gilvear
24/03/2020	Granted Conditionally	20/00228/TCO	Mr & Mrs Osborne	Magnolia (T1) - Reduce to approximately 1.5m back to around previous reduction points to allow more light into the garden.	8 South Hill Stoke Plymouth PL1 5RR	Ms Joanne Gilvear
24/03/2020	Agreed	20/00472/CDM	Mr Andrew Mitchelmore	Condition Discharge: Condition 12 of application 18/00643/FUL	St Budeaux Library Victoria Road Plymouth PL5 1RG	Mr Chris King
25/03/2020	Granted Conditionally	19/01766/FUL	Mr Simon Worthington	Part retrospective, part proposed installation of first floor; proposed installation of first floor windows to side and rear elevations; and retrospective application for perimeter fencing.	30G Estover Close Plymouth PL6 7PL	Mr Peter Lambert
26/03/2020	Granted Conditionally	19/01451/FUL	Mr Michael O'Shaughnessy	Demolition of existing building and construction of new first floor dental surgery and 9x apartments with parking	2 Cliff Road Plymouth PL1 3BP	Ms Marie Stainwright
26/03/2020	Granted Conditionally	20/00183/FUL	Ms Wales	First floor extension on tenement	18 Gifford Place Plymouth PL3 4JA	Mrs Alumeci Tuima
26/03/2020	Granted Conditionally	20/00257/FUL	Ms Sarah Hyatt	Access ramp and door with canopy	Plymouth College Of Art & Design Tavistock Place Plymouth PL4 8AT	Mr Sam Lewis
26/03/2020	Agreed	20/00476/CDM	Mr & Mrs Body	Condition Discharge: Condition 3 of application 20/00113/FUL	6 The Elms Plymouth PL3 4BR	Mr Mike Stone

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27/03/2020	Granted Conditionally	20/00006/FUL	George Searles Limited Nigel Searles	Two-storey rear extension, including lower ground floor garage/storage, balcony and part reconfiguration of garden.	13 Reynolds Road Plymouth PL7 4PY	Mr Macauley Potter
27/03/2020	Granted Conditionally	20/00122/S73	Mr David Young	Application to vary Condition 1 of application 11/00487/FUL to allow continuation of use	Renal Unit, Eaton Business Park Plymbridge Road Plymouth PL6 7PN	Mr Chris King
27/03/2020	Granted Conditionally	20/00123/S73	Mr Andrew Pridham	Variation of Condition 2 (Temporary Use) of application 18/00268/FUL to allow continuation of use	Site Accessed From The West Gate, Eaton Business Park Thornbury Road Plymouth PL6 7PP	Mr Chris King
27/03/2020	Granted Conditionally	20/00128/S73	Mr David Young	Application to vary Condition 3 of application 17/01282/FUL to allow continuation of use	Eaton Business Park 9 Plymbridge Road Plymouth PL6 7PN	Mr Chris King
27/03/2020	Granted Conditionally	20/00142/FUL	Mrs H Howarth	Rear extension	10 Meadow Park Plymouth PL9 9NT	Mrs Alumeci Tuima
27/03/2020	Granted Conditionally	20/00307/FUL	Mr Phillip Jailler	Raise roof height, front porch, two-storey rear extension with balcony and raised decking (amendments to approval 18/02146/FUL to remove gable roof)	77 Underlane Plymstock Plymouth PL9 9LA	Mr Mike Stone
30/03/2020	Granted Conditionally	19/01959/FUL	Underhill Group Limited	Addition of Class B8 to the existing building (Class B1/B2), recladding of elevations and provision of new roof	179 Plymbridge Road Plymouth PL6 7LQ	Mr Jon Fox
30/03/2020	Granted Conditionally	20/00036/FUL	Mr Martin McCabe	Two-storey side and rear extension, and retrospective application for front porch.	32 Shakespeare Road Plymouth PL5 3JS	Mr Peter Lambert



Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
30/03/2020	Granted Conditionally	20/00108/FUL	Mr Ramon Ordi	Change of use of shop (Class A1) to dental surgery (Class D1)	46 Morshead Road Plymouth PL6 5AQ	Mr Macauley Potter
31/03/2020	Refused	19/01838/FUL	Mr Peter Glanville	Retrospective application for a front boundary wall (including sphere/ball ornamental pier caps)	28 Goodwin Avenue Plymouth PL6 6RL	Mr Peter Lambert
31/03/2020	Granted Conditionally	20/00125/S73	M Andrew Pridham	Variation of Condition 1 (Temporary Use) of application 09/01404/FUL to allow continuation of use	Site Accessed From The West Gate, Eaton Business Park Thornbury Road Plymouth PL6 7PP	Mr Chris King
31/03/2020	Granted Conditionally	20/00210/S73	Symbro Limited	Removal of Condition 10 (Opening Hours) of planning permission 17/01505/OUT	1 William Prance Road Plymouth PL6 5ZD	Mrs Katie Saunders
31/03/2020	Agreed	20/00446/CDM	Mr Edward Allingham	Condition Discharge: Conditions 5 of application 19/00634/S73	Derrys Department Store 88 Royal Parade Plymouth PL1 1HA	Mr Simon Osborne
01/04/2020	Granted Conditionally	19/02033/FUL	University Of Plymouth (Estates)	Installation of access steps and gate from car park onto Central Park Avenue	Former Plymouth Mail Centre, 29 Central Park Avenue Plymouth PL1 1AA	Mr Tim Midwood
01/04/2020	Granted Conditionally	20/00075/LBC	Plymouth City Council	Removal of lathe and plaster and plasterboard, reinstatement with plasterboard and shelving (Retrospective)	City Museum & Art Gallery Drake Circus Plymouth PL4 8AJ	Miss Katherine Graham
01/04/2020	Granted Conditionally	20/00089/FUL	Stephen Williams	Change of use from business (Class B1) to ladies health and slimming club (Class D2)	117 - 121 Ridgeway Plymouth PL7 2AA	Mr Peter Lambert
01/04/2020	Granted Conditionally	20/00167/FUL	Mrs Teresa Warren	Two-storey rear/side extension with ground floor side canopy and single storey rear extension	4 Ivanhoe Road Plymouth PL5 1PG	Mr Chris King

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01/04/2020	Granted Conditionally	20/00196/LBC	Mr Peter Alderman	Fit out works to create a new cinema	Melville Building Royal William Yard Plymouth PL1 3RP	Miss Katherine Graham
01/04/2020	Granted Conditionally	20/00294/TCO	Mr Dennis Ravenhill	Sycamore - Reduce by up to 2m or nearest pruning points.	1 Riverside Walk Plymouth PL5 4AQ	Ms Joanne Gilvear
01/04/2020	Refused	20/00345/FUL	Mr S Deanes	Conservatory on front elevation.	11 Wykeham Drive Plymouth PL2 2SF	Mr Peter Lambert
02/04/2020	Granted Conditionally	19/01765/REM	Adam Brimmacombe	Reserved matters relating to appearance, layout, landscaping & scale of application 17/00555/OUT	Odoorn Lodge, Riverford Estover Close Plymouth PL6 7LJ	Miss Amy Thompson
02/04/2020	Granted Conditionally	20/00087/FUL	Mr Dan Parsons	Two-storey side extension, front porch and minor patio alterations	95 Crossway Plymouth PL7 4HY	Mr Macauley Potter
02/04/2020	Granted Conditionally	20/00134/FUL	Mr Jack Bellingham	Two-storey side, rear and front extension with garage build over, single storey rear extension and alterations to external appearance of main dwelling	52 Windermere Crescent Plymouth PL6 5HX	Mr Simon Osborne
02/04/2020	Refused	20/00470/AMD	Mrs V Saunders	Non-material amendment to ref. 18/01820/FUL (Installation of gas-engine powered electrical generation plant) to the technical design installation details of electrical equipment and housings.	53 Valley Road Plymouth PL7 1RF	Mr Chris Cummings
03/04/2020	Granted Conditionally	20/00078/FUL	Ms Janice Howarth	Single storey side extension	7 Langdale Close Plymouth PL6 8SP	Mr Peter Lambert

