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PLANNING COMMITTEE

Thursday 12 February 2015

4.00 pm

Council House, Plymouth (Next to the Civic Centre)

Members:

Councillor Stevens, Chair

Councillor Tuohy, Vice Chair

Councillors Mrs Bowyer, Darcy, Sam Davey, K Foster, Mrs Foster, Jarvis, Morris, Nicholson, Stark, Jon Taylor and Kate Taylor.

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

This meeting will be broadcast live to the internet and will be capable of subsequent repeated viewing. By entering the Council Chamber and during the course of the meeting, Councillors are consenting to being filmed and to the use of those recordings for webcasting.

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Tracey Lee

Chief Executive

PLANNING COMMITTEE

AGENDA

PART I – PUBLIC MEETING

1. APOLOGIES

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

2. DECLARATIONS OF INTEREST

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

3. MINUTES (Pages 1 - 6)

The Committee will be asked to confirm the minutes of the meeting held on 15 January 2015.

4. CHAIR'S URGENT BUSINESS

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

5. QUESTIONS FROM MEMBERS OF THE PUBLIC

The Chair will receive and respond to questions from members of the public submitted in accordance with the Council's procedures. Questions shall not normally exceed 50 words in length and the total length of time allowed for public questions shall not exceed 10 minutes. Any question not answered within the total time allowed shall be the subject of a written response.

6. PLANNING APPLICATIONS FOR CONSIDERATION

The Assistant 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.

6.1. 27 WHITEFORD ROAD 15/00040/FUL

(Pages 7 - 12)

Applicant: Ms Tracey Lee
Ward: Compton
Recommendation: Grant Conditionally

6.2. FORT HOUSE, FORT TERRACE 14/01815/FUL

(Pages 13 - 24)

Applicant: Senate Properties (SW) Ltd
Ward: Budshead
Recommendation: Grant Conditionally

**6.3. MANNAMEAD CENTRE, 15 EGGBUCKLAND ROAD
14/02336/FUL**

(Pages 25 - 38)

Applicant: Pillar Land Securities Ltd
Ward: Compton
Recommendation: Refuse

6.4. VAUXHALL QUAY 14/02332/FUL

(Pages 39 - 78)

Applicant: Sutton Harbour Services LTD
Ward: St Peter & the Waterfront
Recommendation: Grant Conditionally subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 30/04/2015.

6.5. VAUXHALL QUAY 14/02334/LBC

(Pages 79 - 108)

Applicant: Sutton Harbour Services LTD
Ward: St Peter & the Waterfront
Recommendation: Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 30/04/2015.

7. PLANNING APPLICATION DECISIONS ISSUED

(Pages 109 - 136)

The Assistant Director for Strategic Planning and Infrastructure, acting under powers delegated to him by the Council, will submit a schedule outlining all decisions issued from 4 January 2015 to 1 February 2015, including –

- 1) Committee decisions;
- 2) Delegated decisions, subject to conditions where so indicated;
- 3) Applications withdrawn;
- 4) Applications returned as invalid.

Please note that these Delegated Planning Applications are available for inspection at First Stop Reception, Civic Centre.

8. APPEAL DECISIONS

There are no appeal decisions for submission.

9. EXEMPT BUSINESS

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

PART II - PRIVATE MEETING

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

that under the law, the Committee is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

NIL.

Planning Committee

Thursday 15 January 2015

PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

Councillors Mrs Bowyer, Darcy, Sam Davey, K Foster, Mrs Foster, Morris, Nicholson, Mrs Nicholson (substitute for Councillor Stark), John Smith (substitute for Councillor Jarvis), Jon Taylor and Kate Taylor.

Apologies for absence: Councillors Jarvis and Stark.

Also in attendance: Peter Ford (Lead Officer), Mark Lawrence (Lawyer) and Katey Johns (Democratic Support Officer).

The meeting started at 4 pm and finished at 8.26 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.

75. DECLARATIONS OF INTEREST

The following declaration of interest was made in accordance with the code of conduct –

Name	Minute No and Item	Reason	Interest
Councillor Patrick Nicholson	79.3 – 311 Hemerdon Heights, Plymouth 14/02054/FUL	Referred item to committee	Personal

76. MINUTES

Agreed the minutes of the meeting held on 4 December 2014.

77. CHAIR'S URGENT BUSINESS

There were no items of Chair's urgent business.

78. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public.

79. 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. Addendum reports were submitted in respect of minute numbers 79.3, 79.4 and 79.5.

79.1 20 ST JOHNS DRIVE, PLYMOUTH 14/02148/FUL

Mr John Douglas

Decision:

Application **GRANTED** conditionally.

79.2 SOUTHVIEW, WOODSIDE, PLYMOUTH 14/02158/FUL

Mr Romuald Boco

Decision:

Application **REFUSED** on the grounds of unsatisfactory levels of amenity for future occupiers and the development not being compatible with the character of the area in terms of siting and layout. This relates to Core Strategy Policies CS34.4 and CS15.5.

(The Committee heard from Councillor Ricketts, ward member, speaking against the application).

(The Committee heard representations against the application).

(The Committee heard representations in support of the application).

(Councillor Patrick Nicholson's proposal to refuse the application, having been seconded by Councillor Morris, was put to the vote and declared carried).

(A Planning Committee site visit was held on 14 January 2015 in respect of this application).

79.3 311 HEMERDON HEIGHTS, PLYMOUTH 14/02054/FUL

Mr Mark Secker

Decision:

Application **DEFERRED** for further negotiation in respect of the following –

- (1) bringing the proposed development off the boundary with 310 Hemerdon Heights by 600mm;
- (2) including an additional condition relating to retention of the boundary hedge;
- (3) considering alternative options for the roof pitch of the single-storey rear extension.

Where satisfactory agreement is reached on the above matters, approval to be delegated to the Assistant Director for Strategic Planning and Infrastructure, in consultation with Chair, Vice-Chair and Councillor Darcy. Where agreement cannot be resolved, the application to be brought back to Committee for determination.

(The Committee heard from Councillor Patrick Nicholson, ward member, speaking against the application).

(The Committee heard representations against the application).

(The Committee heard representations in support of the application).

(Councillor Patrick Nicholson declared a personal interest in the above item and did not participate in the debate).

(Councillor K Foster's proposal to defer the application, having been seconded by Councillor Mrs Foster, was put to the vote and declared carried).

(A Planning Committee site visit was held on 14 January 2015 in respect of this application).

(A brief adjournment of the meeting took place immediately after consideration of this item at 6 pm and the meeting reconvened at 6.08 pm).

**79.4 FORMER MEGABOWL, PLYMOUTH ROAD, PLYMOUTH
14/01281/FUL**

Lidl UK

Decision:

Application **GRANTED** conditionally, subject to the following –

- (1) an additional condition requiring the applicant to undertake a review of the impact on the highway after 12 months' of operation in order to establish the effectiveness of the proposed traffic management system;
- (2) an amendment to Condition 3 to include the junction of Great Woodford Drive within the traffic signal upgrade;
- (3) an amendment to Condition 12 to include, at the end of the condition, the words ' ... and will not be implemented until after the work is complete'.

(The Committee heard from Councillor Mrs Beer, ward member, speaking in support of the application).

(The Committee heard representations in support of the application).

(Councillor Patrick Nicholson's proposal to add/amend conditions, having been seconded by the Chair, was put to the vote and declared carried).

(A Planning Committee site visit was held on 14 January 2015 in respect of this application).

79.5 DRAKE'S ISLAND, PLYMOUTH I4/00001/FUL AND I4/00002/LBC

Rotolok (Holdings) Ltd.

Decision:

Application **MINDED TO GRANT**, defer until a March 2015 Planning Committee to allow negotiations to continue to resolve outstanding issues in respect of flood risk, impacts on the Special Protection Area (SPA) and impacts on the Special Area of Conservation (SAC) and for officers to prepare and consult upon a Habitat Regulations Assessment.

(The Committee heard representations against the application).

(The Committee heard representations in support of the application).

(Councillor Patrick Nicholson's proposal to amend the officer's recommendation to reflect the Committee being Minded to Grant the application, having been seconded by the Chair, was put to the vote and declared carried).

80. PLANNING APPLICATION DECISIONS ISSUED

The Committee noted the report from the Assistant Director for Strategic Planning and Infrastructure on decisions issued for the period 24 November 2014 to 4 January 2015.

81. APPEAL DECISIONS

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

82. EXEMPT BUSINESS

There were no items of exempt business.

SCHEDULE OF VOTING (Pages 5 - 6)

PLEASE NOTE

A SCHEDULE OF VOTING RELATING TO THE MEETING IS ATTACHED AS A SUPPLEMENT TO THESE MINUTES.

PLANNING COMMITTEE –15 January 2015**SCHEDULE OF VOTING**

Minute number and Application		Voting for	Voting against	Abstained	Absent due to interest declared	Absent
79.1	20 St Johns Drive, Plymouth 14/02148/FUL	Unanimous				
79.2	Southview, Woodside, Plymouth 14/02158/FUL Amended Recommendation - Proposal to Refuse	Councillors Stevens, Mrs Bowyer, Darcy, Sam Davey, K Foster, Mrs Foster, Morris, Mrs Nicholson, Patrick Nicholson, John Smith and Kate Taylor.	Councillors Jon Taylor and Tuohy			
79.3	311 Hemerdon Heights, Plymouth 14/02054/?FUL Amended Recommendation – Proposal to Defer	Councillors Stevens, Tuohy, Mrs Bowyer, Darcy, Sam Davey, K Foster, Mrs Foster, Mrs Nicholson, John Smith, Jon Taylor and Kate Taylor.	Councillor Morris		Councillor Nicholson	
79.4	Former Megabowl, Plymouth Road, Plymouth 14/01281/FUL Amended Recommendation – Proposal to add / change conditions	Unanimous				
79.5	Drakes Island, Plymouth 14/00001/FUL 14/00002/LBC Amended Recommendation – Proposal to be Minded to Grant etc.	Unanimous				

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PLANNING APPLICATION REPORT



Application Number 15/00040/FUL

Date Valid 14/01/2015

Item 6.1

Ward Compton

Site Address 27 WHITEFORD ROAD PLYMOUTH

Proposal Single storey rear extension

Applicant Ms Tracey Lee

Application Type Full Application

Target Date

11/03/2015

Committee Date

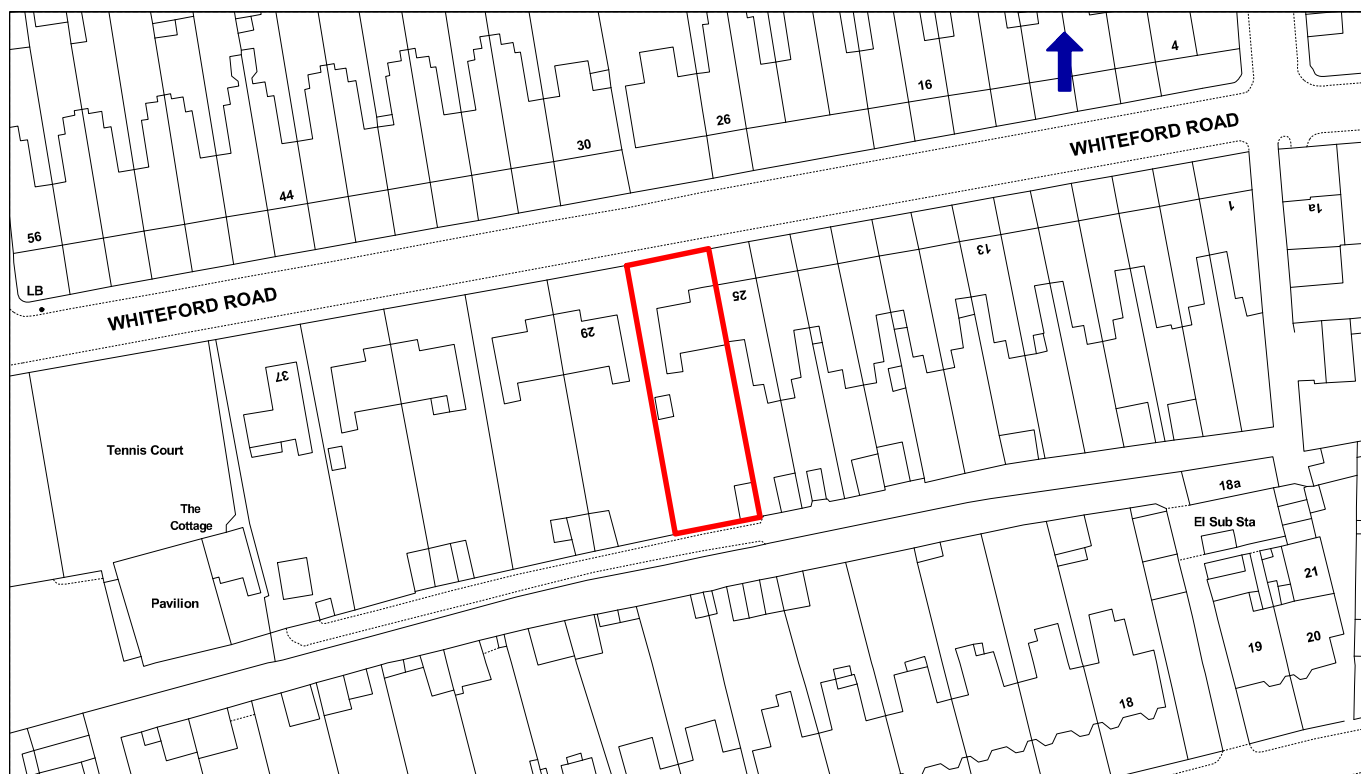
**Planning Committee: 12
February 2015**

Decision Category Member/PCC Employee

Case Officer Aidan Murray

Recommendation Grant Conditionally

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This Application has been brought before committee as the applicant is an employee of PCC

1. Description of site

27 Whiteford Road is a property located in the Mannamead Area of Plymouth. It lies within the Mannamead Conservation Area.

