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Democratic Support

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PLANNING COMMITTEE

ADDENDUM REPORTS

Thursday 27 February 2014

4 pm

Council House, Plymouth (Next to the Civic Centre)

Members:

Councillor Stevens, Chair

Councillor Tuohy, Vice Chair

Councillors Darcy, Sam Davey, K Foster, Mrs Foster, Jarvis, Nicholson, John Smith, Stark,
Jon Taylor and Wheeler.

*PLEASE FIND ATTACHED FOR CONSIDERATION ADDENDUM REPORTS IN RESPECT OF AGENDA
ITEMS 6.1 AND 6.4.*

Tracey Lee

Chief Executive

PLANNING COMMITTEE

6.1. MELVILLE BUILDING, ROYAL WILLIAM YARD,
PLYMOUTH 13/02320/FUL

(Pages 1 - 4)

Applicant: Another Place Developments Ltd
Ward: St Peter and the Waterfront
Recommendation: Grant Conditionally

6.4. RADFORD QUARRY, PLYMOUTH 13/02114/FUL

(Pages 5 - 8)

Applicant: Wainhomes (South West) Holdings Ltd
Ward: Plymstock Radford
Recommendation: Refuse

ADDENDUM REPORT

Planning Committee



Item Number: 6.1

Site: Melville Building, Royal William Yard, Plymouth

Planning Application Numbers: 13/02320/FUL & 13/02321/LBC

Applicant: Another Place Developments Ltd

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Combined Heat and Power System

A condition is recommended in relation to the combined heat and power system proposed. This requires the exploration of options to extend this to other existing or new developments in the future.

Flood Risk

Since the Committee Report was written, the applicant has submitted additional flood defence information for the consideration of the Environment Agency. The Environment Agency has helpfully provided an interim response in time for the preparation of this addendum report. The Environment Agency position is that they have no objection to the granting of planning permission subject to a set of conditions. The flood-related conditions are set out below. A verbal update on the Environment Agency's formal response will be reported to Committee.

Design Details

A further condition is proposed to require the submission of construction scale drawings and material specifications for approval by the Local Planning Authority. This will provide an additional level of detail in response to comments from English Heritage.

Recommendation

The recommendation is the same as set out in the report, with the addition of the following conditions which will read as follows:

COMBINED HEAT AND POWER SYSTEM

(25) Unless otherwise agreed in writing by the Local Planning Authority, prior to any development taking place, the applicant shall provide to the Local Planning Authority a report for approval identifying how a minimum of 15% of the carbon emissions for which the development is responsible will be offset by the use of Combined Heat and Power system and heat mains as set out in the Energy Strategy, together with options to extend this to other existing or new developments in the future. The carbon savings which result from this will be above and beyond what is required to comply with Part L of the Building Regulations.

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

Reason:

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

FLOOD DEFENCE DELIVERY PLAN

(26) Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of the development, a detailed delivery plan for the implementation and upgrading of flood defences for Royal William Yard as a whole shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To reduce the risk of flooding to the proposed development and future users, in accordance with the National Planning Policy Framework and Policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

FLOOD EMERGENCY MANAGEMENT PLAN

(27) Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of the development, a detailed flood emergency management plan for Royal William Yard shall be submitted to and approved in writing by the Local Planning Authority.

To reduce the risk of flooding to the proposed development and future users, in accordance with the National Planning Policy Framework and Policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

FLOOD RESISTANCE AND RESILIENCE MEASURES

(28) Within 3 months of the commencement of construction, details of the measures intended to provide flood resilience and resistance for the hotel development shall be submitted to the Local Planning Authority, for approval in writing. The approved measures shall be installed before the occupation of the building, or in accordance with a programme of implementation, and shall thereafter be maintained.

Reason:

To reduce the risk of flooding to the proposed development and future users, in accordance with the National Planning Policy Framework and Policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DESIGN DETAILS

(29) Notwithstanding the submitted details and unless otherwise agreed in writing by the Local Planning Authority, prior to any development taking place, detailed construction scale drawings and material specifications shall be submitted to and approved in writing by the Local Planning

Authority for all new design interventions within the development, including changes to window and door openings, the swimming pool, reflective pool and the glazed archway entrance area.

Reason:

To ensure that the design details and materials used are in keeping with the appearance of the existing building and the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the National Planning Policy Framework.

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ADDENDUM REPORT

Planning Committee



Item Number: 6.4

Site: Radford Quarry, Plymouth PL9 7P

Application Number: 13/02114/FUL

Applicant: Wainhomes (South West) Holdings Ltd

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Planning History

The following Planning Enforcement file was omitted from the Planning History Section:

13/01807/OPR - Suspected failure to comply with S106 obligations/planning conditions attached to 02/01194/OUT- Open.