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03/04/2020	Granted Conditionally	20/00179/FUL	Mrs Xia Ming	Creation of studio flat in roof space	65 Citadel Road Plymouth PL1 3AX	Mrs Alumeci Tuima
03/04/2020	Granted Conditionally	20/00226/ADV	Miss Freya Dolan	Signage and window graphics.	Unit 4, 71 Coypool Road Plymouth PL7 4FB	Mr Simon Osborne
06/04/2020	Granted Conditionally	20/00150/FUL	Mrs Maria Pennington	Part demolition and rear extension	9 Penlee Gardens Plymouth PL3 4AN	Mrs Alumeci Tuima
06/04/2020	Granted Conditionally	20/00151/LBC	Mrs Maria Pennington	Single storey rear extension	9 Penlee Gardens Plymouth PL3 4AN	Mrs Alumeci Tuima
06/04/2020	Granted Conditionally	20/00164/FUL	Mr & Mrs Philip Mitchell	Demolition of existing garage. Construction of single storey side and rear extensions.	22 St Annes Road Plymouth PL6 7LW	Mr Peter Lambert
06/04/2020	Granted Conditionally	20/00180/LBC	Mrs Xia Ming	Creation of studio flat in roof space	65 Citadel Road Plymouth PL1 3AX	Mrs Alumeci Tuima
06/04/2020	Granted Conditionally	20/00250/FUL	Mr & Mrs Milner	Side and rear extension with balcony, garage converted to office space (Part Retrospective - Resubmission of 19/00708/FUL)	60 Furzehatt Road Plymouth PL9 8QT	Mr Sam Lewis
06/04/2020	Granted Conditionally	20/00270/FUL	Mr Martin Finlay	Continued siting of 2 x lockable containers (Retrospective)	King George V Playing Fields Haye Road Plymouth	Mr Mike Stone

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06/04/2020	Granted Conditionally	20/00364/ADV	Amazon UK Services Ltd	2no. non-illuminated wordmark signs and 13no. non-illuminated directional signs across the site	Tamar House 2 Thornbury Road Plymouth PL6 7PP	Mr Chris King
07/04/2020	Refused	19/01802/FUL	Mr John Hamilton	Retrospective change of use of site from former green space to parking and storage	Land Between 47-49 And 61 Wolseley Road Plymouth PL2 3BL	Mr Ben Wilcox
07/04/2020	Granted Conditionally	20/00140/ADV	Praesepe Holdings Ltd	2no. internally illuminated fascia signs and 1no. internally illuminated projecting sign	235 Albert Road Plymouth PL2 1AH	Mr Jon Fox
07/04/2020	Split Decision	20/00174/CDM	Mr Bob Fish	Condition Discharge: Conditions 3, 4, 6, 8, 9, 10, 11 & 12 of application 19/00133/FUL	North Prospect Phase 4 Dingle Road, Laurel Road, Rosedown Avenue And Myrtleville Plymouth	Mr Chris King
07/04/2020	Granted Conditionally	20/00220/FUL	Mr Gleave Partnership Ltd	Installation of paladin fencing	Tamar House 2 Thornbury Road Plymouth PL6 7PP	Mr Chris King
07/04/2020	Agreed	20/00242/CDMLB	Londonwide Properties	Condition Discharge: Condition 3 of application 19/01250/LBC	38 Looe Street Plymouth PL4 0EB	Mrs Karen Gallacher
07/04/2020	Granted Conditionally	20/00246/FUL	Mr & Mrs Ferguson	First floor rear extension and rear dormer	4 Sunnyside Road Plymouth PL4 9LE	Mr Mike Stone
07/04/2020	Agreed	20/00284/CDM	Mr Trow	Condition Discharge: Conditions 21 & 31 of application 15/01956/FUL	North Prospect Phase 3, Wordsworth Road/Wordsworth Crescent Plymouth PL2 2NE	Mr Chris King
08/04/2020	Granted Conditionally	20/00014/FUL	Mr Martin Hancock	Rear extension and raised decking.	10 Grosvenor Road Plymouth PL6 5EH	Mr Macauley Potter

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08/04/2020	Granted Conditionally	20/00184/FUL	Mr Phil Sharples	Rear extension (Retrospective)	4 Bramble Close Plymouth PL3 6TR	Mrs Alumeci Tuima
08/04/2020	Granted Conditionally	20/00192/FUL	Mr S Martin	Front porch	6 Winnicott Close Plymouth PL6 6JW	Mr Peter Lambert
08/04/2020	Granted Conditionally	20/00199/FUL	Mr & Mrs Graber	Two-storey side extension and expansion of rear decking	53 The Mead Plymouth PL7 4HT	Mr Macauley Potter
08/04/2020	Refused	20/00207/FUL	Mr Jon Skinner	First floor rear balcony	89 Compton Avenue Plymouth PL3 5DD	Mrs Alumeci Tuima
09/04/2020	Granted Conditionally	19/01903/FUL	Mr Paul Bennett	External flue for a Combined Heat and Power Unit and installation of louvered doors to Plant Room	Crown Plaza Hotel, Armada Way Plymouth PL1 2HJ	Mr Mike Stone
09/04/2020	Granted Conditionally	20/00057/FUL	Mr Arthur Quirke	Two-storey rear extension, minor alterations at side of property, loft conversion, enlargement to raised patio including part retrospective wall, decking and extension to existing driveway.	66 Merafield Road Plymouth PL7 1SH	Mr Macauley Potter
09/04/2020	Granted Conditionally	20/00219/TPO	Sovereign Housing	Cherry (T1) - Crown lift to 3m and cut back from building to give 2m clearance. Walnut (T3) - Crown lift to 3m. Alder (T4) - Crown lift to 3m. Lime (T5, T6) - Cut back from building and camera to give 2m clearance. Chestnut (T7) - Crown lift to 4m. Yew (T8) - Crown lift to 4m and cut back from building to give 2m clearance.	1 Wantage Gardens Plymouth PL1 5DN	Ms Joanne Gilvear

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09/04/2020	Granted Conditionally	20/00332/TCO	Mr Joe Berryman	2x Italian Alders - crown raise to 5m above ground level and 1m crown reduction on both trees to nearest growth points.	26 Vauxhall Street Plymouth PL4 0ER	Mrs Jane Turner
14/04/2020	Granted Conditionally	20/00189/FUL	Mr & Mrs Stratton	Side extension and minor works to patio area.	53 Trelawny Road Plympton Plymouth PL7 4LJ	Mr Macauley Potter
14/04/2020	Granted Conditionally	20/00212/ADV	Mr John Lamb	Illuminated advertisement to replace non-illuminated advertisement.	Unit 1 Cannon Mill Business Park Plymbridge Road Estover Plymouth PL6 7LH	Mr Peter Lambert
15/04/2020	Split Decision	18/01600/CDM	Mr & Mrs Harris	Condition Discharge: Conditions 3, 4, 5, 6 & 7 of application 15/02183/FUL	Land Adjacent 865 Wolseley Road Plymouth PL5 1JX	Miss Amy Thompson
15/04/2020	Agreed	19/02006/CDM	Clarion Housing Group	Condition Discharge: Condition 3 of application 18/01288/FUL	Land At Poole Park Road, Savage Road, Roberts Road & Roope Close	Mr Simon Osborne
15/04/2020	Granted Conditionally	20/00223/FUL	TSB Bank	New entrance door brought forward to align with glazing, part new glazing to front elevation and internal ramp for level access to branch.	36 Morshead Road Plymouth PL6 5AH	Mr Macauley Potter
15/04/2020	Refused	20/00255/FUL	Mr Paul Douglas	Raise part of roof to match adjacent to create more usable office space.	46 Weston Park Road Plymouth PL3 4NU	Mr Mike Stone
15/04/2020	Granted Conditionally	20/00352/ADV	Mr Roddie MacPhee	Illuminated fascia sign	25A Old Town Street Plymouth PL1 1DQ	Mrs Alumecci Tuima