2. Proposal description

Single Storey Rear Extension

3. Pre-application enquiry

None were sought on this application

4. Relevant planning history

None

5. Consultation responses

None

6. Representations

No Letters of Representation received for this application

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.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan- Part One: Consultation Draft was approved by Cabinet for consultation purposes on 9 December 2014. As such it is a material consideration for the purposes of planning decisions.

The policies contained in National Planning Policy Framework (the Framework) and guidance in National Planning Practice Guidance (NPPG) are also material considerations which should be taken into account in the determination of planning applications. Due weight should be given to relevant policies in existing and emerging plans according to their degree of consistency with this framework

(the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Framework provides that the weight to be given to an emerging draft plan is also to be determined according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The Plymouth Plan is at an early stage of preparation.
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given). The draft policies of the Plymouth Plan are currently subject to consultation, although the general direction taken by the plan and key issues and options relating to it have been subject to consultation.

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- Specific policies in the Framework indicate development should be restricted.

Additionally, the following planning documents are also material considerations in the determination of the application:

- Development Guidelines Supplementary Planning Document

8. Analysis

1. The application turns about policy CS02 (design) CS03 (Historic Environment) and CS34 (Planning Application Considerations). This focuses on the design and considerations of the planning application, the effect that it will have on neighbour amenity as well as the design of the proposal upon the conservation area and historic environment of the Mannamead Conservation Area.

Planning Application Considerations

2. The proposal seeks to demolish the existing utility room and decked area to the rear of the property and replace it with a newly proposed kitchen as well as minor internal alterations.
3. The proposed kitchen will extend 4.3metres to the rear, and will run 6.4metres. The proposal also seeks to add decking to the front of the proposed extension.
4. This extension could normally be carried out under Permitted Development Rights, however the fact that the property lies within the Mannamead Conservation Area means that a planning application is required.

Overlooking Issues

5. The dwelling house sits on land which lies approximately 1.8metres above the garden. Officers feel this does not create any overlooking issues as to the side of the property lies shrubs and bushes which provides adequate soft landscaping cover.

6. The proposed extension will replace the existing decking which is currently in situ at the rear of the property. There are no windows proposed in the eastern elevation of the extension and therefore will be no overlooking issues to this side.
7. The application seeks to insert a small window to the westerly elevation of the proposed extension. This should not create any overlooking issues as there are shrubs and bushes located along the side boundary. The window is proposed to be located 1.7metres above the internal finished floor level.
8. The proposal will have an area of raised decking accessed from the new kitchen. This will act as a walkway to the lower terrace on the east. The existing garden wall will be modified to create an additional access to the garden below. As there is already decking in a similar location officers feel the overlooking issues are similar to those that are currently in situ.
9. The proposal seeks to insert a 4metre long folding door located to the rear of the extension. It is felt that, although this door will be made of glass panes this again would not have any adverse overlooking issues to properties to the rear. There is a large garden followed by a service lane to the rear. The SPD suggests 21metres as being a guideline distance between habitable rooms. There are approximately 40 metres between the proposed extension and the nearest habitable room to the rear of the property.

Design

10. The proposed materials that are going to be used in the construction of the extension are that of a contemporary nature. The finishing will be untreated cedar or larch cladding on the timber frame construction.
11. The use of these materials creates views and juxtapositions which add to the variety and texture of the proposed. Although the proposal is within the conservation area, it is to the rear of the property and not to the front which is the most sensitive elevation and so officers conclude it is considered unlikely to have any significant adverse effect on the character of the conservation area.
12. The position of the kitchen to the rear will allow better physical access and visual links to the south facing garden.
13. It is felt that the proposal is sympathetically designed to take into consideration the views and rights of the neighbouring properties. The rear extension will have no effect on the front elevation of the property and so is deemed acceptable.

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 Authority deems this Application to be not liable for Community Infrastructure Levy.

11. Planning Obligations

N/A

12. Equalities and Diversities

N/A

13. Conclusions

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 specifically CS 02 (design) and CS34 (Planning Applications considerations) of the Core Strategy and so should be issued for approval.

13. Recommendation

In respect of the application dated **14/01/2015** and the submitted drawings Existing Elevation (1) DWG No. 1421_P04, Existing Elevations (2) DWG No. 1421_P05, Existing Floor Plans DWG No. 1421_P03, Proposed Elevations (1) 1421_P07, Proposed Floor Plans DWG No. 1421_P06, Proposed Elevations (2) 1421_P08, it is recommended to: **Grant Conditionally**

14. Conditions

CONDITION: 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.

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Elevation (1) DWG No. 1421_P04, Existing Elevations (2) DWG No. 1421_P05, Existing Floor Plans DWG No. 1421_P03, Proposed Elevations (1) 1421_P07, Proposed Floor Plans DWG No. 1421_P06, Proposed Elevations (2) 1421_P08

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, and paragraphs 61-66 of the National Planning Policy Framework 2012.

Informatives

INFORMATIVE: UNCONDITIONAL APPROVAL (1)

(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 and has granted planning permission.

INFORMATIVE: (2) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(2) 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).

PLANNING APPLICATION REPORT



Application Number 14/01815/FUL

Date Valid 24/09/2014

Item 6.2

Ward Budshead

Site Address FORT HOUSE, FORT TERRACE PLYMOUTH

Proposal Development of land for 14 detached residential dwellings

Applicant Senate Properties (SW) Ltd

Application Type Full Application

Target Date

01/04/2015

Committee Date

**Planning Committee: 12
February 2015**

Decision Category

Major - more than 5 Letters of Representation received and Member Referral

Case Officer

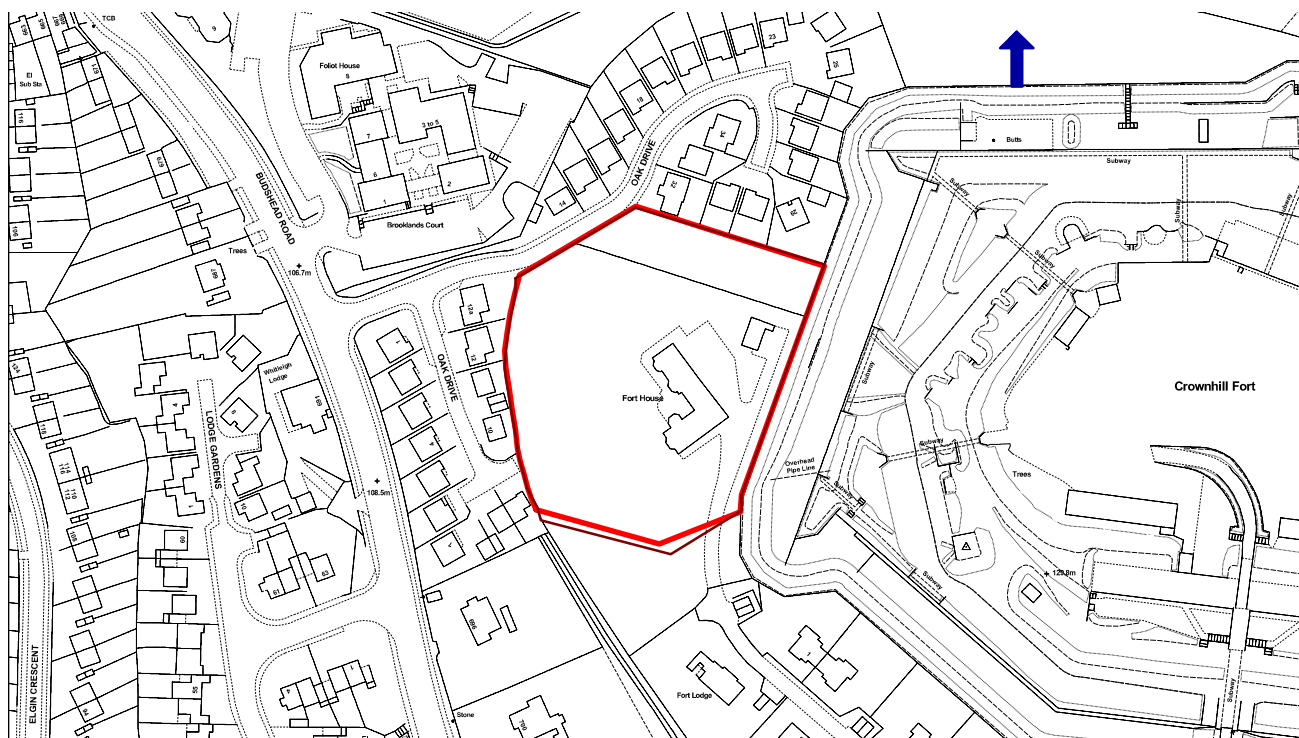
Rebecca Boyde

Recommendation

Grant Conditionally

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This application has been called into committee by Councillor Jon Taylor

1. Description of site

Fort House is located in the Crownhill area of the city. To the east of the site is Crownhill Fort which is a Scheduled Ancient Monument. To the north west is Oak drive which is predominantly residential dwellings. The land slopes to the west therefore giving Fort House an elevated position. The site currently accommodates one dwelling house and a small cottage.

2. Proposal description

Development of land for 14 detached residential dwellings

3. Pre-application enquiry

None

4. Relevant planning history

98/00089/FUL- Two storey side extension, Approved

94/00753/C1884-Outline application to develop part of grounds by erection of a detached house with garage (married quarters), Grant conditionally

5. Consultation responses

Public Protection recommends approval subject to conditions

Local Highway Authority recommends approval subject to conditions

English Heritage has no objections to the proposal following an amended plan

6. Representations

The consultation period ran from the 30th 2014 September to 21st 2014 October however the scheme was revised and the application was re-advertised from 20th January 2015 to 3rd February 2015.

As a result of the re-advertisement of the application only one letter of representation has been received still objecting on the grounds discussed below.

In total 22 Letters of objection were received. These letters objected on the grounds of:

- Impact upon Scheduled Ancient Monument
- Sewage and drainage
- Impact upon on street car-parking
- Size, scale and massing of the units
- Overlooking and privacy

- Traffic impact and access
- Removal of trees
- Impact on wildlife

Non-material planning considerations

- Decrease in value of properties on Oak Drive

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.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007). The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One: Consultation Draft was approved by Cabinet for consultation purposes on 9 December 2014. As such it is a material consideration for the purposes of planning decisions.

The policies contained in National Planning Policy Framework (the Framework) and guidance in National Planning Practice Guidance (NPPG) are also material considerations which should be taken into account in the determination of planning applications. Due weight should be given to relevant policies in existing and emerging plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Framework provides that the weight to be given to an emerging draft plan is also to be determined according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The Plymouth Plan is at an early stage of preparation.
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given). The draft policies of the Plymouth Plan are currently subject to consultation, although the general direction taken by the plan and key issues and options relating to it have been subject to consultation.

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- Specific policies in the Framework indicate development should be restricted.

Additionally, the following planning documents are also material considerations in the determination of the application:

- Sustainable Design Supplementary Planning Document
- Development Guidelines Supplementary Planning Document

8. Analysis

(1) This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework Core Strategy 2007 CS01 (Development of Sustainable Linked Communities), CS02 (Design), CS15 (Overall Housing Provision), CS22 (Pollution), CS28 (Local Transport Considerations), and CS34 (Planning Application Considerations) the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021 and the aims of the Council's Development Guidelines Supplementary Planning Document 'First Review' (2013) and is considered to be compliant with National Planning Policy Framework guidance.

Principle of development

(2) The proposal seeks to demolish the existing dwelling and cottage that is on site and erect 14 dwellings, comprising of both 4 and 5 bedroom dwellings. Each property will accommodate off street car parking and have amenity space located to the rear of the properties. It is considered by officers that the site would be able to accommodate the additional dwellings.

Design

(3) Policy CS34 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) refers to siting, layout, orientation, local context and character. New development proposals are required to take account of the existing context and the criteria referred to. The form and use of existing development in the area is fairly consistent, the area is characterised in the main by residential development that comprises of a mix of terraced, semi-detached and detached properties. Since submission the scheme has been amended to address concerns from both local residents and English Heritage. The amendments submitted alter the design of plots 1-4 from a three storey unit to two storeys. This is now considered acceptable in terms of outlook from the Fort and in terms of impact upon privacy of the neighbouring residents.

(4) In terms of style, the character of the surrounding townscape has become more varied over the years as new development has been delivered on areas immediately to the south and west of the site. The proposal seeks to erect three different house types. House type A is two storey and will accommodate a hallway, lounge, kitchen / dining area and study at ground floor. At first floor the property will accommodate four bedrooms and a family bathroom. House type A relates to plots 7,8,9,10 and 12.

(5) House type B will be three storeys and will accommodate hallway, lounge, kitchen / dining area and study at ground floor level. At first floor the property will accommodate three bedrooms and a family bathroom whilst at second floor level there will be two additional bedrooms. House type B will relate to plots 5, 6, 11, 13 and 14.

(6) House type C is similar in layout to house type A and will be located on Plots 1-4 inclusive. House type C is a new design which has been proposed as a result of the comments from English heritage. The original application proposed that house type B (three storey) would be located on plots 1-4 however it was considered this would have a detrimental impact upon the visual amenity from the Fort and therefore the agent introduced a new house type that would only be two storey in nature.

(7)The dwellings proposed all meet minimum standards in terms of amenity space as set out within the Supplementary Planning Document. The proposal is reflective of the existing built form in the area by providing a good mix of terraced, semi detached and detached dwellings in an area that is varied in character, particularly with regards to the type and size of dwelling.

