

Public Document Pack



BARRY KEEL
Chief Executive
Floor 1 - Civic Centre
Plymouth
PL1 2AA

www.plymouth.gov.uk/democracy

Date: 15/12/10 Telephone Enquiries 01752 304469 / 01752 307815 Fax 01752 304819
Please ask for Ross Jago / Katey Johns e-mail ross.jago@plymouth.gov.uk / katey.johns@plymouth.gov.uk

PLANNING COMMITTEE ADDENDUM REPORTS

DATE: THURSDAY 16 DECEMBER 2010
TIME: 1 PM
PLACE: COUNCIL HOUSE, ARMADA WAY, PLYMOUTH

Members –

Councillor Lock, Chair.
Councillor Roberts, Vice-Chair.
Councillors Mrs. Bowyer, Browne, Delbridge, Mrs. Foster, Mrs. Stephens, Stevens, Thompson, Tuohy, Vincent and Wheeler.

**PLEASE FIND ATTACHED ADDENDUM REPORTS FOR CONSIDERATION
UNDER AGENDA ITEM NOS. 6.3, 6.5, 6.6, 6.7, 6.8, 6.9 AND 6.10.**

**BARRY KEEL
CHIEF EXECUTIVE**

PLANNING COMMITTEE

- 6.3** TORR HOME, THE DRIVE, PLYMOUTH. 10/1592/FUL **(Pages 1 - 2)**
- Applicant: Torr Home
Ward: Peverell
Recommendation: Grant Conditionally
- 6.5** NEW COOPERAGE, ROYAL WILLIAM YARD, PLYMOUTH. 10/01384/FUL **(Pages 3 - 6)**
- Applicant: Urban Splash South West (Ltd)
Ward: St Peter and The Waterfront
Recommendation: Grant conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 31 January 2011.
- 6.6** LAND NORTH OF STUDENT CAR PARK, PARADISE ROAD, PLYMOUTH. 10/00594/FUL **(Pages 7 - 8)**
- Applicant: Scott Wilson
Ward: Stoke
Recommendation: Grant Conditionally
- 6.7** LAND NORTH OF STUDENT CAR PARK, PARADISE ROAD, PLYMOUTH. 10/00595/CAC. **(Pages 9 - 10)**
- Applicant: Scott Wilson
Ward: Stoke
Recommendation: Grant Conditionally
- 6.8** TAMAR HOUSE, ST ANDREWS CROSS, PLYMOUTH. 10/01677/FUL **(Pages 11 - 16)**
- Applicant: Drakes View Ltd
Ward: St Peter and The Waterfront
Recommendation: Grant conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 30th January 2011.
- 6.9** 11 TO 13 LOWER COMPTON ROAD, PLYMOUTH. 10/01749/FUL **(Pages 17 - 18)**
- Applicant: Spectrum Housing Group
Ward: Compton
Recommendation: Grant conditionally subject to S106 Obligation, delegated authority to refuse if not signed by 30th January 2011.

6.10 PLYMPTON LIBRARY, RIDGEWAY PLYMPTON,
PLYMOUTH. 10/01861/FUL

(Pages 19 - 20)

Applicant:	Resound Health
Ward:	Plympton St Mary
Recommendation:	Grant Conditionally

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ADDENDUM REPORT PLANNING COMMITTEE 16th December 2010**Item: 6.3****Site: Torr Home, The Drive, Plymouth, PL3 5SY****Site ref: 10/01592/FUL****Applicant: Torr Home****Page: 21**

In response to further representations received concerning potential noise and light pollution the Local Planning Authority have sought further clarification from the agent. The agent has confirmed that the evening shift pattern for the development will run from 7.30 pm to 7.30 am limiting disturbance from staff movements etc. In order to secure this an additional condition is considered appropriate

In addition confirmation has also been received that very few deliveries will take place to the development. The majority of deliveries will go to the existing home with supplies then being transferred to the new unit. The agent is however happy for an additional condition to be imposed preventing deliveries between 8.00 pm and 8.00 am to ensure that neighbouring properties are not subject to undue disturbance.

It is also considered appropriate to re-word condition 7 to request details of the means of lighting of the upper floor entrance area. This area is served by a large roof light which if lit all night could cause some harm to neighbours' amenities.

The recommendation therefore remains to Grant Conditionally subject to the following amended and additional conditions.

FURTHER DETAILS

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

External lighting

Internal lighting of upper floor entrance area

Commercial kitchen layout

The works shall conform to the approved details.