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15/04/2020	Granted Conditionally	20/00356/FUL	Mr Will Hart	Rear dormer	12 Blackberry Close Plymouth PL9 7EU	Mr Sam Lewis
15/04/2020	Granted Conditionally	20/00378/FUL	Mr Kim Downer	Extension to existing front porch	24 Sherril Close Plymouth PL9 9DB	Mr Mike Stone
15/04/2020	Agreed	20/00379/CDM	Mr C J Matthews	Condition Discharge: Conditions 3, 4 & 5 of application 19/01066/FUL	15 Frogmore Avenue Plymouth PL6 5XH	Ms Marie Stainwright
16/04/2020	Granted Conditionally	20/00235/FUL	Mr Frazer Hardy	Detached external store (re-submission of 19/01756/FUL)	10 Housman Close Plymouth PL5 3TU	Mr Macauley Potter
16/04/2020	Granted Conditionally	20/00258/S73	Mr Lloyd Inwood	Variation of conditions 3 (Details of roof of restaurant that supports the top deck) & 5 (Details of glazing) of application 17/01534/FUL to allow for the details of these conditions to be submitted prior to work commencing on the second phase of the development.	The Terrace Cafe 74 Madeira Road Plymouth PL1 2NY	Miss Amy Thompson
16/04/2020	Granted Conditionally	20/00272/FUL	Mr & Mrs Darren Wills	Two-storey front extension; and conversion of garage.	274 Fort Austin Avenue Plymouth PL6 5SR	Mr Peter Lambert
16/04/2020	Granted Conditionally	20/00292/FUL	Mr & Mrs Love	Single storey rear extension (re-submission of 19/01796/FUL)	39 Trelawny Road Plympton Plymouth PL7 4LJ	Mr Peter Lambert
16/04/2020	Granted Conditionally	20/00341/FUL	Mrs Petrisor	Rear extension	110 Junction Gardens Plymouth PL4 9AS	Mrs Alumecci Tuima

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16/04/2020	Granted Conditionally	20/00342/FUL	Mr Ashley Brown	Single storey rear extension	117 Killerton Lane Plymouth PL9 7FU	Mr Mike Stone
17/04/2020	Granted Conditionally	19/01053/FUL	Mr & Mrs Carruthers	Conversion to create 9x flats, inc. a new contemporary rear infill extension & access lift	7 & 8 Elliot Terrace Plymouth PL1 2PL	Mrs Karen Gallacher
17/04/2020	Granted Conditionally	19/01054/LBC	Mr & Mrs Carruthers	Conversion and restoration of no.7 and 8 Elliot Terrace to create 9 flats. The works will include a new contemporary rear infill extension and new access lift	7 & 8 Elliot Terrace Plymouth PL1 2PL	Mrs Karen Gallacher
17/04/2020	Agreed	19/01535/CDM	Mr Marc Nash	Condition Discharge: Conditions 2 & 3 of application 19/00869/S73	Devonport Dockyard, South Yard, (Areas 1 West) Devonport Plymouth	Miss Amy Thompson
17/04/2020	Agreed	20/00156/CDM	Mr Tim Heyward	Condition Discharge: Condition 3, 4, 5 & 9 of application 18/01935/FUL and appeal decision APP/N1160/W/19/3233178	Land At St Annes Road Plymouth PL6 7LW	Miss Amy Thompson
17/04/2020	Granted Conditionally	20/00260/FUL	Mr David An	Shopfront alterations	1 - 3 Mutley Plain Plymouth PL4 6JG	Mrs Alumeci Tuima
17/04/2020	Granted Conditionally	20/00305/FUL	Vodafone Ltd	Removal of existing 15m Mast and replacement with a 20m mast and the installation of replacement cabinets and associated development works	Base Station Adjacent To The Junction Of Greenbank Road And Longfield Place Plymouth PL4 7NY	Mr Jon Fox
17/04/2020	Granted Conditionally	20/00355/ADV	Mr R Pillar	10m x 1.5m marketing board	Mannamead Centre, 15 Egguckland Road Plymouth PL3 5HF	Mrs Alumeci Tuima



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20/04/2020	Granted Conditionally	20/00139/FUL	Praesepe Holdings Ltd	Change of use of the ground floor and basement from a betting shop (Sui Generis) to a 'Merkur Slots' adult gaming and amusement centre with bingo (Sui Generis)	235 Albert Road Plymouth PL2 1AH	Mr Jon Fox
20/04/2020	Granted Conditionally	20/00213/ADV	Mr Andy Horwood	Installation of 1x 42" LCD media screen and 2x 1250mm x 700mm flag pole signs (overall 2450mm in height)	2 Woolwell Crescent Plymouth PL6 7RF	Mr Macauley Potter
20/04/2020	Granted Conditionally	20/00240/FUL	Alma Lodge Guest House	First floor side extension and hip to gable roof (amendment to 18/00545/FUL).	125 Alma Road Plymouth PL3 4HQ	Mr Macauley Potter
21/04/2020	Granted Conditionally	20/00041/FUL	Mr Konrad Morley	Part two-storey and part ground floor rear extension	71 Ham Drive Plymouth PL2 2NW	Mr Macauley Potter
21/04/2020	Granted Conditionally	20/00222/TPO	Mr James Croucher	Holly (T2) - reduce crown by 1m all round. Oak (T3) - crown raise to 4m above ground level by tip pruning branch ends. Hawthorn (T7) - removal of small lower branches. Plane (T10) - crown raise to 4m above ground level by tip pruning branch ends. Plane (T11) - crown raise to 4m above ground level by tip pruning branch ends. Sycamore (T12) - crown raise to 4m above ground level; removal of low side branch. Sycamore (T12) - crown raise to 4m above ground level by tip pruning branch ends. Prunus (T14) - reduce by 1.5m and thin. Prunus (T15) - fell as is dead/dying (hazard).	3 Sherford Road Plymouth PL9 8DQ	Mrs Jane Turner
21/04/2020	Granted Conditionally	20/00247/FUL	Mr Toby Telfer	Two-storey side and single storey front extensions inc. demolition of existing front porch and attached outbuilding	17 Harewood Crescent Plymouth PL5 3PT	Mr Macauley Potter

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21/04/2020	Granted Conditionally	20/00259/FUL	Screwfix Direct Limited	Change of use to Storage or Distribution (Class B8), together with associated external alterations	Unit 1 & 2, Drake Mill Business Park Estover Road Plymouth PL6 7PS	Mr Jon Fox
21/04/2020	Granted Conditionally	20/00275/ADV	Mr Athos Loizou	Replace like for like and additional signage	Costa Coffee Drive Thru Marsh Mills Park Plymouth PL6 8LX	Mr Jon Fox
21/04/2020	Granted Conditionally	20/00290/FUL	Mr & Mrs Roberts	Single storey front and side extension	134 Dunraven Drive Plymouth PL6 6AT	Mr Macauley Potter
21/04/2020	Granted Conditionally	20/00304/TPO	Mr Carl Tonkin	Giant Red (T1) - Fell because it has declined during the last 2 years.	The Church Of Jesus Christ Of Latter-Day Saints Mannamead Road Plymouth Devon PL3 5QJ	Ms Joanne Gilvear
21/04/2020	Granted Conditionally	20/00326/LBC	Mr Martin Lowe	Replacement of existing defected CCTV and laser sensor units, new access chamber, erection of one additional mounting pole, removal and reinstatement of existing stone cobble pavings	Royal Citadel Hoe Road Plymouth PL1 2PD	Mrs Karen Gallacher
21/04/2020	Granted Conditionally	20/00344/FUL	Mr Andy Moulding	Rear extension	144 Springfield Road Plymouth PL9 8PT	Mrs Alumecci Tuima
21/04/2020	Granted Conditionally	20/00346/FUL	Aldi Stores Limited	New replacement external plant and associated plant enclosure	Aldi Stores Limited Greenbank Road Plymouth PL4 7BP	Mr Jon Fox
21/04/2020	Granted Conditionally	20/00393/TCO	Mrs Stedmon	Mixed hedge with Holm Oak (G1) - Reduce down to previous height approximately 1m on hedge growth a re-pollard on Holm oak to previous knuckles Approximately 1-1.5m growth. Sycamore (T1) - Reduce by approximately 1.5m overall. Pittosporum (T2) - Reduce by approximately 1m overall.	52 Portland Road Plymouth PL1 4QN	Ms Joanne Gilvear