(8)The application is considered to comply with the requirements of Policy CS01 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) by providing family housing, helping to meet the needs of the neighbourhood and by contributing to the provision of a sustainable linked community.

(9)The houses designs have been finished externally with a limited palette of similar materials to provide continuity of design across the entire site. It is noted that the house designs are different compared to the older houses within the vicinity however they are sympathetic and are considered to compliment the surrounding area.

(10)The Development Guidelines Supplementary Planning Document (SPD) states that all habitable rooms should receive adequate amounts of natural daylight and be of a minimum size to accommodate standard sized furniture for its occupants. It is considered that the proposal complies with this guidance. The SPD states that each occupier should have adequate access to amenity space. Each property has gardens located to the rear; which will adequately serve the occupiers.

(11)The potential new development of 14 detached properties may give rise for disturbance during the construction phase. As such a condition will be attached to any decision to protect the nearby properties during any construction and demolition.

(12) A number of the letters of objection mention the impact upon privacy. The SPD states that habitable room windows facing directly opposite one another should normally be a minimum of 21meters apart. Plots 1-4 will have the most significant impact upon the residents of Oak Drive however the minimum distance between the dwellings is 18 metres. The SPD goes on to state that that these guidelines should be applied flexibly to reflect the character of the neighbourhood. There are no balconies or roof terraces proposed on any of the dwellings and therefore the impact upon privacy is considered by officers to not be detrimentally affected.

(13)The trees and shrubbery on site will be retained and will provide some natural screening and boundary treatment for the dwellings on both Oak Drive and the new dwellings. The proposal seeks to include some public open space on the western side of the site.

(14)This amenity area is where the majority of the trees are currently situated and will remain. It is considered that this amenity space will as a result provide a buffer zone between the new dwellings at those currently located on Oak Drive. It is considered that 14 dwellings is an acceptable number of units for a site of this size. It is officers opinion that anymore than 14 units will constitute as over-development and not meet minimum requirements in terms of size and parking standards.

Impact upon Crownhill Fort

(15)It is noted that the proposal would be within close proximity to Crownhill Fort. Crownhill Fort is the best of Plymouth's Palmerstonian Forts, and a heritage asset of the very highest significance. In terms of design plots 5-7 look over towards the Fort, in order to minimise any impact upon the fort the existing boundary will be retained and strengthened creating a 5 metre buffer between the dwellings and the Fort.

(16) Given that the proposed dwellings at plots 1-4 have been reduced in height it is considered that the views from Crownhill Fort towards the city will be enhanced, better revealing the significance of the heritage asset in line with the guidance of NPPF paragraph 137.

(17) It is acknowledged that the proposals will inevitably cause a degree of harm as the former military commander's house (Fort house) will be demolished. However as noted in the applicant's heritage assessment and by English Heritage the building is much-altered and has no direct connection to Crownhill Fort. This being the case, it is considered that the benefit of opening up of views from the fort towards the city outweigh the harm caused by the loss of Fort House.

Biodiversity

(18) The applicant has provided an Ecological Assessment and Mitigation and Enhancement Report (dated August 2013) conforming to CIEEM guidelines which includes a bat activity survey report (surveys undertaken in April and May 2013).

(19) This report also recommends that the badger survey will need to be updated at least eight weeks prior to the commencement of work on site to ensure that any new badger activity is recorded and appropriate mitigation designed. This will be secured via condition. The condition will also relate to further information relating to the exact locations of the proposed bird and bat boxes.

Sustainable development

(20) Policy CS20 in the core strategy sets out a requirement for development to incorporate onsite renewable technologies to reduce carbon emissions:-

"All non-residential developments exceeding 1,000 square meters of gross floor space and new residential developments comprising 10 or more units to incorporate onsite renewable energy production equipment to offset at least 10% of predicted carbon emissions for the period up to 2010 rising to 15% for the period 2010 -2016"

(21) Given that the development is for 14 detached dwellings this policy is relevant. The energy statement submitted with the application states that the preferred option will be via photovoltaic panels which will be located throughout the site. Each dwelling will have approximately 7-8 panels located on the roofs and will be located south or southeast. It is considered that the information submitted is acceptable and complies with policy CS20.

Highway comments

(22) The application is to construct 14 detached houses in the garden of the existing Fort House. Existing buildings on the site will be demolished. A new access to the development will be provided by construction of a new priority junction onto Oak Drive. Oak Drive is a standard residential estate road of 4.8m width with 2m footways. The road provides access onto the B3378 Budshead Road for approximately 33 existing dwellings. The road is adopted public highway (Highway Maintained at Public Expense HMPE)

(23) A Transport Statement was produced as part of a previous identical application (14/01621/FUL) and is considered to still be valid for this application. Officers would have no material issues with the contents of the Transport Statement and would concur with its conclusion that the development will cause no material detriment to the highway network. The Transport Statement indicates that the development will produce approximately 14 two-way vehicle trips during the morning peak (3 in 11 out) and 12 two-way trips in the PM peak (8 in 4 out).

(24) All parking within the development will be accommodated within the curtilage of the individual dwellings and meets the minimum requirements as set out within the SPD. Access for refuse vehicles

has been demonstrated to be adequate. Both the proposed new priority access junction and the existing Oak Drive junction with Budshead Road are considered to have adequate capacity to accommodate the proposal.

(25) It is noted that the footway on Oak Drive, where it borders the application site frontage is of substandard width, the application should provide, as part of the new junction construction, a full width footway (2m) for the length of its frontage onto Oak Drive. Oak Drive is a quiet residential estate road with significant frontage activity and as such the applicant should be aware of the need to manage construction activities accordingly, particularly the access of contractor's vehicles to the site. A condition will be attached to make sure the applicant complies with the code of practice.

5 year housing supply

(26) When determining applications for residential development it is important to give consideration to housing supply.

(27) Paragraph 47 of the NPPF stipulates that *"to boost significantly the supply of housing, local planning authorities should...identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land"*

(28) Paragraph 49 of the NPPF states that *"housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."*

(29) For the reasons set out in the Authority's Annual Monitoring Report (December 2013) Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2014-19 against the housing requirement set out in the Core Strategy which was set prior to the economic downturn. Plymouth can however identify a net supply of some 5,536 dwellings which equates to a supply of 3.16 years when set against the housing requirement as determined by the requirements of the NPPF or 2.64 years supply when a 20% buffer is also applied.

(30) The NPPF (footnote 11) also specifies that to be considered deliverable, a site must be:

- Available to develop now
- Suitable for residential development in terms of its location and sustainability; and
- Achievable, with a reasonable prospect that homes will be delivered on the site within five years and in particular that the development of the site is viable.

(31) Paragraph 14 of the NPPF states *"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking..."*

For decision-taking this means:

- *approving development proposals that accord with the development plan without delay; and*
- *where the development plan is absent, silent or relevant policies are out-of date, granting permission unless:*
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted”*

(32)As Plymouth cannot demonstrate a 5 year supply when set against the housing requirement as determined by the requirements of the NPPF, the city's housing supply policy should not be considered up-to-date. Paragraph 14 of the NPPF is therefore engaged and substantial weight must be accorded to the need for housing in the planning balance when determining housing applications.

(33)In summary, it is officers view that the proposals will provide a well thought out development that is easy to get to and move through and around (for both vehicles and pedestrians) and has public and private spaces that are safe, attractive, easily distinguished and accessible. The new amended scheme which took into consideration residents and English Heritages opinions provides a traditional and distinguished housing scheme that in terms of scale, massing and design is reflective of the character and appearance of much of the existing surrounding development, making a positive contribution to local visual amenity. The layout and design of the development is therefore considered acceptable and in accordance with Core Strategy policy CS02, CS34 and part 4 of the Sustainable Design SPD and NPPF section 7 (Requiring Good Design).

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

No planning obligations have been sought relating to this application

12. Equalities and Diversities

The application proposes 14 new residential units that on completion should be offered for sale on the open market and therefore will be available to people from all backgrounds to purchase. No negative impact to any equality group is anticipated.

13. Conclusions

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 policies CS01 (Development of Sustainable Linked Communities), CS02 (Design), CS15 (Overall Housing Provision), CS22 (Pollution), CS28 (Local Transport Considerations), and CS34 (Planning Application Considerations) the Adopted Core Strategy of Plymouth's Local Development Framework 2006-2021 and the aims of the Council's Development Guidelines Supplementary Planning Document 'First Review' (2013) and is considered to be compliant with National Planning Policy Framework guidance.

13. Recommendation

In respect of the application dated **24/09/2014** and the submitted drawings 804-300, HMPE Plan, 208/01, 804-302P, 804-301P, 03912TCP, • 804_310 Proposed Layout_Rev P2, • 804_311 Proposed Site Sections _Rev P3

804_312 Proposed Boundary Treatment Drawing_Rev P1, 804_321 Type B Housetype - 5 Bed house, 804_322 Type C Housetype - 4 Bed house

Plots 1-4 have decreased in size and are now two storey instead of three, it is recommended to:

Grant Conditionally

14. Conditions

CONDITION: 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.

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 804-300, HMPE Plan, 208/01, 804-302P, 804-301P, 03912TCP, • 804_310 Proposed Layout_Rev P2, • 804_311 Proposed Site Sections _Rev P3 804_312 Proposed Boundary Treatment Drawing_Rev P1, 804_321 Type B Housetype - 5 Bed house, 804_322 Type C Housetype - 4 Bed house

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, and paragraphs 61-66 of the National Planning Policy Framework 2012.

Pre-commencement Conditions

PRE-COMMENCEMENT: CONDITION: CODE OF PRACTICE DURING CONSTRUCTION

(3) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 -123 of the National Planning Policy Framework 2012 .

PRE-COMMENCEMENT: STREET DETAILS

(4) No development shall take place until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: HABITAT PROTECTION AND ENHANCEMENT

(5) No development shall take place until an Ecological Mitigation and Enhancement Scheme for the site including details of:

- Exact location, number and specification of bat and bird boxes, marked on plan.
- Lighting information with respect to minimising disturbance to bats.
- A method statement for the watching brief by an ecologist during the removal of the roof tiles (this should include the installation of an additional bat box on a suitable tree prior to works commencing. This is needed to place any bats in if they are found and cannot be left in situ. Location should be marked on a plan).
- Methodology for habitat modification for reptiles, including a plan showing the areas to be trimmed and those to be left as they are.
- updated badger survey 8 weeks prior to commencement of works on site.
- Location and design of artificial refugia for reptiles.
- Location and specification of hedgehog box.

Has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with a timetable forming part of the submitted scheme.

Reason:

To ensure wildlife habitats are protected, to comply with Policies CS19 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Other Conditions

CONDITION: REPORTING OF UNEXPECTED CONTAMINATION

(6) In the event that contamination of ground conditions is found when carrying out the approved development that was not previously identified, expected or anticipated, it must be reported in writing immediately to the Local Planning Authority and 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 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, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 -123 of the National Planning Policy Framework 2012.

Informatives

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

(1)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 "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.

INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)

(2)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 and has negotiated amendments to the application to enable the grant of planning permission.

PLANNING APPLICATION REPORT



Application Number 14/02336/FUL

Date Valid 11/12/2014

Item 6.3

Ward Compton

Site Address

MANNAMEAD CENTRE, 15 EGGBUCKLAND ROAD PLYMOUTH

Proposal

Demolition of existing Mannamead Centre and erection of 29 dwellings (amendment to approved scheme including alternative layout)

Applicant

Pillar Land Securities Ltd

Application Type

Full Application

Target Date

12/03/2015

Committee Date

Planning Committee: 12 February 2015

Decision Category

Major - more than 5 Letters of Representation received and Member Referral

Case Officer

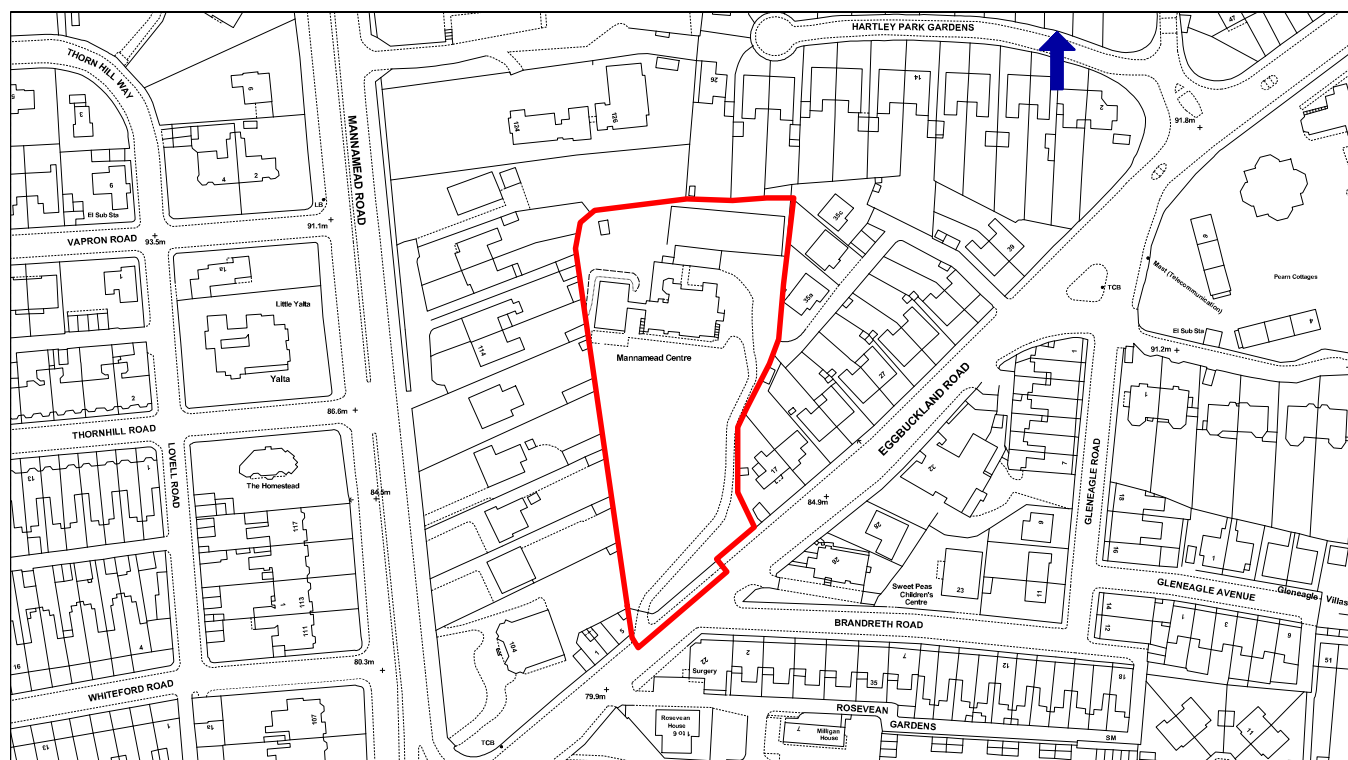
Thomas Westrope

Recommendation

Refuse

Click for documents

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This application has been called into committee by Councillor Richard Ball