Reason:

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

DELIVERIES

No deliveries shall be made to the new unit, hereby approved, between the hours of 8.00 pm and 8.00 am, on any day of the week

Reason:

To protect the residential and general amenity of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SHIFT PATTERN

The evening shift pattern for the new unit, hereby approved, shall operate between the hours of 7.30 pm and 7.30 am unless otherwise agreed in writing by the Local Planning Authority. No persons changing shifts shall come or go from the premises before 7:15 am, or after 7:45 pm on any day (unless otherwise agreed in writing by the LPA).

Reason:

To protect the residential and general amenity of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ADDENDUM REPORT PLANNING COMMITTEE 16th
DECEMBER 2010

Item: 5
Site: New Cooperage Royal William Yard Plymouth
Ref: 10/01384
Applicant: Urban Splash South West (Ltd)
Page: 45

Analysis

Pages 52 and 53 of the report deal with the travel passes and state that members will be updated on the section 106 negotiations. Officers are happy to report that the applicant has agreed to a section 106 obligation by way of a unilateral undertaking. The Head of Legal Services is making progress with the applicant on this matter.

Since the report was prepared the applicant has queried some of the conditions requesting changes. Officers have considered these and can agree to some changes but not all of them. There are also additional conditions as a result of these negotiations and additional comments from the local highway authority.

The main material changes are:

Condition 2 - Development to commence within two years

This has changed to two years to be consistent with the Market Recovery Scheme.

Condition 9 - Future changes of use

The period of flexibility is extended to three years to assist the applicant in the letting process.

Condition 16 - Size of A3 restaurant & cafes and A4 drinking establishments

The size is increased from 250 sq m to 350 sq m.

Condition 20 - Opening Hours

The opening hours for the A3 and A4 restaurants, cafes and bars have extended slightly.

Condition 21 D2 – Use

This has changed to allow gymnasium and spa uses only.

New Condition 24 - Transport Strategy

This ties the permission to the Transport Strategy.

New Condition 25 – D2 Gymnasium and spa use floorspace

This limits the floorspace of the gymnasium or spa use.

New Condition 26 – Size of D2 Gymnasium and spa use premises

This limits the size of each gymnasium or spa premises.

Recommendation

The recommendation is the same as the report subject to changed conditions 2, 9, 16, 20 and 21 and new conditions 24, 25 and 26:

2. DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

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

Reason:

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

9. FUTURE CHANGES OF USE

(9)The flexible use regime hereby permitted exists only for the period of three years from the date of this planning permission Thereafter any change of use of any of the units shall be subject to the planning legislation and the conditions attached to this permission. The applicant/developer or occupier shall provide the local planning authority written details of the first use of each unit prior to the occupation of each unit and the floor layouts showing the disposition of uses in existence within the building on the date three years after the date of this planning permission

Reason:

The local planning authority has granted a flexible planning permission in the first instance to assist in the regeneration of the Royal William Yard and the occupation of the building. Once the building is occupied the need for the flexibility will no longer apply and the premises will be subject to the planning legislation and planning policy and to comply with policies CS07, CS08 and CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

16. SIZE OF A3 RESTAURANT & CAFES AND A4 DRINKING ESTABLISHMENTS

(16)No A3 restaurant or cafes or A4 drinking establishments shall exceed 350 square metres in size without the prior written approval of the local planning authority.

Reason:

To ensure that the size of such establishments are of an appropriate scale in order not to harm the character of the area to comply with policies CS01, CS13 and CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

20. OPENING HOURS

(20)The use of the building shall not be open to customers outside the hours for each use as follows:

A1 shops A2 financial and professional services, D1 non-residential institutions and D2 gymnasiums and spa uses - 08.00 to 22.00 hours Monday to Saturday and 09.00 to 18.00 on Sundays and Bank or Public Holidays; A3 restaurant and cafes and A4 drinking establishments - 07.00 to 23.30 hours Monday to Thursday and 07.00 to 24.00 on Fridays and Saturdays 09.00 to 23.00 on Sundays and Bank or Public Holidays.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

21. D2 GYMNASIUM AND SPA USE

(21)The part of premises that may be used as a gymnasium or spa shall be used only for these purposes and for no other purposes in Use Class D2 of the Schedule to the Town and Country (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

24. TRANSPORT STRATEGY

(24)The occupation of the building shall be in strict accordance with the final approved Royal William Yard Transport Strategy document, the details of which shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the date of this planning permission.