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21/04/2020	Granted Conditionally	20/00431/TCO	Jeffery	Holm Oak (T1) - crown reduce by 0.5 to 2m (as appropriate) because of previous root damage and growing position on top of wall.	170 Durnford Street Plymouth PL1 3QR	Mrs Jane Turner
22/04/2020	Granted Conditionally	20/00216/ADV	Plympton Academy	Illuminated sign (school logo)	Plympton Academy Moorland Road Plymouth PL7 2RS	Mr Chris King
22/04/2020	Granted Conditionally	20/00368/S73	Mr Martin Finlay	Variation of conditions 4 & 5 of application 13/01545/FUL	King George V Memorial Playing Fields, Haye Road Elburton Plymouth PL9 8AR	Mr Chris Cummings
22/04/2020	Agreed	20/00422/CDM	Mr Michael Parker	Condition Discharge: Condition 8 of application 15/01271/FUL	Kinterbury Point, Hmad Bullpoint HMNB Devonport Plymouth PL2 2BG	Mr Chris King
23/04/2020	Refused	20/00135/AMD	Mr David Barton	Non material Amendment: Clad extension and original property in grey composite cladding. Lower storey to remain rendered of application 18/01661/FUL	69 Larkham Lane Plymouth PL7 4PL	Mr Macauley Potter
23/04/2020	Agreed	20/00171/CDM	Mr Marc Nash	Condition Discharge: Conditions 6 & 9 of application 19/00869/S73	Devonport Dockyard, South Yard, (Areas 1 West) Devonport Plymouth	Mrs Rebecca Boyde
23/04/2020	Refused	20/00489/AMD	Mrs Marguerite Butt	Non-material Amendment: To omit the proposed terrace area and move the doors from the rear to the side of the conservatory for application 19/01551/FUL	3 Oak Drive Plymouth PL6 5TZ	Mr Peter Lambert
24/04/2020	Agreed	19/01380/CDM	English Cities Fund	Condition Discharge: Conditions 21 & 27 of application 14/01448/OUT	Land At Millbay, Millbay Road Plymouth	Miss Katherine Graham

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24/04/2020	Granted Conditionally	20/00178/LBC	Mr Paul Carver	Upgrading of two staircases	Devonport Dockyard, 8 Dock Saltash Road Keyham Plymouth PL1 4SG	Mr Jon Fox
24/04/2020	Granted Conditionally	20/00299/FUL	Mrs K Jones	Single storey side extension and linked front porch area inc. removal of existing side garage and store	112 Woodford Avenue Plymouth PL7 4QS	Mr Macauley Potter
24/04/2020	Granted Conditionally	20/00320/FUL	Mr & Mrs A Green	Single storey rear extension with first floor balcony over and first floor front balcony	6 The Quay Plymouth PL9 7NA	Mrs Alumeci Tuima
27/04/2020	Granted Conditionally	19/00315/FUL	Mr Adam Willetts	Change of use from Warehouse (B8) to a Building for Events.	Central Building Royal William Yard Plymouth	Mr John Douglass
27/04/2020	Granted Conditionally	19/00316/LBC	Mr Adam Willetts	Change of use from Warehouse (Class B8) to a Building for Events	Central Building Royal William Yard Plymouth	Mr John Douglass
27/04/2020	Granted Conditionally	20/00351/TPO	Mr & Mrs Watson	6x Beech (T1) - Reduce the trees by up to 2m to previous reduction points.	The White Cottage Plymbridge Road Plymouth PL6 7LF	Ms Joanne Gilvear
27/04/2020	Granted Conditionally	20/00353/TPO	Mr Burgess	Sycamore (T1) - Reduce previously reduced branches by 3m	26 Burleigh Manor Plymouth PL3 5NT	Ms Joanne Gilvear
27/04/2020	Granted Conditionally	20/00451/TCO	Mrs Cassi Connelly	Evergreen Oak - Crown raise to 5m above ground level over Devonport Road. Remove epicormic growth on the tree up to house gutter level.	23 Nelson Avenue Plymouth PL1 5RL	Ms Joanne Gilvear

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28/04/2020	Granted Subject to S106	19/00439/FUL	Mr Phillip Yunnie	Conversion to 144 residential units (Class C3) and mixed uses including A1, A2, A3, A4, A5, B1, D1 & D2 uses, part demolition, glazed extension, alterations to elevation including new cladding, new public realm including staircase, parking and associated works	Civic Centre Armada Way Plymouth PL1 2AA	Miss Katherine Graham
28/04/2020	Granted Conditionally	19/00440/LBC	Mr Phillip Yunnie	Internal and external works to convert building (inc part demolition), glazed extension, alterations to elevation including new cladding, public realm and associated works	Civic Centre Armada Way Plymouth PL1 2AA	Miss Katherine Graham
28/04/2020	Agreed	19/01773/CDM	Aldi Stores Ltd	Condition Discharge: Conditions 3, 4, 5, 6, 7, 8, 9, 11, 12 and 14 of application 18/01234/FUL	1 Galileo Close Plymouth PL7 4JW	Mr Alistair Wagstaff
28/04/2020	Granted Conditionally	20/00293/TCO	Mr Jason Vokes	Oak - reduce lateral branches over neighbouring properties back to previous pruning points (approx 3m).	80 Somerset Place Plymouth PL3 4BG	Mrs Jane Turner
28/04/2020	Granted Conditionally	20/00394/FUL	Mr & Mrs Hawkins	Single storey rear extension	16 Hilldale Road Plymouth PL9 9JY	Mrs Alumeci Tuima
30/04/2020	Agreed	19/01483/CDM	Mr Simon Wagemakers	Condition Discharge: Conditions 3, 4, 5, 6, 7, 8, 9, 10 & 11 of application 18/00537/FUL	Land Adjacent To Billacombe Road Plymouth	Ms Marie Stainwright
30/04/2020	Granted Conditionally	20/00185/FUL	Mr Andy Bridson	Two-storey rear extension and side dormers	2 Third Avenue Billacombe Plymouth PL9 8AN	Mr Mike Stone
30/04/2020	Refused	20/00363/FUL	Mr & Mrs N Rouse	First floor extension to garage	57 Chesterfield Road Plymouth PL3 6BD	Mr Peter Lambert

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
30/04/2020	Granted Conditionally	20/00376/LBC	Plymouth City Council	Installation of scale replica of Mayflower ship to wall and floor with localized removal of wall linings	City Museum And Art Gallery Drake Circus Plymouth PL4 8AJ	Miss Katherine Graham
30/04/2020	Granted Conditionally	20/00437/FUL	Mr & Mrs Scott Jefferies	Detached summer house (Part-retrospective)	66 Colesdown Hill Plymouth PL9 8AB	Mr Sam Lewis
01/05/2020	Agreed	19/01298/CDM	English Cities Fund	Condition Discharge: Conditions 19, 20, 30 & 32 of application 14/01448/OUT	Land At Millbay, Millbay Road Plymouth	Miss Katherine Graham
01/05/2020	Granted Conditionally	19/02027/FUL	Mr Les Strike	Construction of a new single detached residence designed for elderly living on the site of an existing residential storage building	1 Erme Gardens Plymouth PL3 6JP	Mr Peter Lambert
04/05/2020	Refused	20/00100/FUL	Mrs Susan O'Shea	Hardstanding inc. boundary wall and access gate	352 St Peters Road Plymouth PL5 3DR	Mr Peter Lambert
04/05/2020	Granted Conditionally	20/00310/FUL	Mr Dan Axworthy	Side extension and garage (re-submission of 19/01734/FUL).	76 Bearsdown Road Plymouth PL6 5TS	Mr Macauley Potter
04/05/2020	Granted Conditionally	20/00365/FUL	Mrs Gillian Rudwick	Single storey rear and side extension	7 Birchwood Gardens Plymouth PL7 5DY	Mr Macauley Potter
05/05/2020	Granted Conditionally	20/00177/FUL	Mr Paul Carver	Upgrading of two staircases	Devonport Dockyard, 8 Dock Saltash Road Keyham Plymouth PL1 4SG	Mr Jon Fox
05/05/2020	Granted Conditionally	20/00195/TCO	Jennifer Wilson	Large Pittosporum (T1) - Reduce growth by up to 2m overall to allow more light into garden and reduce the risk of failure.	44 St Johns Road Turnchapel Plymouth PL9 9SS	Ms Joanne Gilvear