1. Description of site

- 1.1 The former Mannamead Centre site was last used as a Plymouth City Council (PCC) education establishment until 2013 when the site became vacant and remains in PCC ownership. The site is accessed from Eggbuckland Road for pedestrians and vehicles via the main and only entrance.
- 1.2 The site is in part brownfield but includes extensive lawned areas with mature trees. The site benefits from a gentle southerly aspect sloping from an elevated position to the north, where the existing building is, to the south entrance. The site is substantially screened by trees from Eggbuckland Road to the south and is bounded on the remaining sides by the rear gardens of residential properties.
- 1.3 The existing areas of Mannamead are characterised by larger detached properties set in larger gardens with mature trees along Mannamead Road and to the north and east. The area also includes a number of terraced properties to the south of Eggbuckland Road.
- 1.4 There is a small local shopping area on Eggbuckland Road adjacent to the site.

2. Proposal description

- 2.1 The application before committee is a revised layout from a previously approved scheme. The amendments include the widening of the internal access road resulting in the loss of a tree and rotating the front of four properties and parking away from the courtyard and onto the access road. The proposals include enhanced landscaping. The following is a revised proposal description for the scheme.
- 2.2 The proposed development is to demolish the existing building and to develop the site with 29 contemporarily designed residential units of mixed type. There are proposed to be 5 detached units in the north of the site, 12 semi-detached units in the middle and south of the site, 10 flats in the south of the site and 2 town houses opposite the entrance. The tenure of the proposals provide for 45% RENTPlus affordable units by number of units proposed.
- 2.3 The existing access to the site is proposed to be widened to provide for two-way traffic and pedestrian visibility, with the remaining quality trees and boundary wall along Eggbuckland Road retained. The proposed internal access road runs along the south and then east boundaries to the north where it runs east to west in a cul de sac. There is access in the middle of the site into a courtyard area that has car parking with two properties fronting onto it.
- 2.4 The access road running north along the east boundary will be able to accommodate two-way traffic, but has too steep a gradient to be adopted as Highway Maintainable at the Public Expense.

3. Pre-application enquiry

- 3.1 Pre-application discussions took place at an early stage and many of the recommendations are reflected in the design and layout of the scheme before you. However, the current layout has diverged from those discussions and the officers' analysis of those changes is in the relevant section below.
- 3.2 The developer has carried out consultation with adjacent neighbours through individual discussions and a consultation event. In addition, amendments have been made to the scheme

during the previous application process as a result of letters of representation and further engagement by the applicant.

- 3.3 Officers are of the understanding that the revised application before committee reflects a further negotiated position between some of the nearby residents and the applicant.

4. Relevant planning history

- 4.1 I4/00082/FUL - Demolition of existing Mannamead Centre and erection of 29 dwellings ~ Granted Conditionally and subject to s106

5. Consultation responses

NHS England

- 5.1 Considers that there is sufficient capacity in the system to cope with potential population increase resulting from this development.

Police Architectural Liaison Officer

- 5.2 Seeks to require the use of lamp post lighting in the courtyard area to ensure a safe environment for persons using the facility and deter unauthorised people from using the area.

Public Protection Service

- 5.3 Seek to include a Code of Practice During Construction condition and a Land Contamination condition on any grant of planning permission

Local Highway Authority

- 5.4 No objections. Recommendation of various detailed conditions to be included on any grant of planning permission.
- 5.5 The application site is considered to be easily accessible and sustainable, and conveniently placed to access local services and the wider transport network. The traffic generation of the proposed development is considered to be acceptable, especially in the context of the previous use's trip generation.
- 5.6 The access will be improved and is considered to be acceptable subject to the works being required through condition.
- 5.7 The level of parking proposed is considered to be acceptable subject to further details securing adequate dimensions to ensure that their use is secured.
- 5.8 Referencing the widened section of access road, it would not be built to an adoptable standard as a result of excessive gradients of up to 1:8. The adoptable gradient is 1:12 with landing areas every 1m rise in elevation.

6. Representations

- 6.1 Five Letters of Representation have been received and One Petition.
- 6.2 The issues raised are summarised below, but please refer to the original Letters of Representation available on the Plymouth City Council website for complete information.
- 6.3 In Support (Four letters, one petition)
- Re-orientating units 15-20 will increase the daylight provision to unit 16.

- The parking courtyard moves further away from the west boundary allowing further planting, improving privacy.
- The reduced size of the courtyard is welcomed to reduce children playing and anti-social behaviour.
- Reduced car movements in the courtyard area will improve safety for pedestrians.
- The car parking area will be predominantly for the RENTplus units, helping management.
- The road along the eastern boundary allows some additional residents to park in their own curtilage.
- The improved private road will reduce maintenance and service charge costs.
- The shared pedestrian surface to the north of the site is more appropriate and improves safety for pedestrians.
- The loss of the Beech Tree will be mitigated through soft landscaping, including extensive planting to the boundaries of the site that will improve screening and privacy.
- Plots 17 & 18 have been moved away from the west boundary.
- The access road along eastern boundary will improve traffic flow, reduce congestion and provide safer pedestrian access.

6.4 In Objection (One letter)

- After being given assurances that removal of mature trees on the site would be kept to a minimum, notes that a mature healthy tree is being removed. This is not to the benefit of the local communication or general environment and feel that it is not essential for the development of the site.

6.5 Comment (One letter)

- In support of the scheme, however, opposed to the use of lighting standards in lieu of bollards within the courtyard area [reference Police Architectural Liaison Officer consultation response]. Potential light pollution is unacceptable loss to amenity and nuisance. Environmental considerations should outweigh theory on crime prevention. Other non-intrusive mitigations are available.

7. Relevant Policy Framework

- 7.1 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.
- 7.2 The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).
- 7.3 The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One: Consultation Draft was approved by Cabinet for consultation purposes on 9 December 2014. As such it is a material consideration for the purposes of planning decisions.

- 7.4 The policies contained in National Planning Policy Framework (the Framework) and guidance in National Planning Practice Guidance (NPPG) are also material considerations which should be taken into account in the determination of planning applications. Due weight should be given to relevant policies in existing and emerging plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- 7.5 The Framework provides that the weight to be given to an emerging draft plan is also to be determined according to:
- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The Plymouth Plan is at an early stage of preparation.
 - The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given). The draft policies of the Plymouth Plan are currently subject to consultation, although the general direction taken by the plan and key issues and options relating to it have been subject to consultation.
- 7.6 At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
 - Specific policies in the Framework indicate development should be restricted.
- 7.7 Additionally, the following planning documents are also material considerations in the determination of the application:
- Sustainable Design Supplementary Planning Document
 - Development Guidelines Supplementary Planning Document
 - Planning Obligations & Affordable Housing 2nd Review Supplementary Planning Document

8. Analysis

- 8.1 This application has been considered in the context of the development plan, the emerging Plymouth Plan, the Framework and other material policy documents as set out in Section 7. Particularly relevant policies include CS02 Design, CS15 Overall Housing Provision, CS18 Plymouth's Green Space, Policy CS19 Wildlife, CS32 Designing Out Crime and CS34 Planning Application Considerations.
- 8.2 The application before committee is amended from a scheme approved in September 2014. It is possible to draw comparisons between the two schemes, both positive and negative. However, please note that the determination of this scheme must be made on the basis of its own merits against material planning considerations and cannot be refused solely on whether it is 'worse' than the approved scheme.

- 8.3 Nonetheless, the approved permission does provide a context in which to assess the balance of material planning considerations.

Layout

- 8.4 The layout of the scheme creates four distinct areas: the entrance road, fronted by two dwellings with garages on the ground floor and flats creating a strong building frontage and urban environment. Second, the courtyard and parking area will be narrow and fronted by two dwellings to the north, the flats' entrance to the south, and with a proposed close boarded fence to the east. The access through an under croft to this area is not ideal and, despite allowing two way traffic and being one and half storeys in height, is exacerbated by the fence of plot 13. Third, the access road along the eastern boundary fronted by plots 13-20. Fourth, the north cul de sac characterised by larger detached dwellings.
- 8.5 It is considered that the eastern access road will provide a level of urban quality that is acceptable all be it dominated by parking, however, there is great concern regarding the environment that will be created in the courtyard area presenting a backland, low-standard, environment for plots 17 and 18 with regard to the space created and the materials proposed. In some cases this type of arrangement can be considered appropriate; however, in this case creating a lower standard urban environment is unnecessary.

Adoption of the Eastern Access Road

- 8.6 As a result of gradient, it will not be possible to adopt this section of highway as maintainable at the public expense (HMPE). The road is proposed to be maintained through a management company. The Local Highway Authority has advised that this arrangement is acceptable in both planning terms and as highway authority.

Trees

- 8.7 One of the results of widening the access road along the eastern boundary is the loss of a mature Beech tree. Where possible, the retention of key and important trees and other site features should be incorporated into the design and layout of development schemes.
- 8.8 The proposed scheme results in the loss of 33 trees across the site. Three of these are category 'U' (Not suitable for retention). The previous scheme provided a compromise regarding the loss of trees in order to accommodate development and the provision of housing on the site, and included the retention of the Beech tree. The current scheme reduces the retained trees on the site further and is considered to be unacceptable in this regard. The tree is clearly visible to all the properties on Mannamead Road that back onto the site in addition to those on Eggbuckland Road and in the opinion of officers the tree has significant amenity value and could form an important focal point for the new development.
- 8.9 An 'Arboricultural Statement; Layout change – the former Mannamead Centre' dated 3rd December 2014 has been submitted in support of the application. It states that:

'Tree T916 has limited amenity value as it is only visible by a small number of surrounding properties – which have a partial view of the tree due to the adjacent vegetation. The tree is prominent in the landscape for the properties immediately adjacent to the east of the site (3-4 houses along Egguckland Road), who have a clear view of the tree from their rear gardens. From all other directions, including publicly accessible locations the tree is only partly visible due to the site orientation and the screening by other vegetation. The overall loss to the local amenities is therefore considered slight and tolerable in the wider context.'

- 8.10 Officers disagree with the conclusion of this quote and that the tree has 'limited amenity value'. The tree makes a clear contribution to the area in its current context, and this value will be amplified with the removal of the surrounding vegetation in any layout that it is retained. It is considered that a housing scheme on the site will greatly benefit from the retention of the tree.
- 8.11 An alternative scheme could instead retain a Turkey Oak; however, such a scheme is likely to reduce the number of units that can be provided on the site.
- 8.12 Additional mitigation planting is proposed to off-set the loss of the Beech tree. However, this planting is not considered to sufficiently offset the loss of a mature tree with potential to greatly contribute to the scheme's character and continue adding to the amenity and leafy character of the area.

Improvements

- 8.13 The proposed layout does allow additional planting along the western edge of the courtyard and for plot 18 to be located further away from the boundary. However, this does come at the expense of the garden size of plots 14-16 and the previous relationships were considered to be acceptable.
- 8.14 The benefits of a widened access road along the eastern boundary are not considered to significantly increase the safety of the road or, in the context of its steepness and the rest of the access road, the likelihood of sustainable travel.

Housing Supply

- 8.15 When determining applications for residential development it is important to give consideration to housing supply. Substantial weight must be accorded to the need for housing in the planning balance when determining housing applications as a result of the current housing supply in Plymouth and policy context. However, an approval of the current application would not result in the supply of additional dwellings or a change to mix, type or tenure because there is an existing implementable permission that we understand to be as likely to be implemented.

Neighbouring Amenity

- 8.16 As a result of the orientation and location changes of plots 15-20, they will now overlook the back garden of 17 Egguckland Road at a similar distance, but elevated, to plots 13 & 14. It is a fine judgement as to the acceptability of this relationship, but on balance officers are not recommending an additional refusal reason in this regard.

Other Considerations

- 8.17 The following amended comments from the officers' report for the previous application are considered to be relevant.

Principle

- 8.18 The principle of developing the site for housing is considered to be acceptable. The site is located in a highly sustainable location for the provision of housing being close to local facilities and the public transport network. In the policy context of affording great weight to the provision of housing, it is not considered appropriate to safeguard the site for other uses and no evidence has been provided that suggests otherwise.

