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PLANNING COMMITTEE

DATE: THURSDAY 13 JANUARY 2011
TIME: 1.00 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 AN AMENDED REPORT WHICH IS TO REPLACE
THAT PREVIOUSLY DISTRIBUTED UNDER AGENDA ITEM 6.1.

BARRY KEEL
CHIEF EXECUTIVE

PLANNING COMMITTEE

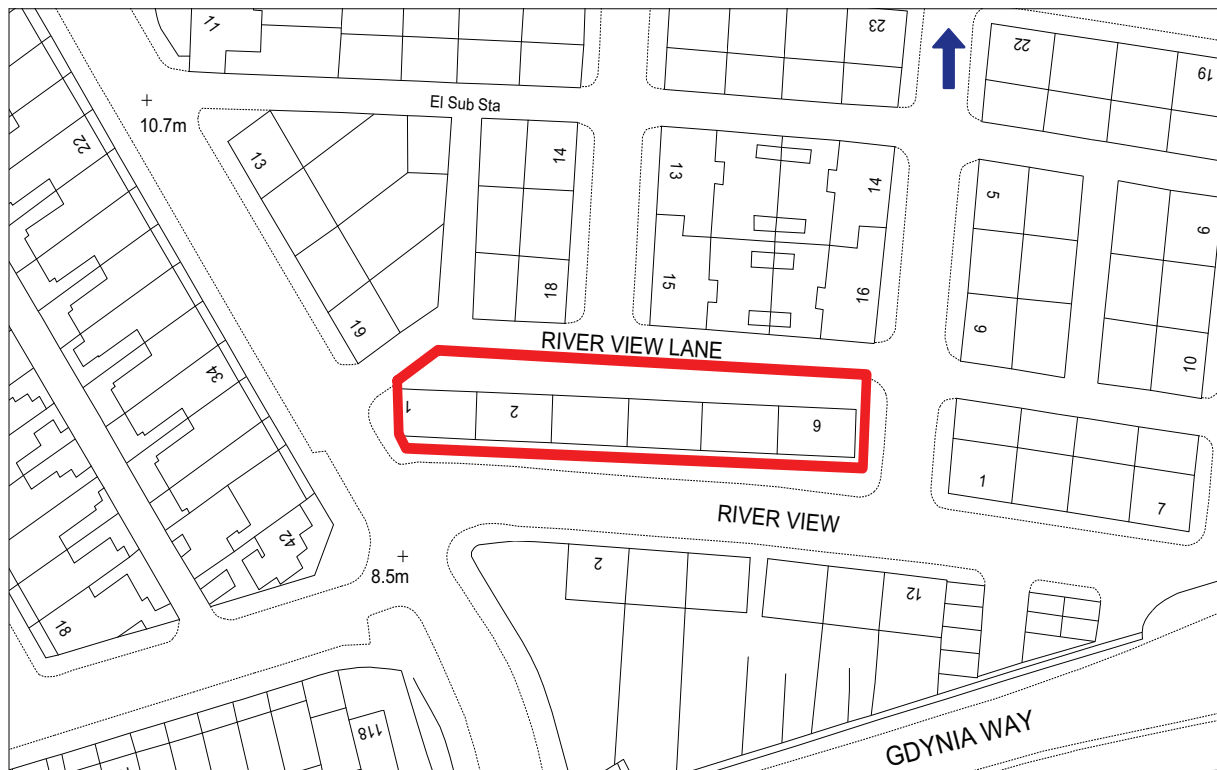
6.1 RIVER VIEW, PLYMOUTH 10/01680/FUL

(Pages 1 - 14)

Applicant:	Sanctuary Housing Group
Ward:	Sutton & Mount Gould
Recommendation:	Grant Conditionally subject to S106 Obligation