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
05/05/2020	Granted Conditionally	20/00318/FUL	Mrs Xia Ming	Change of use of ground floor shop (Class A1) to cafe (Class A3), new shop front. Part demolition of rear first floor tenement and construction of new tenement to form studio flat (Class C3).	72 Ebrington Street Plymouth PL4 9AQ	Mr Mike Stone
05/05/2020	Refused	20/00334/FUL	Mr Mike Kerswill	Detached garage	2 Hazel Drive Plymouth PL9 8PE	Mrs Alumeci Tuima
05/05/2020	Granted Conditionally	20/00343/FUL	Mr Chan	Second storey extension on top of existing single storey rear extension	24 Lyndrick Road Plymouth PL3 5TA	Mr Mike Stone
05/05/2020	Agreed	20/00373/CDM	Mr Will Kennedy	Condition Discharge: Condition 11 of application 17/02471/FUL	Colebrook House 51 Newnham Road Plymouth PL7 4AW	Mr Chris King
05/05/2020	Granted Conditionally	20/00402/TPO	Mr Paddy Faircloth	Oak (T1) - prune to reduce two limbs:- First branch at approximately 7m reduce back to tear - in accordance with submitted photos.Second over extending side branch at approximately 9m reduce by 2m back to appropriate growth point - in accordance with photos submitted.	Cheshire Drive Plymouth PL6 6SQ	Mrs Jane Turner
06/05/2020	Granted Conditionally	19/01782/LBC	Ms Sheila Nethercott	Upgrade the toilet and shower facilities in building M055 in Devonport Dockyard. A new shower room facility and disabled toilet are to be provided on the ground floor and the male and female toilets are to be refurbished on the first floor.	Devonport Dockyard Saltash Road Keyham Plymouth PL1 4SG	Mr Peter Lambert
06/05/2020	Refused	20/00169/FUL	Mr Peter Welsh	Change of use from retail (Class A1) to cafe/restaurant and hot-food takeaway (Class A3/A5)	7 Dean Hill Plymouth PL9 9AA	Miss Amy Thompson

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
06/05/2020	Refused	20/00336/AMD	Mr Marc Nash	Phase 2 expansion of existing Marine Industries Production Campus for the demolition of existing building SO35 (old Porter's Lodge) and erection of 3x light industrial buildings (Class B2 & B8) and a new three storey office building (Class B1), car parking, ancillary accommodation & landscaping.	Devonport Dockyard, South Yard, (Areas 1 West) Devonport Plymouth	Mrs Rebecca Boyde
06/05/2020	Granted Conditionally	20/00370/FUL	Mr & Mrs Borscho	First floor extension, porch and ground floor rear extension	43 Reddicliff Close Plymouth PL9 9QJ	Mrs Alumeci Tuima
07/05/2020	Granted Conditionally	20/00059/FUL	Mr Rafal Kielkowski	Single Storey Front and rear extensions (Part retrospective)	29 Lowside Plymouth PL2 2HU	Mr Peter Lambert
07/05/2020	Granted Conditionally	20/00230/FUL	Mrs Emily Haseler	Two-storey side extension (inc. demolition of existing garage); and single storey front extension.	79 Kingston Drive Plymouth PL7 2UZ	Mr Peter Lambert
07/05/2020	Granted Conditionally	20/00245/FUL	Mr & Mrs Kowalski	Erection of private motor garage	51 Down Road Plymouth PL7 2GN	Mr Peter Lambert
07/05/2020	Granted Conditionally	20/00289/LBC	Mr Greg Penn	Replacement of 2no windows	8 The Square Plymouth PL1 3JX	Mrs Alumeci Tuima
07/05/2020	Granted Conditionally	20/00325/FUL	Mr Sean Bow	Rear decking (Retrospective)	8 Birch Pond Road Plymouth PL9 7PG	Mrs Alumeci Tuima
07/05/2020	Granted Conditionally	20/00387/FUL	Mr Karl Sturtridge	Change of use from hairdressers (Class A1) to medical & health services (Class D1)	7C Millbay Road Plymouth PL1 3LF	Miss Amy Thompson



Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
07/05/2020	Granted Conditionally	20/00409/FUL	Mr & Mrs Horswill	Replacement conservatory with rear extension & front porch	9 Second Avenue Billacombe Plymouth PL9 8AW	Mrs Alumeci Tuima
11/05/2020	Granted Conditionally	20/00013/FUL	Mr Andrew Mudge	Two storey side extension and single storey rear extension.	134 Greenwood Park Road Plymouth PL7 2WX	Mr Peter Lambert
11/05/2020	Granted Conditionally	20/00406/FUL	Mr B Mcniff	Rear conservatory.	315 Taunton Avenue Plymouth PL5 4HR	Mr Macauley Potter
11/05/2020	Agreed	20/00445/CDM	South West Water Ltd	Condition Discharge: Condition 3 of application 19/01580/FUL	Coombe Lane Tamerton Foliot Plymouth PL5 4QB	Mrs Katie Saunders
12/05/2020	Agreed	20/00412/CDM	Mr Lloyd Inwood	Condition Discharge: Condition 4 of application 17/01534/FUL	The Terrace Cafe 74 Madeira Road Plymouth PL1 2NY	Miss Amy Thompson
12/05/2020	Refused	20/00624/AMD	Mr Ralph Bint	Non-material Amendment: Change internal layout, reposition payment slots, insertion of rear roof vent, retention of tarmac at northern staff entrance, replacement of existing flat roof section of application 18/01729/FUL	Public Conveniences Adj Hoe Lodge Restaurant Hoe Road Plymouth PL1 2PA	Mr Chris Cummings
14/05/2020	Granted Conditionally	20/00291/FUL	C Dann & S Farrell	Raise roof height and add new storey, two-storey side extension and single storey side and rear extensions	116 Howard Road Plymouth PL9 7ES	Mr Mike Stone
14/05/2020	Granted Conditionally	20/00339/FUL	Mr & Mrs B Moore	Removal of store, side extension, rear extension with loft room over and pitched roof to existing east elevation	7 Burrow Hill Plymouth PL9 9LF	Mrs Alumeci Tuima