Design

- 8.19 The proposed dwelling design is considered to be acceptable and to contribute positively to the area. The contemporary style proposed is of as very high quality and will create a distinctive sense of place within the development while still respecting the overall character of the area. The new entrance will frame public views into the site from Egguckland Road and much of the existing boundary wall there will be retained. The housing density of the proposals provide for a good mix of housing type. The proposals achieve the Council's policy for the provision of Lifetime Homes
- 8.20 Alternative acceptable designs could be proposed that retain and renovate the existing building. However, whilst the demolition of the Mannamead Centre is unfortunate in some respects, it is not considered to be contrary to our existing policies and, on balance, allows for a considered design response to the site that maximises other planning gains.
- 8.21 Evidence provided with the application has found that a Beech in the north of the site has a cavity that requires the tree to be removed. Further evidence categorises the groupings of smaller trees on the north and west boundary to be 'c' and therefore not of high value. A category 'b' Turkey Oak in the middle of the site requires felling to accommodate the proposals; efforts to retain this tree would significantly impact the efficient use of the site and contribution to the provision of housing.

Neighbouring Amenity

- 8.22 Amendments to the proposal during the previous application have removed balconies from the first floor of the dwellings to the north and north west of the site. The applicant has also proposed that a condition be included on the grant of any permission that the areas shall not be used for these purposes in the future. It is a fine judgement as to whether such a condition is necessary. However, having regard to the way the previous consent dealt with this issue and the willingness of the developer, it is considered appropriate in this case.
- 8.23 In order to aid in decision making the following distances from existing to proposed dwellings are scheduled:

Plot 1 to site boundary – 1.6m
 Plot 1 to 104 Mannamead Road (nearest edge of tenement) – 28.4m
 Plot 18 to boundary – 5.6m
 Plot 18 to 110 Mannamead Road (nearest edge of tenement)– 31.8m
 Plot 25 to site boundary – 6.2m
 Plot 25 to 116 Mannamead Road (nearest edge of tenement) 28 m
 Plot 25 to 118 Mannamead Road (nearest habitable window) 26.2m
 Plot 26 to the boundary – 3.8m
 Plot 28 to 26 Hartley Park Gardens (main dwelling) – 35.8m
 Plot 29 to 24 Hartley Park Gardens (main dwelling) – 37.7m
 Plot 13 to 17 Eggbuckland Road (main dwelling corner not conservatory) –
 19m
 Dwelling 12 (flat) to 17 Eggbuckland Road (main dwelling corner not
 conservatory) – 18m

- 8.24 Two of the proposed dwellings on the west boundary of the site, plots 1 & 18 are located adjacent to the boundary of the rear gardens of properties 104 & 110 Mannamead Road respectively. It is considered important, in order to protect the privacy of these properties, that no windows (other than with obscure glazing) shall be allowed on the east facing elevations and should committee wish to approve the scheme, a condition is recommended to ensure that this is the case. Oblique views from the proposed north and south facing elevations are not considered to unacceptably impact upon neighbours' privacy.
- 8.25 The proposed dwellings at plots 1, 18 and 25 will reduce daylight, sunlight and impact on the existing properties on Mannamead Road. There exists vegetation along proportions of this boundary that means the resulting impact is diminished. Having regard to the Development Guidelines SPD, and the length of the gardens, it is considered that the impacts in this regard are acceptable.
- 8.26 The proposed Plots 26 and 27 back onto the garden of 122 Mannamead Road, and Plots 28 and 29 back onto 26 and 24 Hartley Park Gardens respectively. There is potential to cause loss of privacy in these locations. However, having regard to the changes in levels to the north, and the distances between the existing and proposed dwellings, the impacts in this regard are considered to be in compliance with the Development Guidelines SPD.
- 8.27 The proposed flats and plots 13 and 14 have windows that overlook the rear of 17 Eggbuckland Road. The window to window distances of the proposed dwellings to the first floor windows of the existing property are less than the guideline 21 metres for two storey, and 24 metres for three storey relationships at 18 metres. However, because of the property on Eggbuckland Road's proximity to the boundary, it is considered reasonable that the full guidance distance is not applied. Furthermore, the properties will be divided by the access road. On balance, with regard to privacy, sunlight, daylight and outlook, the impact in this location is considered to be acceptable.

Transport

- 8.28 The impact of the proposal on the highway network is considered to be acceptable considering the trip generation characteristics of the previous and proposed uses. The proposed access to the site is considered to be acceptable, providing a safe vehicular access and pedestrian visibility. It is considered necessary, that should a consent be granted, to condition that the improvements to the access are implemented prior to any dwelling being first occupied.
- 8.29 The proposals provide for 42 external parking spaces (1.45 per dwelling), plus 12 garage parking spaces in garages (aggregate of 1.86 per dwelling). Having regard to the mix of type of housing, this provision is considered to be acceptable.

Sustainability

- 8.30 As noted above, the broad sustainability of the site is positive, being close to local services and transport. There are no additional opportunities to improve the permeability of the site or area as the site is surrounded to the west, north and east with rear gardens.
- 8.31 The homes on the site are designed to Code for Sustainable Homes Level 3, with the affordable housing achieving Code Level 4. Alongside this provision, the council's policy of on-site renewable energy generation is proposed to be met through solar photovoltaic panels.
- 8.32 The bat survey submitted in support of the application concludes that there are no bats roosting in the existing building and the development is 'unlikely to have any adverse impact on local bat populations or activity'. A series of mitigation measures are proposed, and it is considered that these should be conditioned for implementation. Furthermore, a Biodiversity Enhancement Strategy further illustrates that the proposals will provide a net gain in biodiversity.
- 8.33 All nesting birds are protected by separate legislation, and it is not appropriate for the planning system to duplicate this protection.

Public Protection Issues

- 8.34 A Code of Practice during construction and demolition has been submitted with the application, and subsequently amended to reflect the recommendations of the public protection service regarding hours of operation namely 8am-6pm Monday-Friday and 8:30am – 1:00pm Saturdays with no working on Sundays or bank Holidays. It is recommended that a condition secure the provisions of the Code of Practice, on any grant of planning permission.
- 8.35 With regard to land contamination, the principle of development in this regard is considered to be appropriate and it is recommended that a condition is attached to any grant of planning permission to secure any necessary remediation

Affordable Housing – RENTplus

- 8.36 The application provides 45% affordable housing by number of units, located in the lower and central area of the site. The tenure proposed is that of RENTplus; a new model of affordable housing that has been developed in the South West by Plymouth based company, housing association and Plymouth City Council and forms part of the Plan for Homes. RENTplus will provide 500 RENTplus homes in the City over the next 5-years under a Memorandum of Understanding between PCC and RENTplus-UK Ltd. Mannamead is the pilot site and will deliver the first 13 RENTplus units.
- 8.37 The purpose of the RENTplus affordable housing is to provide an intermediate housing option for people on the Housing Register with aspirations to purchase their home after a period of time. Tenants will benefit from paying Affordable Rent (up to 80% of market rent*) for a minimum of 5 years. On a phased basis at five year intervals (5, 10, 15 and 20 years) a proportion (25% at each interval) will be available for sale to RENTplus tenants who benefit from a gifted deposit from RENTplus to aid their purchase. Unsold properties can be acquired by an affordable housing provider.
- 8.38 In the unlikely event a tenant is not in a position to purchase outright they can “staircase” out through shared-ownership. In the rare circumstance the property has to be sold on the open market then a proportion of the sale price is given back to the Local Authority for re-investment in Affordable Housing.
- 8.39 The provision of intermediate housing is consistent with the National Planning Policy Framework and ‘*can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent*’ (Annex 2, National Planning Policy Framework). Annex 2 of the NPPF also states that ‘*housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision*’. It is considered that such provisions are secured through the RENTplus model by removing people from the housing list or by direct subsidy to Registered Providers or the Council for future Affordable Housing. In addition, RENTplus will replace homes sold with a view of keeping a ‘pool’ of 500 RENTplus homes in Plymouth (subject to availability of land and finance). Furthermore, the RENTplus model of affordable housing has been fully endorsed by the Homes and Communities Agency.
- 8.40 The provision of Affordable Housing at an affordable price for future eligible households is desirable and also a mix of affordable housing types is normally sought. However, the proposals meet the policy tests through removing people from the housing register following periods of paying Affordable Rent.
- 8.41 (*NB In the case of the Mannamead Centre, the Affordable Rent will be at the Local Housing Allowance Cap (estimated at approximately 70% of Market Rent in this location))

9. Human Rights

- 9.1 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

- 10.1 It is estimated that the scheme will generate £279,605 of New Homes Bonus over 6 years.
- 10.2 The CIL generated from the scheme is estimated at £91,001.65, with a provisionally estimated social housing relief of £27,519.51, leading to a payable CIL liability of £63,482.14

11. Planning Obligations

- 11.1 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.
- 11.2 Should planning committee consider the application acceptable, the following Planning obligations have been negotiated in respect of the following matters:
- £7.8k Play Space (Improvements to play equipment in Hartley Park Play Area)
 - £12.2k Local and Strategic Greenspace (Surfacing improvements to the path network in Hartley Park and improvements to water supply at Lower Compton allotments)
 - £40k Primary schools (Lipson Vale Primary currently being expanded)
 - Plus the management fee of £7,803.69
- 11.3 These obligations are considered to be related in scale and kind to the development and, in the context of the affordable housing being provided and CIL contributions, are considered to adequately mitigate the impacts of the development on infrastructure in accordance with national and local policies.

12. Equalities and Diversities

- 12.1 Despite challenging site topography, the site achieves the 20% Lifetime Homes policy requirement.

13. Conclusions

- 13.1 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.
- 13.2 On balance the proposed scheme is considered to have significant negative impacts with regard to the loss of the Beech Tree and the provision of a substandard layout with an unnecessary back land location for two of the plots and associated poor urban environment in the courtyard area of the proposed scheme.

- 13.3 There are some advantages to the proposed scheme in comparison to the previously approved application, however, these are not considered sufficient to outweigh the negative impacts of non-policy compliant elements of the scheme.

13. Recommendation

In respect of the application dated **11/12/2014** and the submitted drawings ,it is recommended to:
Refuse

14. Reasons

LOSS OF TREES

(1) The Local Planning Authority considers that the proposal will result in the loss of important trees with high amenity value, contrary to Policy CS18 of the Plymouth Local Development Framework Core Strategy (2006 - 2021) and the NPPF Para. 118.

DESIGN & LAYOUT

(2) The Local Planning Authority considers that the proposal will result in a layout that creates a poor, unattractive courtyard environment with inappropriate boundary treatment, contrary to Policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006 -2021) and the NPPF Para. 56, 57 & 58.

Informatives

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.

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
CS22 - Pollution
CS18 - Plymouth's Green Space
CS19 - Wildlife
CS21 - Flood Risk
CS22 - Pollution
CS02 - Design
CS15 - Housing Provision
SPD2 - Planning Obligations and Affordable Housing
SPD1 - Development Guidelines First Review
DSPD - Design Supplementary Planning Document
NPPF - National Planning Policy Framework March 2012
NPPG – National Planning Practice Guidance

PLANNING APPLICATION REPORT



Application Number 14/02332/FUL

Date Valid 11/12/2014

Item 6.4

Ward St Peter & The Waterfront

Site Address

VAUXHALL QUAY PLYMOUTH

Proposal

Boardwalk with 2 single-storey buildings containing 3 shop/restaurant/café units (A1/A3), works to electricity substation, pontoon access to harbour ferry and associated works

Applicant

Sutton Harbour Services LTD

Application Type

Full Application

Target Date

27/02/2015

Committee Date

Planning Committee: 12 February 2015

Decision Category

Assistant Director of Strategic Planning and Infrastructure Referral

Case Officer

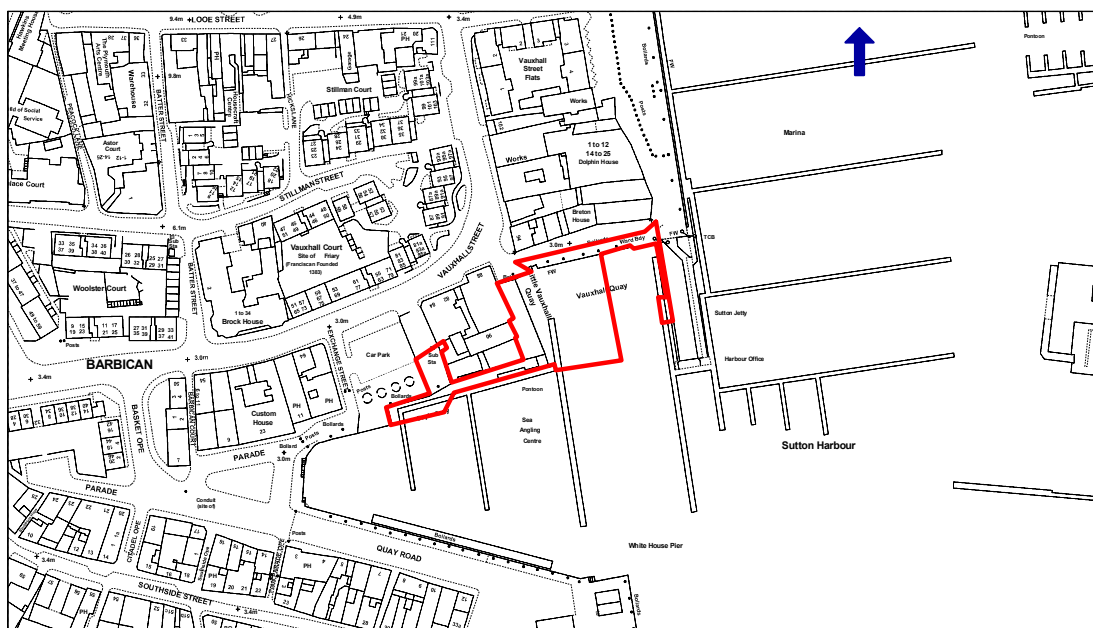
Matt Coombe

Recommendation

Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 30/04/2015

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This planning application has been referred to Planning Committee by the Assistant Director for Strategic Planning and Infrastructure because of the level of public interest in this proposal.