Letters of Representation

2 Further letters of objection have been received. The points raised have already been covered in the report.

Further Information and Amended Drawings Received

The applicant has submitted a response to the highways concerns which includes amending the garages to an acceptable size. As such highways have updated their consultation response and consider that appropriate parking provision has now been provided. It is therefore recommended that the 4th refusal reason is removed. The applicant also considers the 3rd refusal reason (Aggravation of existing traffic difficulties) is unjustified and have put forward arguments to demonstrate this. This has been carefully considered by Highways and they do not wish to amend their comments in this regard. Officers' consider this refusal reason is justified and sustainable.

The applicant has submitted an Energy Statement that demonstrates a 15% carbon saving by use of Photovoltaic Collectors. This is considered to comply with Policy CS20 and the NPPF and therefore the 5th refusal reason (Renewables) has been removed from the recommendation.

Applicant's Letter.

The applicant has submitted a letter requesting that the application be removed from the agenda for further negotiation as they feel the remaining refusal reasons can be overcome.

Recommendation

The recommendation is the same as the report with an amendment to the list of plans to include the amended plans, and the removal of the parking provision and renewables refusal reasons: The full recommendation will now read:

In respect of the application dated **11/12/2013** and the submitted drawings WAIN/035/100, 035/102/A, 035/103/A, 035/106/A, 035/107/A, 035/109/A 035/201, 035/202, 035/203, 035/204, 035/205, 035/206, 035/207, 035/208, 035/209, 035/210, 035/211, 035/212, 035/213, 035/214, EED13440-100-GR -09D, EED13440-100-GR-10A, PHL/002A, PHL/001C, 035/SEC/B, EED-AA-74-002/A01, 0048-PDL-100-E, Phase 2 Ecology Report, Planning Statement, Archaeological Desk Based Assessment, Preliminary Geotechnical and Contamination Assessment, Tree Survey, Transport Statement, Parking Matrix, Flood Risk Assessment, Noise Assessment, Energy Statement and accompanying Design and Access Statement (Revised), it is recommended to:

Refuse

BIODIVERSITY

1) The site is a County Wildlife Site and forms part of Plymouth's Biodiversity Network. In the opinion of the Local Planning Authority, the proposal would significantly erode the area's city-wide function for wildlife and in particular as a foraging area, a buffer to the quality habitats within the quarry itself and as a continuous link, corridor or stepping stone to the habitats of Hooe Lake. The proposal is therefore contrary to paragraphs 109, 114 and 118 of the NPPF and policy CS19 of the Plymouth Local Development Framework 2007.

CHARACTER OF AREA (LANDSCAPE AND MARINESCAPE)

(2) The site comprises former regenerated quarry workings which form part of a rural tract of countryside in an otherwise built-up area. The site provides a backdrop to the Hooe Lake Area and contributes towards the peaceful and informal recreation enjoyed by people who visit the area. The area acts as a buffer between the urban area and Radford Park and Radford Lake. In the opinion of the Local Planning Authority the proposal would result in an inappropriate balance between built and undeveloped elements to the detriment of the character of the area. Further to this the erection of the 4 properties fronting the Foreshore will in particular have a significant impact on the Character of this 'coastal zone', turning it from a predominantly area of open greenspace to one of development. The proposal is therefore considered to be contrary to paragraphs 109 and 114 of the NPPF and policies CS18, CS20 and CS34 of the Plymouth Local Development Framework Core Strategy

AGGRAVATION OF EXISTING TRAFFIC DIFFICULTIES

(3) The land to which this application relates has its access and frontage onto Lower Saltram; and the attraction to the site of an increased number of vehicles by reason of the proposed development would aggravate existing traffic difficulties and be prejudicial to amenity, public safety and convenience. Which is contrary to Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007

TREES

(4) The proposed development would require the removal of group G4 of TPO 382 which consists of two Ash and two Sycamore. The Local Planning Authority considers that these protected trees provide an important amenity function in the area and their removal would be contrary to paragraph 118 of the NPPF and policy CS18 of the Plymouth Local Development Framework Core-Strategy 2007.

INFORMATIVE: REFUSAL (WITH ATTEMPTED NEGOTIATION)

(1) In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant [including pre-application discussions and has looked for solutions to enable the

grant of planning permission. However the proposal remains contrary to the planning policies set out in the reasons for refusal and was not therefore considered to be sustainable development.

INFORMATIVE: (CIL LIABLE) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

(2)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. 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 any pre-commencement conditions are satisfied.

Relevant Policies

The following (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and (b) relevant Government Policy Statements and Government Circulars, were taken into account in determining this application:

- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS18 - Plymouth's Green Space
- CS19 - Wildlife
- CS20 - Resource Use
- CS21 - Flood Risk
- CS22 - Pollution
- CS03 - Historic Environment
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision
- CS16 - Housing Sites
- SPD2 - Planning Obligations and Affordable Housing
- SPD1 - Development Guidelines First Review
- SPD3 - Design Supplementary Planning Document
- NPPF - National Planning Policy Framework March 2012

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