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
14/05/2020	Refused	20/00571/AMD	University Hospitals Plymouth NHS Trust	Non material amendment to change positions of external louvres to application 19/01800/FUL.	Derriford Hospital Derriford Road Plymouth PL6 8DH	Mr Peter Lambert
14/05/2020	Split Decision	20/00644/CDC	Louise Alsop	Confirmation of compliance with conditions to application 13/02419/FUL	Vision Zones J, K, M Plymouth	Miss Katherine Graham
15/05/2020	Granted Conditionally	19/01850/FUL	Mr Tim Winzer	Two-storey extension with associated amendments/expansion to the existing car parking and landscaping	Bell Close, Newnham Ind. Est. Plymouth PL7 4JH	Mrs Katie Saunders
15/05/2020	Refused	20/00085/AMD	Mr Steve Martin	Non-material Amendment to modify internal layout and alter window positions for application 18/01304/FUL	24 The Spinney Plymouth PL7 1AG	Mr Jon Fox
18/05/2020	Agreed	19/01764/CDM	Mr Iain Stewart	Condition Discharge: Conditions 1, 2, 3, 4, 5, 6, 7, 8, 9 & 10 of application 19/01226/FUL	Existing National Cycle Network Nr Coypool Road Underwood, Plympton Plymouth PL7 1YB	Mr Jon Fox
18/05/2020	Agreed	19/01983/CDM	Mr Iain Stewart	Condition Discharge: Conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12 of application 19/01225/FUL	Existing National Cycle Network Nr Marshall Road Underwood, Plympton Plymouth PL7 1YB	Mr Jon Fox
19/05/2020	Granted Conditionally	20/00152/TPO	Mr David Dungworth	G1, Hazel, Ash, Sycamore, - reduce overhanging branches by 2m to natural growth points - do not go beyond the boundary.T1 Oak on PCC land - remove one lowest branch at approx 2-3m height which leans over in to the garden only. NB: No reduction of the crown of T1 required or justified (amendment agreed with owner 13/5/20).	27 Raphael Drive Plymouth PL9 8EU	Mrs Jane Turner

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
19/05/2020	Granted Conditionally	20/00209/FUL	Mr Max Venables	Installation of floodlighting to existing lighting columns for an existing training pitch	Brickfields Recreation Ground 25 Damerel Close PL1 4NE	Mrs Katie Saunders
19/05/2020	Granted Conditionally	20/00249/TPO	Mr Edward Everatt	Oak- reduce mid/lower canopy lateral branches on northern and southern side only by maximum of 1-2m to natural growth points - no height reduction necessary (amendment agreed with applicant Mr Everatt 13/5/20).	5 Kingsway Gardens Plymouth PL6 5BY	Mrs Jane Turner
19/05/2020	Granted Conditionally	20/00316/TPO	Mr T L Trenberth	2x Beech (G1) - reduce spread of crowns over garden of Mayfair Crescent by upto a maximum of 2-3m to natural growth points, reduce spread of remaining crowns of both trees by 1.5-2m to natural growth points treating as one canopy as they are growing as a pair.	37 Kimberly Drive Plymouth PL6 5WA	Mrs Jane Turner
19/05/2020	Granted Conditionally	20/00324/TPO	Mr Bob Whear	Beech (T1) - reduce eastern leaning side of canopy towards neighbours by up to 2-3m and crown raise to 2.5m over pavement and 5.4m over road (amendment agreed with owner Mr Whear 14/5/20).Beech (T2) - reduce extended branches over neighbours by up to 3m. Ash (T3) - reduce crown by 3m, remove dead branches and balance tree. Ash (T4) - reduce crown by 3m and remove dead branches and balance tree.	1 Blue Haze Close Plymouth PL6 7HR	Mrs Jane Turner
19/05/2020	Granted Conditionally	20/00375/TPO	Mr Matt Jackson	To carry out works as detailed in Tree Safety Survey Report dated January 2020 by Land and Heritage to tree ref: 1294 - Oak - reduce crown to fork1295 - Beech - remove1296 - Beech - reduce crown1297 - Beech - no work - further inspection1299 - Beech - no work - further inspection1304 - Reduce heavy crown over road back to fork at 3m NB: Felling of 6 other trees have already been approved under an exception.	Bickleigh Down Wood Eco Way, Roborough, Plymouth Bickleigh Down Wood PL6 7FP	Mrs Jane Turner

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
19/05/2020	Granted Conditionally	20/00408/TCO	Mr John Mcconnell	Sycamore (T1) - Fell and replant.	Devonport High School For Boys Paradise Road Plymouth PL1 5QP	Ms Joanne Gilvear
19/05/2020	Granted Conditionally	20/00458/ADV	Barclays Bank Plc	1no. internal Marketing poster	140 - 146 Armada Way Plymouth PL1 1LA	Mrs Alumeci Tuima
19/05/2020	Granted Conditionally	20/00480/ADV	The Royal Bank of Scotland	1no. acrylic sign to cover redundant ATM	12-14 Old Town Street Plymouth PL1 1DG	Mrs Alumeci Tuima
20/05/2020	Granted Conditionally	20/00424/S73	Mr Anthony Collins	Variation of Condition 2 (Approved Plans) of application 14/01537/FUL to allow for internal and external alterations to the dwelling, boathouse and amendments to site layout (re-submission of 19/01044/S73)	Turnchapel Boatyard, Clovelly View Plymouth PL9 9SY	Miss Amy Thompson
20/05/2020	Granted Conditionally	20/00490/TCO	Mr Hughes	T1 Pittosporum - fell due to root heave, fallen forward elements of tree dying back T2 Pittosporum, reduce by up to 50% removing 4 meters in height and 2.5 meters in lateral length from sides of the tree on all sides of the tree. clear away from garage and phone lines, any branches encroaching over the road. T3 Pittosporum, Fell, elements of the stems are dying back, potentially spreading to the remainder of the tree.	Denmark Horsham Lane Tamerton Foliot Plymouth PL5 4NP	Ms Joanne Gilvear
20/05/2020	Refused	20/00669/AMD	Mr Mark Bullard	Non-material Amendment: Omit roof vents and add over window vents and Omit Forticrete blockwork to elevations and add painted render finish for application 18/02096/FUL	Plymstock School 29 Church Road Plymstock Plymouth PL9 9AZ	Mrs Rebecca Boyde

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
20/05/2020	Refused	20/00675/AMD	Mr Mark Bullard	Non-material Amendment: Omit fire exit door and fire escape from east elevation, omit external cladding at high level and omit glazing to ground floor, west elevation for application 17/02008/FUL	Plymstock School 29 Church Road Plymstock Plymouth PL9 9AZ	Mrs Rebecca Boyde
21/05/2020	Agreed	20/00096/CDM	Devcor (Plymouth) Ltd	Condition Discharge: Conditions 5, 11, 12, & 24 of application 17/01826/S73	Peirson House Mulgrave Street Plymouth	Mr Simon Osborne
21/05/2020	Granted Conditionally	20/00201/FUL	Mr Rump	Conversion of existing Doctors surgery, retail unit (Pharmacy) and associated parking into 6x residential units and 1x retail unit (Pharmacy) and associated parking	Chard Road Surgery, 63 Chard Road Plymouth PL5 2EQ	Mr Chris King
21/05/2020	Refused	20/00323/FUL	Mr J Hallpike	Link attached garage and balcony.	696 Wolseley Road Plymouth PL5 1JL	Mr Macauley Potter
21/05/2020	Agreed	20/00653/CDM	Plymouth City Council	Condition Discharge: Conditions 11 & 16 of application 18/01216/S73	City Museum & Art Gallery Drake Circus Plymouth PL4 8AJ	Miss Katherine Graham
26/05/2020	Agreed	19/01437/CDM	Miss Ruth Burrows	Condition Discharge: Condition 12 (Retaining Walls) of application 19/00245/REM	"Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Haye Road Elburton Plymouth	Mr Tom French
26/05/2020	Granted Conditionally	20/00315/TPO	Mr Himanshu Sharma	Agreed by email 21/5/20. T1 Beech - reduce lower/mid crown by up to 3m to appropriate growth pointsT2 Beech - reduce lower/mid crown by up to 2 to 3 m to appropriate growth points (but no reduction off the top of the crown)T3 Monterray Cypress - Remove broken branches. Trim branches over the garden by upto 3 to 4m, being careful not to go beyond green growth.	46 Thornhill Way Plymouth PL3 5NP	Ms Joanne Gilvear