1. Description of site

The site is located within and adjacent to the Barbican Conservation Area at Sutton Harbour and extends west from Guy's Quay in front of the Exchange Street Car Park, to Vauxhall Quay at the east. It includes areas of open-water, marina berths, pontoons, as well as hard landscaped areas of the quayside. The water in Vauxhall Quay is understood to be relatively shallow and a small beach is visible at the northwest corner, particularly at low tide.

Vauxhall Quay forms an existing vehicular and pedestrian link inland west to Vauxhall Street, which in turn links towards Bretonside, Exeter Street and the eastern side of the City Centre. To the east the quayside continues into Sutton Wharf, which links to North Quay and the East Quays of Cossida.

Vauxhall Quay faces south and is bounded to the north partly by Grade II listed historic warehouse buildings and a pub. The warehouses have been converted to flats, with garages on their ground floors fronting the quayside.

The western side of Vauxhall Quay is fronted by Little Vauxhall Quay. West of Little Vauxhall Quay is a block of buildings which include a bar/restaurant, dive shop, nightclub, offices and Jamaica House, the Grade II listed former Barbican Antiques building and an electricity sub-station.

To the east of the site is Sutton Jetty, an existing boardwalk structure, with a single storey building on top. Sutton Jetty formerly contained a railway goods shed, and now includes sales offices for Princess Yachts.

The quay itself is a Grade II listed structure.

2. Proposal description

The proposal is for a boardwalk over the harbour, providing a pedestrian link over water from Guy's Quay at the west to Vauxhall Quay at the east – a stretch of waterfront which is currently inaccessible to pedestrians walking around Sutton Harbour's quayside. The boardwalk is proposed to sit above a grid of piled columns set in the harbour bed, similar to the piles used for the existing marina pontoons and freestanding from the existing quayside. The applicant's intention is for the boardwalk to appear as separate from the historic quay wall and areas of open water have been retained around the larger pontoon deck at Vauxhall Quay. Walkway links to this deck are proposed to be gantry-like surfaces through which the water below will be visible. The boardwalk itself is proposed as a timber structure created with anti-slip decking boards.

Where access is provided from the existing quayside, the proposal is that existing cast iron railings are removed, altered and made good. The proposed stainless steel and mesh railings for the new boardwalk are proposed to abut the existing railings, but not join them, to emphasise the difference between new and old.

On top of the boardwalk structure, the applicant proposes three "family orientated" commercial units to contain A1 (retail) and A3 (restaurant) uses. Two single storey units containing 325sqm of retail space are proposed to the west of the site at Vauxhall Quay. One smaller single storey "pavilion" unit with 75sqm retail space is proposed at Guy's Quay at the western entryway to the boardwalk.

Adjacent to the existing Sutton Jetty boardwalk, is a proposal for a new publicly accessible landing stage accessible from Vauxhall Quay. The applicant proposes that this will serve a new ferry link to other waterfront sites around Plymouth, such as Commercial Wharf and Royal William Yard.

It is proposed that car parking be removed from the quayside as part of this application, along with the signage and chain barriers related to the parking, with the quay finish being made good.

The applicant proposes to repair and enhance Little Vauxhall Quay as part of this scheme, to bring it to a standard that is in keeping the best of the historic quayside. Little Vauxhall Quay is currently shored up with gabions – a temporary repair. It is proposed that reclaimed granite setts (often referred to as cobbles) be used to resurface the quayside to reflect historic surfaces elsewhere in the Barbican. The marina gate and pontoon access to the end of this quay is proposed to be relocated.

Along Little Vauxhall Quay, two flag banners are proposed, together with a new bench. On Vauxhall Quay, it is proposed that three existing street lamps are adapted to receive banners, and that two new benches, and four cycle stands be installed.

The proposals also include the replacement and upgrading of the existing electricity sub-station located at the rear of Grade II listed Jamaica House, adjacent to the Exchange Street Car Park.

3. Pre-application enquiry

Further to the applicant's decision to withdraw the previous two planning applications officers had pre-application discussions with the applicant's team including measures to address issues raised by English Heritage and the Design Review Panel.

4. Relevant planning history

Two previous planning applications were submitted for earlier versions of this proposal on this site. The first on the 23rd January 2013 and the second on the 5th September 2013, both were withdrawn before a decision had been reached:

13/00116/FUL & 13/00118/LBC - New boardwalk with 4 two-storey retail units and 3 one-storey retail kiosks - WITHDRAWN

13/01675/FUL & 13/01676/LBC - New boardwalk with 4 two-storey shop / restaurant / café units (A1 / A3) and 2 one-storey shop / hot food takeaway (A1 / A5) units and associated works - WITHDRAWN

Both previous applications raised concerns about design and layout from various parties. The second planning application was presented to the South West Design Review Panel. In response to comments from Design Panel, the Council, English Heritage, local residents, businesses and other stakeholders, the applicant decided to withdraw and revise the proposal.

5. Consultation responses

Highways Authority

No objection, subject to conditions.

Public Protection Service

No objection, subject to conditions.

Police Architectural Liaison Officer

No objection. Contribution of £5,000 towards CCTV system agreed with applicant.

Environment Agency

No objection, subject to conditions. Contribution of £5,000 agreed with applicant towards a Sutton Harbour Flood Risk Management Strategy

English Heritage

English Heritage comment as follows:

“We have commented previously on similar proposals for this site, and remain of the view that construction of built form within a significant portion of Plymouth’s earliest surviving harbour will have a harmful effect. We acknowledge that the proposed buildings are significantly reduced in scale and massing than those previously tabled, but this does not address the fundamental issue that introducing built form into a historic harbour where a view of water would be expected will have a harmful effect.

Unfortunately the consultation for this application has been received immediately before the Christmas break, and I am unable to offer detailed comments and analysis without first having had the benefit of a site visit. However, our initial view is that while we support the proposed bridge between land at Exchange Street and the site, we feel that the proposed piled structure will harm the character and appearance of the Vauxhall Conservation Area [sic], and the settings of the Grade II listed warehouses adjacent to the site whose physical and visual relationship with the water will be diluted.

We have long expressed an ambition to see a masterplan for the Sutton Harbour and Barbican area. Viewed in isolation, these proposals are damaging to the historic environment with insufficient justification for that harm. However, if articulated as part of a wider masterplan it might be possible to demonstrate wider public benefits that outweigh the harm. Unfortunately this is not the case at present.”

Natural England

Request further information about construction impacts on the Plymouth Sound and Estuaries Special Area of Conservation and the Dartmoor Special Area of Conservation.

The Devon Design Review Panel

The planning application was considered by the Devon Design Review Panel on 20/01/15 and the comments from their report are as follows:

“The clear and concise presentation was welcomed by the Panel. The Panel also welcomed the thoroughness of the information provided in advance of the session, including the Urban Design Analysis and Heritage Appraisal.

Generally, subject to the comments made within this report being addressed, the Design Review Panel is very supportive of the proposals.

The Panel recognised and supported the aspiration to create better city links to the waterfront and to help to draw footfall towards the east Quay. The aspirations to create links and wider waterfront interconnectivity, for example between Sutton Harbour, the Barbican and the Royal William Yard were also strongly supported. The Panel felt that the proposed family friendly usage was appropriate and that this was evident in the proposed form and aesthetic of the design. It was considered that the proposed development may have a positive impact upon existing businesses in the vicinity as well as the neighbouring built form, as the development would most likely increase footfall and demand for other activities. As a result the Panel felt

that, appropriate, development of this type may act as a positive catalyst to ensure the long term prosperity and therefore conservation of the historic setting.

It was felt by the Panel that whilst there would be some harmful impact on the historic setting, this was clearly outweighed by the overall benefit. Therefore the Panel advised that it felt the proposals were acceptable in regards to the historic setting.

The Panel was particularly supportive of the aspiration for the proposals to act as a catalyst for the creation of a 'history trail' throughout the harbour.

In regard to the form and design of the proposals, the Panel suggested that the proposals would benefit from a simplification of the proposed built form, particularly in relation to the design of the roof. It was suggested that the removal of the proposed roof lantern should be investigated.

Notwithstanding the historic and conservation considerations, careful detailing and high quality materials were advised to be crucial to the success of the proposals. It was felt that the proposals may act as a catalyst to other development within the harbor and as such should be of an extremely high quality in order to set the minimum standard. Consideration should be given to the proposals coastal location in terms of weathering and maintenance when specifying and detailing materials.

Whilst the Panel felt that the overall design was appropriate, it was advised that it may be beneficial to the overall design for the proposals to incorporate a contemporary twist in regards to detailing and materials. In particular the highly glazed nature of the proposals was supported, as this resulted in a simple, elegant and contemporary form, that allowed for sight of the activity within.

The Panel was supportive of the 'lightness of touch' approach described by the applicant in regard to the historic fabric of the surroundings and felt that, subject to appropriate detailing, this could constitute a repair and be of benefit to the existing fabric.

Appropriate external lighting design was also advised to be a crucial consideration and it was felt that this would be a key factor to assess the success of the proposals. Appropriate lighting design would also ensure any concerns in regards to the creation of antisocial spaces were addressed.

The Panel recognised the constraints in regard to moorings, however suggested that the proposals would benefit from widening the boardwalk where possible to ensure that there was room for external table and chairs as well as for pedestrians.

As above, the Panel supported the creation of improved links across the harbour and improved access to the waterside. Therefore the Panel advised that their support for the proposals is dependent upon the boardwalk remaining accessible 24hrs a day to the public, and not just be accessible to customers visiting the proposed units.

The stated aim to incorporate the provision of locally sourced public art was strongly supported by the Panel and the applicant was encouraged to engage with local artists to ensure a sense of local cultural identity and distinctiveness.

It was suggested that the proposals would result in the simplification of 'street clutter'/street furniture and this was supported by the Panel, as it was considered to be of benefit to the wider setting.

Based upon the information presented, the Panel did not consider that the proposals would result in any significant ecological harm. However it was advised that there may be an opportunity to incorporate elements within the design to encourage greater biodiversity around the proposal site. In particular the Panel advised the incorporation of habitat boxes to encourage birds such as swifts and house martins.

SUMMARY OF RECOMMENDATIONS

In summary the main recommendations of the Panel were:

- Generally subject to the comments within this feedback document being addressed the Panel is very supportive of the proposals

- The Panel supported the aspiration to create better city links to the waterfront, to help to draw footfall towards the east key and to create wider waterfront interconnectivity
- The proposed family friendly usage was evident in the proposed & aesthetic of the design, which was supported
- There would be some harmful impact on the historic setting, however it was considered that this was outweighed by the overall benefit
- The proposals would benefit from a simplification of the proposed built form, particularly in relation to the design of the roof
- Careful detailing & high quality materials were advised to be crucial to the success of the proposals
- It may be beneficial to the overall design for the proposals to incorporate a contemporary twist in regards to detailing & materials
- The 'lightness of touch' approach described by the applicant in regard to the historic fabric of the surroundings was supported
- Appropriate external lighting design would be a key factor to assess the success of the proposals & may help to avoid the creation of anti-social spaces at night
- Proposals would benefit from widening the boardwalk where possible
- Support for the proposals is dependent upon the boardwalk remaining publicly accessible 24hrs a day
- The stated aim to incorporate the provision of locally sourced public art was strongly supported by the Panel
- Opportunity to incorporate habitat boxes for birds such as swifts and house martins"

Marine Management Organisation (MMO)

The applicant reports that an updated marine licence application was submitted to the MMO and accepted on 19/12/14 (reference MLA/2013/00462).

6. Representations

A total of about 460 letters of representation have been received in respect of this planning application. A small number of duplicate representations have been received – about the same in number for and against the application. A relatively small number of representations include comments for or against the application. With such representations, officers have made a judgement about whether these are overall for or against the application.

Approximately 190 letters support the application and the comments within them can be summarised as follows:

Plans, Visions and Strategies

- Complies with the Council's aim to become one of Europe's finest waterfront cities, as envisaged in the Mackay Vision, Core Strategy and draft Plymouth Plan.
- Designed to take in to account Sutton Harbour Area Action Plan (2008) and Barbican Conservation Area Management Plan (2007).

Land Use

- Delivers efficient use of land as the area is physically constrained for mooring, specifically at low tide.