Reason:

In order to assist in the promotion of the use of more sustainable modes of transport for journeys being made to and from the Royal William Yard and reduce reliance on the use of the private car in accordance with Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

25. D2 GYMNASIUM AND SPA USE FLOORSPACE

(25)Not more than 905 square metres shall be used for D2 gymnasium or spa purposes without the prior written authority of the local planning authority.

Reason:

To ensure that there is not an over-provision of these uses at this building to ensure it remains in genuine mixed use and does not harm the amenity of the area to comply with policies CS01 and CS34 of the City of Plymouth adopted

Core Strategy Development Plan Document, 2007 and MS01 the adopted Millbay and Stonehouse Area Action Plan 2007.

26. SIZE OF D2 GYMNASIUM AND SPA USE PREMISES

(26) No D2 gymnasium or spa premises shall exceed 300 square metres in size without the prior written permission of the local planning authority.

Reason:

To ensure that the size of such units are appropriate to the scale and mix of uses at the Royal William Yard and the building remains in genuine mixed use and does not harm the amenity of the area to comply with policies CS01 and CS34 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007 and MS01 the adopted Millbay and Stonehouse Area Action Plan 2007.

ADDENDUM REPORT PLANNING COMMITTEE 16th
DECEMBER 2010

Item: 6.6 & 6.7

Site: Land North of Student Car Park, Paradise Road

Site: Ref: 10/00594/FUL & 10/00595/CAC

Applicant: Scott Wilson

Page: 63

Additional LOR from Stoke Damerel Conservation Society -

The Society wrote to you earlier in the year, regarding the proposal to use part of the old railway land for 14 allotments. We were in general agreement that this would be an acceptable use of the land providing that most of the trees were retained. It is still felt that the trees are an essential component of this visually important site: boarding Stoke Damerel Churchyard to the southeast and Fitzroy Road/Terrace to the north west.

Recently, a contractor has felled some of the dead trees along the Fitzroy Terrace boundary and the continuing preservation of the living trees discussed with the Planning Department's tree expert, Mr Chris Knapman. The felling of some of the dead trees has made it easier to see the site as a whole. This site is a deep railway cutting shaded by numerous trees and does not strike us as the most suitable place to grow vegetables.

The Society has concluded that carefully planned, unobtrusive and well maintained allotments would be acceptable, providing that most of the trees are protected. We would not support the extensive removal of trees from the site to provide a relatively small number of allotments, as this would change the character of the surrounding urban landscape.

In arriving at a decision, we hope that serious consideration is given to the importance of conservation within the City in particular, the significance of this site, rich in wild life.

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ADDENDUM REPORT PLANNING COMMITTEE 16th
DECEMBER 2010

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ADDENDUM REPORT PLANNING COMMITTEE 16th
DECEMBER 2010

Item: 6.8

Site: Tamar House, St Andrew's Cross

Site: Ref: 10/01677/FUL

Applicant: Drake's View Ltd

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Additional information

Environmental Noise assessment (Technical Report 10-IAC191) prepared by
Hulley Acoustics

Phase 1 Environmental Desktop Study Report: John Grimes Partnership

Further consultation responses

Public Protection Service:- Recommend that should planning permission be granted following conditions are attached to the decision.

Land Quality – Observations

The John Grimes Partnership Phase 1 Environmental Desktop Study Report dated 7th December 2010 that has been submitted with the application identifies a potential risk to future occupants of the proposed development from the inhalation of gases and vapours. In response to this potential risk, the report recommends that an appropriate ventilation system is installed, in order to ensure that these protection measures are implemented we recommend that the following conditions are attached to the application.

Land Quality - Conditions

1. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Implementation of Approved Remediation Scheme

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

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

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

Condition – Code of Practice

During development of the scheme approved by this planning permission, the developer shall comply with the relevant sections of the Public Protection Service, Code of Practice for Construction and Demolition Sites, with particular regard to the hours of working and noise.

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

Informative – Code of Practice

A copy of the Public Protection Service, Code of Practice for Construction and Demolition Sites is available from <http://www.plymouth.gov.uk/homepage/environmentandplanning/pollution/noise/construction.htm> or on request from the Environmental Protection and Monitoring Team.

Informative – Asbestos

The John Grimes Partnership Phase 1 Environmental Desktop Study Report dated 7th December 2010 that has been submitted with the application identifies a potential risk to construction workers from asbestos containing materials in the building. The applicant should ensure that the appropriate assessments are carried out prior to commencement of the approved development and necessary measures are taken to protect the health of construction workers during development.