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
26/05/2020	Granted Conditionally	20/00404/TCO	Mr John Stenning	Conifer trees - fell	Tooleys Horsham Lane Tamerton Foliot Plymouth PL5 4NP	Ms Joanne Gilvear
26/05/2020	Granted Conditionally	20/00497/TPO	Mr Stephen Palmer	T1- Light pruning required to allow access for a crane to access the main building. Only a few of the lower branches would be required to be trimmed back (as shown in photo).	Torr Home The Drive Plymouth PL3 5SY	Ms Joanne Gilvear
26/05/2020	Granted Conditionally	20/00575/TPO	Ms S Ramakuri	(Tree 1 Lucombe Oak - fell due to extensive fungal decay at base - NB: 30/4/20 agreed to be felled as an exception under a 5 day notice due to dangerous condition)Tree 2 Lucombe Oak - fell due to fungal decay and loss of companion shelter from Tree 1.Tree 3 Beech - No action	37 Conqueror Drive/4 Ramsey Gardens Plymouth PL5 3UT	Mrs Jane Turner
27/05/2020	Granted Conditionally	20/00237/FUL	Ms J Power	Change of use of from agricultural land to land for commercial dog walking & exercise, including siting of shelter, formation of hardstand and erection of fencing	Land At Ridge Road Plympton Plymouth PL7 5AD	Mr Peter Lambert
27/05/2020	Granted Conditionally	20/00508/FUL	Mrs Carole Armitage	Front single storey extension	3 Manadon Drive Plymouth PL5 3DH	Miss Josephine Maddick
28/05/2020	Granted Conditionally	19/01777/FUL	Mrs Caroline Francis	Detached ball pool building linked to the existing external play area and canopy over external play area..	Pixieland Day Nursery, 10 Springfield Drive Plymouth PL3 4DU	Mr Mike Stone

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
28/05/2020	Granted Conditionally	20/00296/TPO	Mrs Samantha Buckthought	S1 Sycamore - reduce canopy of 1 twin stemmed Sycamore next to No.9 by one third rather than fell (amendment agreed with owner 26/5/20).S2 Sycamore - no work required. Ash close to S2 above - fell due to Ash die back.S3 Sycamore - fell poor specimen under Macrocarpa.S4 Sycamore - fell - this tree is actually an Ash and is suffering from Ash die back.M1 and M2 - Cupressus Macrocarpas - small storm damaged branches are present in the canopy and can be removed. Owner to arrange a review of their condition following above tree removal/reduction (amendment agreed with owner 26/5/20).	10 Kingsway Gardens Plymouth PL6 5BY	Mrs Jane Turner
28/05/2020	Granted Conditionally	20/00505/ADV	Other N/A	Illuminated fascia and projecting signs	153-155 Armada Way Plymouth PL1 1HY	Mrs Alumeci Tuima
28/05/2020	Granted Conditionally	20/00513/FUL	Mr & Mrs Walker	Erection of new rear extension and garage/store	6 Boswell Close Plymouth PL5 3LJ	Miss Josephine Maddick
28/05/2020	Refused	20/00625/AMD	Racheal	Non-material Amendment: The installation of ventilation / extraction in Unit 1 for application19/00121/FUL	33 - 39 Cornwall Street City Centre Plymouth PL1 1NR	Miss Amy Thompson
29/05/2020	Granted Conditionally	20/00354/FUL	Mr Andy Chapman	Development of an industrial unit (Class D1) for non-residential education and training centre with associated parking	Devonport Dockyard, South Yard (Area 1 West) Devonport Plymouth PL1 4SG	Mrs Rebecca Boyde
01/06/2020	Granted Conditionally	20/00499/FUL	Mr Allen	Single storey front extension	21 Leigh Court Plymouth PL6 5YA	Mr Macauley Potter

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
02/06/2020	Agreed	20/00302/CDM	Mrs Kayleigh Whitman	Condition Discharge: Conditions 6 & 10 of application 18/00567/FUL	Land To Rear Of 41 Higher Compton Road Plymouth PL3 5HZ	Mr Chris King
02/06/2020	Agreed	20/00631/CDM	Mr Stephen Vitali	Condition Discharge: Conditions 3, 4 and 5 of application 19/00093/FUL	26 Longbrook Street Plymouth PL7 1NJ	Mr Jon Fox
03/06/2020	Granted Conditionally	20/00420/TPO	Princes Ground Care	Gleditsia (T1) - see photos attached amendments agreed on 20/5/20 by B. Butcher of Hi-Line:-- reduction of one lowest branch (hatched red) to give clearance over pavement- approx 1m reduction of overextended limb on north side (hatched red).- selective removal of small branches to free cables in area circled in red.- no height or overall reduction required. Mixed Species Trees (G2):-- selectively crown lift to provide 4m clearance from ground level over pavement and prune off lamposts.- ensure pedestrian crossing lights have a 2m clearance all round. - prune back trees to natural growth points where they are close to the building to give maximum clearance of 2m.	Greenbank Greenbank Road Plymouth PL4 8QH	Mrs Jane Turner
03/06/2020	Refused	20/00656/AMD	Mr Jack Bellingham	Non-material Amendment: Remove approved cladding and replace all with approved render for application 20/00134/FUL	52 Windermere Crescent Plymouth PL6 5HX	Mr Peter Lambert
04/06/2020	Granted Conditionally	20/00104/TPO	Mrs Harper	T1 Chestnut - reduce overhang back to boundary by 1-1.5m T2 Yew - reduce height by 2m and side near house by 1-1.5m T3 Beech - reduce upper crown laterally, but not the top, by up to 2m T4 Maple - reduce whole crown laterally, but not the top, by up to 1.5m T1-T4 - crown raise to give 5.4m clearance above ground/road level (Hartley Road). Agreed by email 3/6/20.	12 Kingsland Gardens Close Plymouth PL3 5NR	Ms Joanne Gilvear



Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
04/06/2020	Agreed	20/00221/CDM	Mrs T Gunn	Condition Discharge: Condition 3 of application 19/00167/FUL	Derriford Hospital Derriford Road Plymouth PL6 8DH	Mr Jon Fox
04/06/2020	Granted Conditionally	20/00273/TPO	Miss Anna Day	Cherry (T1) - reduce over-extended branches by 1 to 2m to appropriate growth points over the whole crown. Ash (T2) - Fell. Cherry (T3) - Fell (As agreed by email 29/5/20)	10 Raglan Road Plymouth PL1 4NQ	Ms Joanne Gilvear
04/06/2020	Granted Conditionally	20/00403/TPO	Mr John Stenning	2x Red Oaks (Overhanging road) - Crown lift section over-hanging path/road to 2.5 metres above ground level over footpath and 5.5 metres above ground level over road. Agreed by email 3/6/20.	17 Jellicoe Road Plymouth PL5 3UU	Ms Joanne Gilvear

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# Appeal Decisions between 29/02/2020 and 05/06/2020

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
27/03/2020	19/00386/FUL	2019/0035	Appeal Allowed with Conditions	APP/N1160/D/19/3240857
<b>Ward</b>				
Plymstock Dunstone				
<b>Address</b>				
46 Furzehatt Road Plymouth PL9 8QT				
<b>Application Description</b>				
Extend existing roof pitch over two-storey side extension				
<b>Appeal Process</b>		<b>Officers Name</b>		
Householder Fast Track		Mrs Alumeci Tuima		
<b>Synopsis</b>				
<p>Planning permission was refused for a roof extension over the existing two storey flat roof side extension resulting in incongruous impact on street scene. It was considered to be contrary to Policy DEV20 of the Plymouth and South West Devon Joint Local Plan and contrary to guidance contained in the Councils Development Guidelines Supplementary Planning Document First Review 2013 and the National Planning Policy Framework. Having reviewed the application, the Inspector has allowed the appeal with conditions. The Inspectorate whilst appreciating that a lowered roof may be desirable in some cases, the current proposal adds to an existing extension which detracts from the character and appearance of the building. It would therefore provide the dwelling with a more coherent and symmetrical appearance, without unbalancing the relationship with its adjoining neighbour. No applications were made for costs by either side and no costs were awarded by the Inspector. In addition to the standard commencement condition, the Inspector has imposed a condition that in the interests of the areas character and appearance, it is also necessary to impose a matching materials condition. Officers applied stringent design measures to ensure compliance with relevant planning guidance in determining this application which would in their opinion lead to undue harm to the character of the area.</p>				