ITEM: 01

Application Number:	10/01680/FUL
Applicant:	Sanctuary Housing Group
Description of Application:	Redevelopment of site with 3 storey housing development of 25 units consisting of 21 flats, 3 houses and 1 duplex apartment with associated cycle storage, refuse storage and amenity space (demolition of existing building)
Type of Application:	Full Application
Site Address:	RIVER VIEW PLYMOUTH
Ward:	Sutton & Mount Gould
Valid Date of Application:	04/11/2010
8/13 Week Date:	03/02/2011
Decision Category:	Major Application
Case Officer :	Robert Heard
Recommendation:	Grant conditionally subject to S106 Obligation
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OFFICERS REPORT

Site Description

The site is known as 1-6 River View and is a 2 storey red brick rectangular shaped terrace of 6 units that is currently used as bed sit accommodation for 24 bedsits. It is part of a small estate of buildings known as the 'Radford' Estate. Radford is a triangular shaped parcel of land between Laira Bridge Road and Gdynia Way that is characterised by 2 storey red brick terraced development arranged as a series of connecting streets that is almost entirely in the ownership of Sanctuary Housing Association.

With regards to context, the immediate surrounding development is residential, although Prince Rock school is a short walk to the north of the site. Across Gdynia Way to the south of the site there is mainly industrial development and the City Centre is only approximately a mile to the west of the site.

Proposal Description

It is proposed to redevelop the site by demolishing the existing building and erecting 2 buildings containing 21 flats, 3 houses and 1 duplex apartment. The proposal also provides cycle storage, refuse storage and amenity space.

The proposed development will provide an improved standard of accommodation at the site, providing 25 self contained units within two 3 storey flat roofed buildings. It is proposed to extend Harvey Avenue which is to the rear of the existing residential block and link it to River View, thus dividing the existing site into 2 plots separated by the new road link.

The form of the proposal is in 2 'U' shaped blocks, each 3 storeys in height and connecting to the existing terraced properties to the north of the site (on Harvey Avenue and Williams Avenue). The development will therefore be characterised by 2 blocks that will be separated by the extended Harvey Avenue. The two buildings will be located alongside and thus principally facing River View, with their primary access points off this road.

As stated, the proposed development contains 3 houses and these will be located alongside the existing dwellings on the east and west side of Harvey Avenue and the west side of Williams Avenue, ensuring that the streetscene on these roads is continued. The rest of the proposed development, which fronts onto River View, will contain 22 self contained two bedroom apartments. There is cycle storage, refuse storage and shared amenity space within the enclosed area to the rear of both blocks.

Relevant Planning History

None.

Consultation Responses

Transport

Views awaited – to be reported via addendum

Public Protection Service

No objection subject to conditions

Representations

None received.

Analysis

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.

As stated above, this application proposes to redevelop a building currently arranged as bedsits on River View, a residential street on the Radford Estate that is located to the east side of Plymouth City Centre, by demolishing the existing building and erecting 2 buildings containing 21 flats, 3 houses and 1 duplex apartment. The proposal also provides cycle storage, refuse storage and amenity space.

The site is located close to the city centre, in an urban location and in a built up area. It is not affected by any restrictive planning policy and its residential redevelopment is therefore considered acceptable in principle. The main issues that this application raises are therefore considered to be;

- Whether the layout, siting and orientation of the proposed development is appropriate;
- The design of the proposed development and its impact upon visual amenity;
- The impact of the proposed development upon the residential amenities of nearby property occupiers;
- The impact of the proposed development on the surrounding highway network and highway safety.

Layout, Siting and Orientation

The application proposes to redevelop the site by demolishing the existing 2 storey pitched roof terrace and erecting two 3 storey flat roof buildings with a similar footprint.

The site is currently occupied by 24 bedsit flats contained within a 2 storey terrace of 6 units. The existing building is constructed in red brick and has a traditional pitched roof with hipped ends. The window pattern is arranged in a uniformed fashion with UPVC windows at regular intervals at ground and first floor on the front elevation.