Noise - Observations

The acoustic survey subsequent report prepared by the applicants to detail the occupants' exposure to residential amenity noise has determined that the development is placed in NEC category C (PPG 24).

PPG 24, states that planning permission should '*not be normally given to developments that fall into NEC category C*. However, consideration should be given if there are no quieter sites available or where appropriate conditions may be applied to ensure a commensurate level of protection against noise.

It is the applicant's contention that the use of particular glazing products and materials will ensure that all habitable rooms meet the good room criteria, as specified in BS 8233:1999 Sound insulation and noise reduction for buildings.

Therefore the Public Protection Service does not object to the application in terms of noise providing the following conditions are applied:

Condition

All residential student accommodation shall be converted/constructed so as to provide sound insulation against externally generated noise. The good room criteria as prescribed in BS 8233, shall be applied, meaning there must be no more than 30 dB LAeq for living rooms (0700 to 2300 daytime) and 30 dB LAeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided. Levels of 45 dB LAf, max should not be exceeded in bedrooms (2300 to 0700 night-time), more than 10-15 times per night.

Reason: To protect the amenity of the occupants/residents in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Condition

Prior to commencement, full details of glazing, ventilation, construction materials for building facades and all habitable rooms shall be provided and agreed with the planning authority and designed to meet the good room criteria as stated above, with particular attention being given to construction materials.

Reason: To protect the amenity of nearby residents in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Condition

Prior to occupation, all mitigation measures shall be put in place, tested and verified results forwarded to the planning authority for consideration and approval for all of the residential/habitable rooms within the application site.

Reason: To protect the amenity of the nearby residents in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Condition

- The noise generated by any proposed extract ducting/ventilation/air conditioning equipment (least) shall not exceed the background noise level (la90) by more than 5 decibels, including the character/tonalities of the noise, at anytime as measured at the façade of the nearest residential property.

Reason: To control noise levels generated by the use hereby permitted, in accordance with policies cs22 and cs34 of the adopted core strategy.

Air Quality - Informative

Air Quality monitoring in the vicinity of the proposed development has demonstrated regular exceedance of the National Air Quality Objective for Nitrogen Dioxide. Consequently, following conclusion of the formal declaration administrative process, the proposed development will be included in an Air Quality Management Area

As such the Public Protection Service strongly advise that all windows in habitable areas that outwardly face, Old Town Street, Royal Parade and Exeter Street are sealed and that mechanical ventilation is provided as an alternative.

Highway Authority - In transport terms the proposed use is compatible with the central accessible location and would generate a similar number of vehicle trips to the existing office use. The applicant has confirmed that 2 car parking spaces are available for this particular use indicated as drop-off spaces in the plans which could also be used as disabled parking spaces. The applicant has indicated that no further spaces would be available.

Inclusive mobility indicates a requirement of up to 6% of the total provision should be provided as disabled spaces. Given that the maximum provision for such as use would be 20 spaces it is considered that the disabled parking provision is sufficient. It is normally expected that some facility for dropping off of students be provided in addition to disabled parking in this case the 2 spaces proposed would be shared between the drop off provision and disabled users.

On balance therefore it is considered that the parking provision is sufficient for the use proposed.

There is also reference to a new security gate. The provisions for access through this gate would need to be considered not only for occupants of the site but also deliveries and refuse collection etc.

The provision of 24 cycle parking spaces is considered acceptable.

A Travel Plan Condition is suggested to include provision of information on sustainable travel options for residents. The recommendation and conditions indicated on my previous response are re-iterated below.

Section 106 Planning Obligation revised

A planning obligation is required to mitigate the impacts of the development. Impacts will arise in the following areas:-

Local health infrastructure. The development will create an additional demand upon local health facilities. The Primary Care Trust has provided evidence that capacity in the City Centre locality is substantially deficient for meet the needs of the project population growth in this area. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £167.00 per residential unit, i.e. a total of £6,680.

Playing Pitches. The development is in a location that is deficient in terms of access to playing pitches. There is therefore an impact on infrastructure requirement that arises as a result of the development, namely the provision of improved access to playing pitches. The estimated cost of mitigating this impact is £444.06 per residential unit, i.e. a total of £17,762.4.

Local green space.

The development is in a location that is deficient in terms of access to green space. There is therefore an impact on infrastructure requirement that arises as a result of the development, namely the provision of improved access to green space. The estimated cost of mitigating this impact is £325.58 per residential unit, i.e. a total of £13,023.2.