Historic Character

- *Repairs and enhancements to the historic quayside together with the removal of street furniture will enhance the character and setting of historic buildings and structures.*

Design

- *Great addition to the area that has been tastefully designed and will make it more attractive.*
- *Design has been amended to respond to the concerns raised in previous applications in consultation with the council, ward councillors and other statutory consultees. The design is now in keeping with the locality.*

Public Access to Waterfront

- *Improves access to the waterside by providing an accessible waterfront walkway which will help Sutton Harbour to feel less isolated.*
- *Provides new signposting and interpretation of heritage trails and assets to help highlight the Harbour's principle role in Plymouth's colonial past and global maritime heritage.*
- *Helps the elderly and disabled to access the waterfront as they may find it difficult on the cobbles in the Barbican.*
- *Promotes a seamless walkable positive experience, linking the blue, the city centre and the green space, for both residents and visitors alike.*
- *Will complement the facilities being proposed for Bretonside, providing a link between the Waterfront and the City Centre.*
- *Improves links and integration between the commercial fishing port and tourist infrastructure.*

Image of Area

- *Will help to raise status of the area so it can compete with the Royal William Yard.*
- *Celebrates the naval and fishing heritage of the city.*
- *Focus on family-oriented operators supports the aspirations of bodies such as Plymouth Waterfront Partnership to make areas of the Barbican and Sutton Harbour more attractive to families.*

Transport

- *New cycle facilities will be incorporated in to the development.*
- *Will tie-in with the new cycle bridge across Laira Bridge.*
- *Located in close proximity to the bus hub on Royal Parade.*

Water Transport

- *Water accessibility will be further improved by the introduction of a ferry which will launch from the boardwalk, supporting the recommendations of the Tamar Estuaries Consultative Forum report in 2004 "Plymouth Sound and Estuaries Water Transportation Study" which will link in with Mountbatten and Royal William Yard ferry services.*
- *The development will provide better water-borne access.*

Economy and Tourism

- *Will bring financial investment and improve the visitor experience.*
- *Will improve the status of “Britain’s Ocean City” and help secure other international events such as the America’s Cup and Solitaire du Figaro, which have taken place in the city.*
- *Helps to support existing businesses and charitable organisations through increased footfall.*
- *Helps to attract further leisure and business use to Sutton Harbour and the wider City.*
- *Will regenerate the waterfront, creating jobs and increasing tax base.*
- *Will act as a catalyst for further investment and delivery of the Harbour Vision.*
- *Good if brown road signs will now be erected for “The Barbican” following this development.*
- *Will strengthen the economy of the wider South West.*
- *Supports the Mayflower 400 celebrations.*

Public Safety

- *CCTV and other initiatives will be included as part of the proposal to create a safe and secure environment.*

In some letters of support some additional comments have also been raised as detailed below:

- *Concern about noise to existing office accommodation.*
- *Is the local road infrastructure going to support this? If so, how?*
- *Car parking is already extremely difficult. Is this going to put even more pressure on a system where I can already only park for a maximum of 3 hours, or face paying?*
- *Will the boardwalk become a hazard when wet (slipping). I would like to see how this has been taken into account?*
- *Are the restaurants going to be severely overpriced in the same way as the Royal William Yard, thereby excluding most of the residents of Plymouth?*
- *Some of the artistic interpretation drawings do not appear to show Salt Quay House. Is it the intention that this building is removed?*
- *What is meant by a “pavilion”? Might it be a nice idea to have somewhere for folk to sit and take in their surroundings without having to be in a restaurant?*

The Action Group for Sutton Harbour (AGSH) have submitted a letter of representation which includes an attachment of 41 questionnaire forms completed by people who attended AGSH’s own consultation event considering alternative options for the site. The AGSH representation is treated as a single letter of representation and the issues within it are considered below.

Approximately 270 letters object to the application and the comments within them can be summarised as follows:

Planning Policy

- *The application is contrary to Policy SH06 of the Sutton Harbour Area Action Plan (AAP) as the walkway will be achieved by harbour infill.*
- *There is no policy support for the commercial development, although there is for the walkway.*

- *The site is not included in the AAP and there is no policy basis for commercial infilling of the harbour, especially for non-marine related development.*
- *The applicant's interpretation of the NPPF is questioned – there are no public benefits to this scheme.*
- *The application is contrary to Core Strategy Policy CS03 (Historic Environment).*
- *The platform will block a lot of the public views across the harbour identified in the Barbican Conservation Area Appraisal and Management Plan (BCAAMP) as important elements requiring protection to preserve the historic value of the Barbican Conservation Area.*
- *The development will block views of the listed buildings on Vauxhall Quay surrounding the harbour identified in the Barbican Conservation Area Appraisal and Management Plan (BCAAMP) as important elements requiring protection to preserve the historic value of the Barbican Conservation area.*
- *The development is inconsistent with the Sutton Harbour Plan.*
- *There is no plan or programme to properly enhance the harbour heritage trail.*

Principle of Retail

- *Development like this should be concentrated in the City Centre.*
- *The boardwalk could be constructed without the need for retail development.*

Existing Restaurants

- *Existing empty restaurants should be tackled before new facilities are built.*
- *There are already two places to eat on Vauxhall Quay (the Stables and The Marina Bar) and there is no need for more.*
- *There is already an excess of licensed premises and restaurants in the area causing side effects for local residents e.g. broken glasses.*
- *Do not want more chain restaurants.*

Impact on Existing Water Uses

- *The development will limit the ability of the harbour to carry out its intended function of “water uses” e.g. by reducing moorings.*
- *The “beach” in the corner of Vauxhall Quay is protected for the “drying out” of local small fishing boats and the supporting information is incorrect in saying that it is no longer used.*
- *Detrimental impact on commercial fishing activity.*

Impact of Historic Environment

- *Detracts and destroys historic waterfront legacy of the City.*
- *Detrimental impact on the setting of several listed buildings, including the harbour wall.*
- *Diminishes and harms the character and appearance of the Conservation Area.*
- *Contemporary materials proposed are out of keeping with historic buildings.*
- *Banners have no place on a listed quay.*

Archaeological Impacts

- *Excavation work that will be part of the development may disturb archaeological artefacts.*

Design

- *Design is unsympathetic and an eyesore, with the buildings appearing as sheds.*
- *The chimneys (extracts) from the restaurant kitchens will be unsightly and contribute to air and water pollution.*

Scale of Development

- *Proposal is overdevelopment.*
- *This application is approximately 30% larger than the previous proposal that was rejected, therefore why would this be considered acceptable?*
- *The area of infill is underestimated in the supporting information.*

Precedent of Building over Harbour

- *The application will set a dangerous precedent for building over the harbour.*

Public Access

- *There is no defined public access route through the boardwalk or any guarantee of its status.*
- *Section 6 of the application form appears to indicate that the development will not create a new “public right of way”.*
- *Fails to encourage pedestrian flow around the harbour by concentrating retail activity in to one corner of the harbour.*

Pollution

- *Affects natural habitat and environment of the harbour with noise pollution, air pollution, litter pollution and odour pollution, affecting local species in the water and on land.*
- *Concern about contamination of sea bed.*

Noise

- *The proposal would result in additional late night noise which would disturb existing residents. The noise report identifies that there is already excessive noise in the area.*
- *Noise from the platform will reverberate around the harbour due to echoing caused by the structure sitting above the water.*

Transport, Servicing and Parking

- *The existing narrow, one-way road is already subject to major traffic problems and the development would exacerbate this problem.*
- *The application suggests that large vehicles (10m lorries) will need to negotiate the road and there is a concern about the safety of pedestrians.*

- *No consideration has been given to the impact on parking. There is already insufficient parking in the area.*
- *The highway is already in a poor state of repair and this would only exacerbate the situation. The road should be repaired before further work takes place.*

Economy

- *The applicant has made over-optimistic claims that cannot be supported in terms of the number of jobs that will be created.*
- *There is insufficient information about the jobs to be created.*
- *Jobs created are likely to be part-time, low skilled and low paid.*
- *The applicant's claim that they are acting in the local interest should be disregarded as they have allowed buildings in the area to become derelict.*
- *Detrimental to existing businesses in the area. They are already struggling due to competition from other areas in the city and economic conditions.*

Viability of Development

- *The development is likely to stand empty as no named operators have been detailed.*
- *The development could be a burden to taxpayers if the development decays and Sutton Harbour Holdings go bankrupt.*
- *Is the scheme viable considering the number of empty units in the area?*

Public Safety

- *Will encourage further anti-social behaviour and area is already under-policed.*

Flood Risk

- *Placing piles will disturb the flow of water and could result in flooding or the grounding of boats.*
- *Concerns regarding submitted flood risk assessment.*

Alternative Development Suggestions

- *Guy's Quay and Jamaica House should be refurbished and brought back into use instead of this development going ahead.*
- *The development is unnecessary and a cheaper alternative is possible as highlighted by the Action Group for Sutton Harbour (AGSH) – an alternative cantilevered walkway link which would have the least possible impact on the historic environment. There is public support for the AGSH scheme demonstrated by an AGSH consultation event held in October 2014. Included as attachments to the AGSH letter of objection are details of their proposed alternative scheme, the Local Planning Authority's pre-application letter of response to it and questionnaire results from a consultation event held by the AGSH in October 2014.*
- *Should build a replica of the Mayflower instead to encourage tourism.*

Consultation

- *Local residents were consulted by Sutton Harbour Company but the feedback has not been correctly published by the applicant.*
- *Local residents have not been properly consulted.*

Construction Phase Disruption

- *The construction phase is likely to cause significant disruption to residents.*

Waste

- *Waste management will be difficult, if not impossible, to control.*

Loss of Light

- *Sunlight/natural light will be reduced to buildings and walkways in the area.*

Public Health

- *No provision has been made for smokers.*
- *More food and drink outlets are not required given increasing obesity levels.*

Other matters that have been raised but are not material planning considerations are:

- *The development will devalue my property.*
- *Loss of views from private residence.*
- *Contrary to deeds of surrounding properties and original Act of Parliament in 1847 (and subsequent revision in 1964) forming Sutton Harbour Improvement Company.*

A total of 48 letters of representation were received on the accompanying Listed Building Consent (LBC) application (12/02334/LBC). The comments relating to the LBC are detailed in the LBC 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.

The development plan is the Local Development Framework Core Strategy (adopted 2007) and the Sutton Harbour Area Action Plan (adopted 2008)

The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One: Consultation Draft was approved by Cabinet for consultation purposes on 9 December 2014. As such it is a material consideration for the purposes of planning decisions.

The policies contained in National Planning Policy Framework (the Framework) and guidance in National Planning Practice Guidance (NPPG) are also material considerations which should be taken into account in the determination of planning applications. Due weight should be given to relevant policies in existing and emerging plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Framework provides that the weight to be given to an emerging draft plan is also to be determined according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The Plymouth Plan is at an early stage of preparation.
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given). The draft policies of the Plymouth Plan are currently subject to consultation, although the general direction taken by the plan and key issues and options relating to it have been subject to consultation.

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- Specific policies in the Framework indicate development should be restricted.

City Vision

Plymouth's vision is to be one of Europe's most vibrant waterfront cities where an outstanding quality of life is enjoyed by everyone. This has long been at the heart of policy and plan making in the city. It was included in the Mackay Vision, adopted in the Core Strategy and is now being taken forward into the new Plymouth Plan.

Core Strategy

The adopted Core Strategy contains many policies relevant to this planning application as set out in this report, including the following:

CS01 - Sustainable Linked Communities

CS02 - Design

CS03 - Historic Environment

CS04 - Future Employment Provision

CS12 - Cultural / Leisure Development Considerations

CS13 - Evening/Night-time Economy Uses

CS19 - Wildlife

CS20 - Resource Use

CS21 - Flood Risk

CS22 - Pollution

CS28 - Local Transport Consideration

CS32 - Designing out Crime

CS33 - Community Benefits/Planning Obligation

CS34 - Planning Application Consideration

Core Strategy Area Vision 5 (Sutton Harbour) is particularly relevant and includes the following:

“To consolidate and develop the Sutton Harbour area as an attractive and sustainable mixed-use city quarter creating a unique, high quality environment that will attract investment and new residents.

The Council’s objectives to deliver this vision are:

- 1. To promote the positive mixed-use regeneration of disused or under-used land and buildings, including where appropriate, tall buildings.*
- 2. To conserve and enhance the special historic character of the Barbican, Bretonside and Coxside for future generations - capitalising on historic assets while respecting the character of existing communities, uses, buildings and structures that make the area distinctive.*
- 3. To create a safe, high-quality environment that capitalises on the waterfront setting. This should include a linked network of attractive public spaces including a vibrant, publicly and visually accessible waterfront – enlivened with entertainment, leisure and cultural uses.”*

Sutton Harbour Area Action Plan (2008) (AAP)

The planning policy which has the greatest weight with regards to this proposal is Policy SH06 (Sutton Harbour Heritage Trail) in the adopted Sutton Harbour Area Action Plan (2008):

“The Council will support proposals to deliver and enhance the Sutton Harbour Heritage Trail around the complete length of the harbour including:

- 1. Allowing active uses at ground floor level at appropriate locations, having regard to residential amenity, including a limited number of small scale food and drink kiosks.*
- 2. The review and possible rearrangement of quayside parking to facilitate use of the Heritage Trail whilst safeguarding the operational requirements of the Sutton Harbour Company and other commercial and recreational users.*
- 3. The provision of a new waterfront walkway link connecting Vauxhall Quay to Guy’s Quay and Exchange Street.*
- 4. The removal of quayside structures that do not enhance the special character of the harbour and the creation of a safe, high quality environment.*
- 5. Public realm enhancements through landscaping and improvements to surface treatments.*
- 6. The incorporation of public art and heritage interpretation along the quays.*
- 7. Improvements to the existing Sutton Harbour Heritage Trail Room or the creation of a new high-profile, accessible facility.*

Pedestrians walking around the harbour currently have to detour inland between Exchange Street / Guy’s Quay and Vauxhall as there is no quayside walkway around this part of the harbour. This limits public enjoyment of the waterfront and also discourages people from walking from the Barbican towards the north

and east quays. The policy will help to create an opportunity to complete this missing link in the waterfront walkway around the harbour. The new link route must be designed to be sensitive to the historic quay wall - with a boardwalk or cantilevered walkway structure, for example, but not through infill of the harbour."

Barbican Conservation Area Appraisal and Management Plan (2007) (BCAAMP)

The development site is largely just outside the Barbican Conservation Area boundary, but the development's impact on the latter is a key issue. The Barbican Conservation Area Appraisal and Management Plan (2007) (BCAAMP) was a Supplementary Planning Document which was used as part of the evidence base for the Sutton Harbour Area Action Plan (2008) – the adopted Development Plan Document. As an adopted Development Plan Document, the SHAAP has greater material weight than the BCAAMP, but the BCAAMP is nevertheless a material consideration.

Views to and from Vauxhall Quay and Quay Road are identified as important. The current gap in public access around the harbour's waterfront at the site is illustrated and the document identifies the barrier to public enjoyment of the waterfront presented by car parking at the quay edge. Vauxhall Street itself is identified as a busy road forming a barrier to pedestrian movement in the Conservation Area.