Policy CS34 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) states that any new development proposal must be compatible with its surroundings, and refers specifically to siting, layout, orientation, local context, massing, style and density.

The site is part of a development known as the Radford Estate that was built for labourers who were employed in constructing the late Victorian houses in the areas of St Judes and Lipson. The Radford Estate is distinctive due to its red brick finish, being surrounded by other development that is characterised in the main by rendered finished buildings. With regards to appearance, it is reminiscent of terraced Victorian development in more northern areas of the Country. The street layout is fairly complex and has a large number of side and rear access roads. The Radford Estate is bounded by Elliot Road to the east, Gdynia Way to the south, Laira Bridge Road to the north and Cavendish Road to the west, and sits as a fairly isolated parcel of development that is very different in style and appearance to the surrounding development.

The site is hidden from many of the nearby areas by the existing development that surrounds it and therefore occupies a location that is not prominent. With regards to layout generally, the proposal is reflective of the existing built form in the area and also the existing development on the site by providing 2 terraced blocks on a similar footprint to the existing development. The proposed layout and orientation of the buildings is considered to be a positive response to the constraints of the site, ensuring that all proposed dwellings face public areas and provide natural surveillance of all areas at the site that are not private. The Councils Architectural Liaison Officer is supportive of the layout, and it is positive that there are no areas within the development where there is confusion about whether land is private or communal.

As already stated above in this report, it is proposed to extend Harvey Avenue which is to the rear of the existing residential block and link it to River View, thus dividing the existing site into 2 plots separated by the new road link. This will provide a main link route through the estate, improve connectivity and create a more rational and ordered streetscape. Creating a link through the site will open up space for further road frontage development on the east and west side of Harvey Avenue. This is achieved by linking the proposed apartment blocks that will face onto River View by providing 2 dwellings as part of the development proposal, one on either side of Harvey Avenue

adjoining the proposed apartment blocks and filling the gap between the blocks and existing dwellings on Harvey Avenue to create a continued street frontage. It is also proposed to have a third dwelling linking the existing terrace of houses on Williams Avenue to the west end of the proposed apartment block on the west side of the site. This also creates a continuous street frontage along Williams Avenue.

Each of the 3 dwellings proposed has a private rear garden and refuse storage and both of the proposed apartment blocks has a communal garden with shared clothes drying facilities, with separate refuse and cycle storage. A full range of amenities is therefore provided for potential future occupiers.

Overall, it is considered that the proposals will provide a well thought out development that will improve the existing street pattern and is a positive response to the existing flawed street layout. It has public and private spaces that are safe, attractive, easily distinguished and accessible. The layout of the development is therefore considered acceptable and compliant with Policy CS34.

Design and Visual Amenity

The scheme comprises of two separate 'U' shaped blocks that front onto River View, separated by the new access road that is a continuation of Harvey Avenue to the north of the site and provides a link through the site to River View. Both proposed blocks are 3 storeys in height with a flat roof and are layered horizontally with a ground floor plinth, with the two upper storeys characterised by contrasting materials and texture. The ground floor plinth is proposed to be finished in brickwork with the 2 upper storeys, which overhang the ground floor, finished in a dark grey render.

The proposed development follows the same design form and the dwellings and both apartment blocks contain some very similar features that ensure that the scheme has balance and a considered design approach, through subtle repetition of features and materials. Attention is drawn to the main entrance points and key points of connection, as well as the corner elements of the buildings, by use of timber cladding. The materials palette is respectful of the surrounding development, by using brick on the ground floor, whilst introducing render (a more traditional material to Plymouth) on the upper floors. Contemporary features have been introduced via the large areas of glazing proposed for the main living rooms for the apartment blocks and this also helps to provide lots of natural light to the main living areas within the development.