The applicant has indicated that they wish to have the application considered under the Council's Market recovery mechanism, and are prepared to accept the terms of that provision. A viability assessment has been submitted in support of that application.

The Tariff contributions, with market recovery provision, are reduced by half for a previously developed brown field site such as this. This 50% reduction is reflected in the figures in the recommended heads of terms, described below

- a. The following Heads of Terms are proposed, each of which have been tested against Regulation 122 of the Community Infrastructure Levy Regulations 2010, to enable appropriate mitigation of the impacts identified above:
- i. Local health infrastructure tariff. £3,340, to be allocated to the provision of additional capacity in local health care facilities within the City Centre locality.
 - ii. Playing pitches tariff. £8,881.2, to be allocated to the provision of improved playing pitch facilities in the area, as identified in the Playing Pitch Strategy.
 - iii. Local green space tariff. £6,511.6, EITHER to be allocated to the provision of accessible green spaces in a location appropriate to the development OR to be allocated to the management and improvement of local green space.

Therefore to mitigate the impacts of the proposed development, with a reduction for market recovery, a total tariff contribution of £18,732.8 is required

In addition, a Planning Obligations Management Fee. £4,541.72 is required, to be used to meet the Council's costs in administering and monitoring the implementation of this Section 106 Agreement.

2. Since these planning obligations have been reduced as a result of market recovery/viability issues, these tariff contributions have to be prioritised. In this case prioritisation is recommended in accordance with the Cabinet recommendations, i.e. making the following the first priorities (1) Strategic transport (2) European Marine Site/Strategic Green Space .

Conditions (in addition to those recommended by PPS)

Condition time limit amended to 2 years market recovery and condition 9 (East elevation windows) omitted

Omit wording of printed condition 12 and substitute with:-

(12) Notwithstanding any details shown on approved plans, full details, including samples, of replacement windows shall be submitted to and approved by the Local Planning Authority prior to the conversion works being undertaken. The replacement windows shall be installed in accordance with the approved details prior to the first occupation of the building by students.

Reason:- To ensure satisfactory appearance of the building within the street scene.

ADDENDUM REPORT PLANNING COMMITTEE 16th
DECEMBER 2010

Item: 6.9

Site: 11 to 13 Lower Compton Road

Site Ref: 10/01749/FUL

Applicant: Spectrum Housing Group

Page: 91

Proposal description correction - The site is located on the corner of Lower Compton Road and Mannamead Court service Road, not Belle Acre Close, as stated. Belle Acre Close, appears on road maps as the next road, but is in fact further to the east.

Amended plans have been received (ref. 09715_SD 02K; 09715_SD 03L; 09715_SD 04K; 09715_SD 06A; 09715_SD11B; 09715_SD 12B; 09715_SD 13B)

These show the verge, tree and boundary wall, that is not within the applicant's control, excluded from the site. The position of the eastern elevation has been adjusted (set back approx. 0.5m) to allow the structural wall of the development to be built wholly within the application site and two high level windows, which were proposed for ground floor of eastern elevation, have been omitted as a result of need to retain the existing boundary wall.

A further letter of representation has been received arguing, at length, that the application should now be withdrawn, and neighbours re-consulted upon amended plans.

Comment

Re-consultation with neighbours is not considered necessary as the proposed amendments are minor and do not constitute significant changes to the development proposal.

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ADDENDUM REPORT PLANNING COMMITTEE 16th
DECEMBER 2010

Item: 6.10

Site: Plympton Library, Ridgeway

Site: Ref: 10/01861/FUL

Applicant: Resound Health

Page: 113

A local ward Councillor, has raised concerns that a white rendered building will shine and contrast unfavourably with the brick built Harewood House, which it neighbours. He has requested that it be painted a less strident colour, such as beige. The architect is concerned about the change and others may have different preference. It is recommended that the condition 14 be added:-

Condition wording amended

CYCLE PROVISION

(10) The building shall be occupied until space has been laid out within the site in accordance with the approved plan for 12 bicycles to be parked.

Conditions added

UNEXPECTED CONTAMINATION

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

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

(ii) an assessment of the potential risks to:

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

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

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

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

2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

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

RENDER COLOUR

(14) Notwithstanding the details submitted on the application forms and approved plan details of the colour of the external render shall be submitted to and, approved in writing by the Local Planning Authority (LPA) prior to first occupation. It shall then be painted and maintained that colour for a period not less than 5 years from the date of this approval.

Reason: To ensure that the building provides satisfactory appearance in relation to the surrounding area.