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
30/03/2020	19/01022/FUL	2019/0036	Appeal Dismissed	APP/N1160/D/19/3241885
<b>Ward</b>				
Stoke				
<b>Address</b>				
157 Stuart Road Plymouth PL1 5LG				
<b>Application Description</b>				
Front hardstanding				
<b>Appeal Process</b>		<b>Officers Name</b>		
Householder Fast Track		Mrs Alumeci Tuima		
<b>Synopsis</b>				
<p>Planning permission was refused for a hardstanding along the classified road due the lack of turning provision. It was considered to be contrary to Policy DEV29 of the Plymouth and South West Devon Joint Local Plan and contrary to guidance contained in the Councils Development Guidelines Supplementary Planning Document First Review (2013) and the National Planning Policy Framework. Having reviewed the application, the Inspector has dismissed the appeal . The Inspectorate whilst being empathetic with the applicant has concluded that it would not be in the public interest to permit a proposal that would potentially jeopardise the safety of other highway users. An application for award of costs was made by the appellatant but this was refused by the Inspector.</p>				

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
30/03/2020	19/00945/FUL	2019/0037	Appeal Split	APP/N1160/W/19/3241884
<b>Ward</b>				
Plympton Chaddlewood				
<b>Address</b>				
2 Wain Park Plymouth PL7 2HU				
<b>Application Description</b>				
Proposed new detached Garage with storage and Annexe to first floor to front elevation of existing dwelling, to replace existing Garage to be converted into internal accommodation. New lean to roof to rear extension with raised timber decking				
<b>Appeal Process</b>		<b>Officers Name</b>		
Written Representations		Mr Dan Thorning		
<b>Synopsis</b>				
<p>The application was refused based on the proposed two storey garage and first floor annexe being contrary to policies DEV20 (Place shaping and the quality of the built environment) and DEV28 (Trees, woodlands and hedgerows) of the Joint Local Plan. Officers had no objections to the proposed lean-to extension and timber decking. The Inspector dismissed the appeal insofar as it relates to the front garage and annexe. The Inspector states that the garage and annexe would have a harmful effect on the character and appearance of the area contrary to Policy DEV20 of the JLP and that it would result in the loss or deterioration of trees contrary to Policy DEV28. The Inspector also noted that proposal did not adhere to the Development Guidelines SPD, which seeks to resist garages in front gardens. However, the Inspector allowed and granted planning permission for the lean-to extension and raised decking stating that it would be acceptable in the context of the character and appearance of the host dwelling and area; and that it preserves the character and appearance of the adjacent Plympton St Maurice Conservation area. 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
20/05/2020	19/01369/FUL	2020/0001	Appeal Allowed with Conditions	APP/N1160/D/20/3244634
<b>Ward</b>				
Peverell				
<b>Address</b>				
66 Gifford Terrace Road Plymouth PL3 4JE				
<b>Application Description</b>				
Part single and part two-storey rear extension and roof terrace				
<b>Appeal Process</b>		<b>Officers Name</b>		
Householder Fast Track		Mr Mike Stone		
<b>Synopsis</b>				
<p>Planning permission was refused for a two storey rear extension with balcony on the grounds of overlooking, adverse impact on the streetscene and overbearing appearance. This was considered to be contrary to JLP Policies DEV1 and DEV20 and guidance contained in the Development Guidelines Supplementary Planning Document First Review and the National Planning Policy Framework. The Inspector concluded that the level of overlooking from the balcony would not be worse than from existing windows. He felt that the proposed extension was similar to others in the street and concluded that the overbearing appearance was not significantly harmful and mitigated by the extension being rendered in a similar finish to the house. 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
21/05/2020	19/01468/OUT	2020/0003	Appeal Dismissed	APP/N1160/W/20/3245406
<b>Ward</b>				
Plymstock Radford				
<b>Address</b>				
72 Billacombe Road Plymouth PL9 7EX				
<b>Application Description</b>				
Outline planning permission for 2x semi-detached dwellings with all matters reserved				
<b>Appeal Process</b>		<b>Officers Name</b>		
Written Representations		Miss Amy Thompson		
<b>Synopsis</b>				
<p>Outlines planning permission was refused two semi-detached dwellings with all matters reserved at 72 Billacombe Road. The proposal was considered to be contrary Plymouth and South West Devon Joint Local Plan Policies DEV1 DEV10, DEV20, DEV26, DEV28 and DEV29 Paragraph 2.8.11-2.8.12 of the retained Development Guidelines Supplementary Planning Document and paragraph 70 and 170 of the National Planning Policy Framework 2019. Having reviewed the application, and visited the site, the Inspector supported the Councils view that the proposed development would be harmful to the established character and appearance of the area and likely result in the loss of a significant proportion of trees on site. The Inspector however did not support the view that the proposed development result in damage to amenity or have an adverse impact on highway safety, and considered that the proposal could provide adequate parking provision. The appeal was dismissed. 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
26/05/2020		2020/0002	Appeal Dismissed	APP/N1160/W/20/3245614
<b>Ward</b>				
Plymstock Radford				
<b>Address</b>				
Land At 13 Westfield Avenue Plymouth PL9 9PE				
<b>Application Description</b>				
Permission in principle for 2 to 3 dwellings				
<b>Appeal Process</b>		<b>Officers Name</b>		
Written Representations		Miss Amy Thompson		
<b>Synopsis</b>				
<p>Permission in principle for 2 to 3 dwellings was refused at land at 13 Westfield Avenue. The proposal was considered to be contrary Plymouth and South West Devon Joint Local Plan Policies DEV1, DEV10, DEV26, DEV27, DEV28 and DEV29 of the Plymouth and South West Devon Joint Local Plan and paragraphs 108, 109 110, 122, 127 and 175 of the National Planning Policy Framework 2019. Having reviewed the application, and visited the site, the Inspector supported the Councils view that the proposed development would result in an uncharacteristic cluster of dwellings in closer proximity to each other than most in the area and due to their proximity and overhanging canopies, there would be pressure to cut back or even remove trees with high amenity value. The Inspector however did not support the councils view that the development would have a harmful impact on the living conditions of nearby neighbours or would lead to unacceptable impacts on highway safety for users of the lane adjacent to the site. The appeal was dismissed. 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
03/06/2020	19/01530/FUL	2019/0039	Appeal Allowed with Conditions	APP/N1160/W/19/3243502
<b>Ward</b>				
St Peters & the Waterfront				
<b>Address</b>				
1 Bath Place Plymouth PL1 3NH				
<b>Application Description</b>				
Conversion of former motorcycle repair workshop to 4x 1-bed flats (Class C3), 1x commercial unit (Class A1/A2) on the ground floor and an additional storey to form a third floor (re-submission of 18/01472/FUL)				
<b>Appeal Process</b>		<b>Officers Name</b>		
Written Representations		Miss Amy Thompson		
<b>Synopsis</b>				
<p>Planning permission was refused for the conversion of a former motorcycle repair workshop to 4x 1-bed flats (Class C3), 1x commercial unit (Class A1/A2) on the ground floor and an additional storey to form a third floor at 1 Bath Place. The proposal was considered to be contrary Plymouth and South West Devon Joint Local Plan Policies DEV1 and DEV10, Paragraph 2.2.23, 2.2.31, 2.2.24 , 2.8.15 and 2.8.23 of the retained Development Guidelines Supplementary Planning Document and paragraph 117 and 127 of the National Planning Policy Framework 2019. Having reviewed the application, and visited the site, the Inspector did not support the Councils view that the proposed development would result in substandard accommodation due to the close relationship with the existing neighbouring properties and restricted outlook and would fail to provide an adequate living environment for future occupiers due to poor levels of outlook and light. The Inspector considered that due to the dual aspect of the flat, the use of vision inhibiting windows and its location in a built up environment the development would not result in an unacceptable living environment for the occupiers. The appeal was therefore allowed and planning permission was granted subject to conditions. No applications were made for costs by either side and no costs were awarded by the Inspector.</p>				

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