The scale and massing of the proposed development is considered appropriate for the site. Whilst the existing 2 storey pitched roof development is to be replaced with a 3 storey structure, the impact of the additional storey is minimal due to the proposed development having a flat roof and being built into the slope of the land, where as the existing development has a pitched roof and sits on a brick plinth on the eastern part of the site, as the topography in the area slopes down from west to east. The ridge levels of the existing building are 17.024m (western end of existing building) and 16.986m (eastern

end of existing building) and the ridge levels of the proposed building vary between 16.975m to 17.670m on the western block and on the eastern block between 15.670m and 16.645m.

It is considered that the proposed development provides a high quality contemporary housing scheme that is sensitive to the character of the surrounding area, respecting elements of the more traditional housing in the area whilst not being a slavish copy of it and introducing modern elements of building design and contemporary materials. The development is therefore considered to make a positive contribution to local visual amenity and is compliant with Policy CS02 (Design) of the City of Plymouth Local Development Framework Core Strategy (2007).

Residential Amenity

It is important that all new residential development should be designed to ensure that the degree of privacy enjoyed by existing nearby properties is not unacceptably reduced and that new problems of overlooking are not created. It is also imperative that the relationship between the new dwellings proposed is acceptable and that each property has an adequate level of privacy and natural light.

The layout of the site has been arranged in order to minimise impact on the surrounding properties. The scale of the proposed development is similar to the scale of the existing that is to be replaced and window orientation is also much the same, and although windows on the proposed building are larger than those on the existing, this increase in size will not create significant additional overlooking or loss of privacy to the existing surrounding development. The relationships created between the proposed development and the dwellings surrounding the site are therefore considered acceptable and the application is compliant with Policy CS34 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) which seeks to protect the residential amenity of the area in terms of daylight, outlook and privacy.

No letters of representation have been received and therefore it is likely that none of the nearby property occupiers are concerned about the proposed development impacting upon their amenities.

Highways Issues

The main highway issues raised by this application are the continuation through the site of Harvey Avenue to the north and the stopping up of the existing rear lane behind the application site.

The application proposes to extend Harvey Avenue to the rear of the site so that it runs through the site, linking Harvey Avenue with River View and separating the site into 2 parcels of land. This improves the connectivity and circulation in the area and is considered to be a positive aspect of the planning application. The rear lane that currently exists behind the site will no longer exist if the development is approved and requires stopping up but this is acceptable in principle and unlikely to be a problem.

The Highways Officers views have yet to be received and will be reported via an addendum report.

Sustainable Resource Use

Policy CS20 (Sustainable Resource Use) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) requires all new residential developments of 10 units or more to incorporate onsite renewable energy production equipment to off set at least 15% of predicted carbon emissions for the period 2010 – 2016.

The application includes an energy compliance report for the proposed development. In order to meet the requirements of Policy CS20 it is proposed to have Photovoltaic Panels and Solar Water Panels installed on the roof. With regards to visual impact, the panels will be almost flush with the roofline and will not be visible from the street. It is also proposed to have a Micro Combined heat and Power boiler in each unit of accommodation, which whilst producing efficient heating and hot water like any other boiler, generates electricity which is eligible for the Governments Feed in Tariff, providing financial assistance to lower fuel bills.

Photovoltaic Panels generate electricity from light and their energy source is therefore sunlight, meaning that they do not require fuel to operate and produce no air pollution or hazardous waste. Solar Water Panels require no grid connection and are used for the heating of water. Their power source is also sunlight and whilst they are particularly useful in the summer months, a boiler is also required to provide hot water during the winter months.

The use of Photovoltaic and Solar Water Panels, plus the Micro CHP boiler, is more than adequate to meet the 15% energy saving and the application is therefore compliant with Policy CS20.

Section 106 Obligations

A S106 Agreement is necessary in order to secure the development as affordable housing. No financial obligations are required to mitigate the impacts of the proposal as there is only 1 additional unit proposed to that which exists already at the site and the development is entirely for affordable housing.

Equalities & Diversities issues

This development affects people of all ages and from all backgrounds but it is more likely to affect those on lower incomes on the Councils Housing Register as it provides 25 new units of affordable housing, to be managed by a Housing Association. Older people will also be specifically affected as the development will provide 20% of dwellings to Lifetime Homes standard. The benefits to these groups are considered to be positive. No negative impact to any equality group is anticipated.

Conclusions

To summarise, this application will provide 25 new residential units (22 apartments and 3 houses) with all of them to be provided as affordable housing, to be managed by a Registered Social Landlord.

It is considered that the application proposes high quality contemporary housing with a design solution that is modern and innovative, ensuring consistency in appearance through subtle repetition of features and materials. The layout is a positive response to the constraints of the site.

The proposed development would not impact significantly upon nearby properties residential amenities due to its layout and orientation, and would not harm the surrounding highway network, providing adequate levels of cycle storage. The application is therefore recommended for approval, subject to conditions and the successful completion of a S106 agreement by the 1st February 2011, with delegated authority sought to refuse the application if the Section 106 Agreement is not signed by this date.

Recommendation

In respect of the application dated **04/11/2010** and the submitted drawings, **09186L0100, 09186L0101, 09186L0201, 09186L0401, 09186L0501, 09186L0901, 09186L4101, 09186A0601, 09186L02.03** and accompanying **Design and Access Statement**, it is recommended to: **Grant conditionally subject to S106 Obligation**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1)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.

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 09186L0100, 09186L0101, 09186L0201, 09186L0401, 09186L0501, 09186L0901, 09186L4101, 09186A0601, 09186L02.03.

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DETAILS OF BOUNDARY TREATMENT

(3) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the

positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before first occupation of the first dwelling. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development 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.

SITE CHARACTERISATION

(4) An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. 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,
- archeological 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'.

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.

SUBMISSION OF REMEDIATION SCHEME

(5) 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.

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.

IMPLEMENTATION OF APPROVED REMEDIATION SCHEME

(6) 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:

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.

REPORTING OF UNEXPECTED CONTAMINATION

(7) 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 in accordance with the requirements of condition 3, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 4, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the

approval in writing of the Local Planning Authority in accordance with condition 5.

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.

CODE OF PRACTICE

(8) 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 regards to the hours of working, crushing and piling operations, control of mud on roads and the control of dust.

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.

NOISE

(9) All dwellings shall be constructed in accordance with BS8233:1999 so as to provide sound insulation against externally generated noise. The good room criteria 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 shall not be exceeded in bedrooms (2300 to 0700 night-time).

Reason:

To ensure that the proposed dwellings hereby permitted achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document 2007

EXTERNAL MATERIALS

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

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PROVISION OF DRAINAGE WORKS

(11) Development shall not begin until details of drainage works and surface water disposal have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

Reason:

To ensure that satisfactory infrastructure works are provided in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SUSTAINABLE RESOURCE USE

(12) Unless otherwise agreed previously in writing with 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 for the period up to 2016, a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by low carbon production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. These details shall be based upon drawing 09186L02.03 and the applicants Renewable Energy Supplementary Statement.

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

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the period up to 2016 in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and relevant Central Government guidance contained within PPS22.

LIFETIME HOMES

(13) Notwithstanding the submitted drawings, details showing how 20% of the residential units hereby approved shall be constructed to Lifetime Homes standard shall be submitted to and approved in writing by the Local Planning Authority, prior to development on site commencing. The agreed units shall be permanently maintained to Lifetime Homes standard.

Reason:

In order to meet the needs of disabled people so that they may live as part of the community in accordance with adopted City of Plymouth Core Strategy Objective 10, Policy CS15 and relevant Central Government advice.

CODE OF PRACTICE

(1) 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.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact of the development on visual amenity, residential amenity and the surrounding highway network, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (1) 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 the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

- PPS3 - Housing
- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS20 - Resource Use
- CS21 - Flood Risk
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS15 - Housing Provision

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