The document supports the principle of a walkway link from Vauxhall Quay to the Exchange Street car park - *"Completion of the harbourside walkway from Vauxhall Quay to Exchange Street would also be highly desirable as an enhancement of public enjoyment of the Conservation Area, though the impact on the listed harbour walls would need very careful consideration."*

Plymouth Plan

The emerging Plymouth Plan will eventually replace the SHAAP. Central to the document is the aspiration to enhance Plymouth as *"an international city, renowned as Britain's Ocean City, harnessing the benefits of the city's outstanding waterfront and maritime heritage."*

Improving access to and along the waterfront and capitalising on waterfront opportunities is a strategic objective in the document and the vision for Plymouth in 2031 is set out:

"Plymouth provides an internationally competitive cultural and visitor offer, optimising the value of existing destinations such as the National Marine Aquarium, Sutton Harbour and the Theatre Royal, and linking them to new destinations such as the Plymouth History Centre, so that the city is recognised as a 'must do' visitor destination on any visit to the UK."

"Plymouth's unique waterfront has been transformed through improvements to public spaces and key heritage assets, such as The Hoe and The Barbican, as well as hosting major events for art, culture and sport."

"Water transport improvements have improved access to and opportunities at key locations such as Mount Batten, Sutton Harbour, Millbay, Royal William Yard, Devonport and Mount Edgcumbe country park."

“The Mayflower 2020 celebrations have created a strong legacy both for the visitor economy and for local people, through improved public realm and waterfront access and lasting economic benefits.”

“Plymouth has built on its reputation for excellent hospitality and food and drink, with major new investment in quality hotels and visitor accommodation.”

“The design of new buildings and of public spaces in the City Centre, along Plymouth’s waterfront and at gateways to the city reflect the quality to be expected from Plymouth’s Britain’s Ocean City status.”

Policy 44 of the Plymouth Plan states that *“Limited retail development may be permitted at the waterfront locations of Millbay and Sutton Harbour provided that they are complementary to the City Centre's prime role and specifically support the visitor economy and the regeneration of these key destinations.”*

Policy 46 of the Plymouth Plan (Managing and enhancing Plymouth’s waterfront) includes the following:

3. *Safeguarding and further enhancing public access to and along the waterfront particularly at the land / sea interface, especially to provide increased opportunity for its enjoyment by people who live in the city's waterfront neighbourhoods.*
4. *Safeguarding water access points along the waterfront*
6. *Improving key waterfront destinations for the local community and to grow the visitor economy, including The Barbican / Sutton Harbour, The Hoe, Millbay and the Royal William Yard.*
7. *Safeguarding and enhancing the natural environment and key historic heritage features, including the city's marine archaeology.*
8. *Ensuring that waterfront development is of high quality design, safeguards the waterfront's primary functions, improves use of and access to underused waterfront sites, delivers marine recreation opportunities where appropriate, and supports the regeneration of waterfront communities.”*

“Sutton Harbour, The Hoe, parts of Millbay and the Royal William Yard are key parts of the waterfront that have been identified for their recreational and visitor role and opportunities will be sought to enhance this function by creating vibrant areas which make full use of their historic features.”

National Planning Policy Framework (2012) (NPPF)

The NPPF is an important material consideration in relation to this planning application and particularly the paragraphs below:

“132. 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.”

“133. 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 loss is necessary to achieve substantial public benefits that outweigh that harm or loss”.

“134. 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 securing its optimum viable use.”

“137. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.”

8. Analysis

Principle

- 8.1 The principle of creating a walkway link over the water from Guy's Quay to Vauxhall Quay is supported by Sutton Harbour Area Action Plan (AAP) Policy SH06 and by the Barbican Conservation Area Appraisal and Management Plan. It is considered that this will create a positive improvement to the Sutton Harbour Heritage Trail and will increase public enjoyment of the waterfront by adding an important, but currently missing, link in the quayside pedestrian route around the harbour. Many objectors agree with the principle of the walkway itself.
- 8.2 Some letters of representation raise objections on the basis that the scheme represents infill of the harbour and is therefore contrary to the AAP. Officers disagree that the proposal represents infill of the harbour. The Boardwalk sits, raised above the water on stilts (piles). Water will clearly be visible beneath and around the Boardwalk and underfoot in places (e.g. through the gantry-like linking walkways).

Uses

- 8.3 It is considered that AAP Policy SH06 also supports the commercial units on the Boardwalk *“The Council will support proposals to deliver and enhance the Sutton Harbour Heritage Trail around the complete length of the harbour including:*
 - 1. Allowing active uses at ground floor level at appropriate locations, having regard to residential amenity, including a limited number of small scale food and drink kiosks.”*
- 8.4 The scale of the proposed commercial units within the scheme has reduced considerably from those in the previous versions of the proposal. The first planning application contained 1,812sqm of retail space. The current scheme contains 725sqm of retail space – less than half that in the original proposal – meaning that it is classed as a minor planning application. Officers consider that the retail units proposed are of a relatively small scale and limited in number and accord with AAP Policy SH06.
- 8.5 The A1 (shop) and A3 (restaurant) uses proposed are considered acceptable in this location with regards to residential amenity. The applicant states that their aspiration is for family-oriented restaurants. The family orientation of the restaurants cannot be secured by condition, but a change of use to a pub, for example, can be controlled as it would require a new planning application for a change of use to A4. Officers consider that any impacts as a result of the proposed uses can be adequately mitigated, including by the proposed conditions as set out below. The external seating areas are set well away from existing residential dwellings.

- 8.6 As well as accepting that the commercial units are enabling development that helps to fund the creation of the Boardwalk, officers consider that the retail units are a positive addition in terms of drawing pedestrian footfall from the busy Quay Road and encouraging pedestrians to enjoy a previously inaccessible stretch of waterfront and allowing them to explore further north and around to the east of the harbour - areas which are currently relatively quiet in terms of activity (there is little in the way of active ground floor frontage along Vauxhall Quay), but important in terms of unlocking Plymouth's vibrant waterfront potential as enshrined in planning policy and the city vision.
- 8.7 The creation of a new ferry / water taxi link is considered to add positively to the critical mass of activity to draw pedestrians to and around the site and will contribute towards the site's role as a destination and the wider Ocean City agenda, tourism and visitor offer.

English Heritage Issues

- 8.8 Extensive negotiations have taken place between officers, English Heritage and the applicant's team with the various versions of this scheme at application and pre-application stage. The applicant has made significant changes to the scale and design of the scheme in an attempt to respond positively to the concerns raised. The applicant also commissioned a Heritage Appraisal and an Urban Design Study in response to requests from English Heritage. The applicant presented their new Sutton Harbour Vision document to English Heritage at the pre-application stage of the current proposal. Sutton Harbour's Vision document shows how the Boardwalk fits within the wider context of the applicant's plans for Sutton Harbour.
- 8.9 English Heritage's consultation response is as follows – *“while we support the proposed bridge between land at Exchange Street and the site, we feel that the proposed piled structure will harm the character and appearance of the Vauxhall Conservation Area [sic], and the settings of the Grade II listed warehouses adjacent to the site whose physical and visual relationship with the water will be diluted. [...] if articulated as part of a wider masterplan it might be possible to demonstrate wider public benefits that outweigh the harm”*. English Heritage have since clarified that they consider that *“the harm is less than substantial”*.
- 8.10 Officers consider that there are plans in place that demonstrate the wider public benefits of the proposal – chiefly the adopted Sutton Harbour Area Action Plan. Officers also consider that Sutton Harbour Holdings' Vision document also sets the wider context and is a helpful document in terms of showing how the proposal will fit with the applicant's plans, including enhancing the Heritage Trail and activity around the harbour and improving public access to the waterfront.
- 8.11 English Heritage's comments invoke the tests of the NPPF. The key NPPF test here is the weighing of “harm” to a heritage asset against the public benefits of the proposal. Officers do not consider that the current proposal results in “harm” or “less than substantial harm”. The only direct impact on a heritage asset is minimal, where the Boardwalk connects with the Grade II listed quayside. It is considered that the detail of how the structure is secured to the quayside can be adequately controlled by condition and is not dissimilar to the connection existing marina pontoons and landing stages already make to the listed quayside in the harbour.
- 8.12 Impacts on heritage assets are indirect – i.e. to the setting of the Barbican Conservation Area and the setting of the adjacent listed buildings. The proposal clearly represents a change to the setting of those assets and a change to the important views identified in the Barbican Conservation Area Appraisal and Management Plan. However, officers consider that this change is positive. It represents another layer in the evolution of Sutton Harbour; just as the creation of the built quaysides was a new layer beyond the historic shoreline along Vauxhall Street; just as the Sutton Jetty was a new layer over the harbour when a railway goods shed

was required during the Steam Age; just as the marina and pontoons are a new layer over the water now. Like many historic harbours, the Sutton Harbour and the Barbican Conservation Area has adapted and changed to as its function has changed and diversified over time. Vauxhall Quay has not been a working quayside for a long time. The function of the harbour has expanded to incorporate more leisure uses in the last few decades. Historic warehouses have been changed to accommodate new uses, different from their original function, including residential and retail. It is considered that the function of this site can also change to accommodate this proposal without detriment to the quality of the Conservation Area or the setting of the adjacent listed buildings. Officers consider that the proposal in fact enhances the Conservation Area in many respects.

8.13 If Members consider that the proposal causes “harm”, officers would argue that this is outweighed by the substantial wider public benefits offered by the proposal, including the following:

- Delivery of improved public access for all along a previously missing link in the Sutton Harbour Heritage Trail as sought by the adopted Sutton Harbour AAP.
- Creation of a new public realm destination and a new experience in terms of being able to walk on a boardwalk with water below.
- Delivery of a new publicly accessible ferry/water taxi service for the benefit of local people and visitors alike - contributing to Plymouth’s Ocean City agenda and tourism offer.
- Repair of the Grade II listed quay wall at Little Vauxhall Quay, which is currently temporarily held up with gabions.
- Resurfacing of Little Vauxhall Quay with reclaimed granite setts (cobblestones) in keeping with historic surfaces in the Barbican Conservation Area.
- Public realm improvements, landscape enhancements and de-cluttering of Vauxhall Quay.
- Contribution of £5,000 towards strategic flood protection work to protect the harbour.
- Contribution of £5,000 towards CCTV surveillance for the site.

Design

8.14 Officers consider that the footprint and massing of the proposed scheme is positive in design terms. The footprint of both the Boardwalk and the retail units has been reduced significantly in response to concerns with the previous planning applications.

8.15 Officers support the concept of separation of the structure from the historic quay walls on Vauxhall Quay and Little Vauxhall Quay. This gives clear definition between old and new and allows the listed quay walls to be seen. The gantry-type linking walkway sections which connect to the main boardwalk reinforce this separation as water will be visible through them below.

8.16 The height of the proposed retail units at Vauxhall Quay has been reduced from two storeys to one storey. This height is considered acceptable, as is the height of the “pavilion” building which is also a single storey structure. At one-storey, the two main retail units result in less change to the historic view from Quay Road towards the site and reveal more of the listed warehouses beyond than the previous scheme.

- 8.17 Parts of the Barbican are characterised by single storey buildings set in front of taller warehouses inland (e.g. the Barbican Glassworks / former fish-market building and Sutton Jetty).
- 8.18 The three-dimensional form of the main two retail units, and their architectural expression, makes obvious reference to the Barbican Glassworks / former fish-market building. The applicant changed the architecture of the buildings to something more traditional in style in response to comments about the previous withdrawn application, which was very futuristic in style, with leaning walls and flat roofs. The applicant has sought to redesign the scheme to make its architecture more sensitive to its Barbican Conservation Area context. Officers consider that the design of the current proposed scheme can be supported. It will be important that the material specification and detailing of the buildings and Boardwalk are completed to a high quality, appropriate for the Conservation Area and this is proposed to be secured by condition.
- 8.19 The scheme was considered by the Devon Design Review Panel on 20/01/15. The Panel were unanimous in their support for the proposal, and this is reflected in the comments in their report as set out above. The Panel's report states that they considered that there is some harm to the historic setting, in reference to the NPPF tests, but that this is "*clearly outweighed by the overall benefit*". The Panel state that their support for the proposal is dependent on the Boardwalk remaining accessible to the public 24 hours a day. A condition is proposed to safeguard public access.

Transport

- 8.20 The principle of improved pedestrian access and the new walkway link is supported in sustainable transport terms and the new ferry / water-taxi link is welcomed. The site lies within convenient reach of public transport facilities.
- 8.21 With regards to the proposed retail units, in total 725 sqm of new A1 and A3 floor area is proposed and considering the nature of the uses that are proposed, the total floor area and the fact that no dedicated off-street car parking is provided, the traffic impacts associated with the proposed development are likely to be minimal and would not give rise to any capacity issues on the local highway network. Officers consider that the peak hour in terms of traffic movements associated with A1-A3 uses is likely to be low and will mainly occur during evenings and weekends. Many of the trips will also be linked to other attractions in the area.
- 8.22 No dedicated off-street car parking is proposed to serve the development with reference being made in the Transport Statement to reliance upon the use of existing public car parking within the area such as Exchange Street etc. and while these car parks are busy at certain times, the impact of these developments on the operation of these car parks is likely to be small.
- 8.23 The applicant states that they will promote the use of the Harbour Car Park to customers. Since the applicant first proposed the idea of the boardwalk, they have increased the opening hours of the Sutton Harbour lock bridge and it now remains open until 11:00pm rather than 9:30pm, allowing people greater access to the Harbour Car Park which has historically been underused at times. For clarification, the applicant cannot be held to these opening hours through planning conditions.
- 8.24 There have also been discussions regarding Travel Planning in the area and given the high demand for existing car parking in the area, it is considered that a Travel Plan should be prepared to advise visitors how to best access the area using alternative modes of transport to the private car and provide information on local car parks in the area.

- 8.25 Vehicle loading and unloading is proposed to take place along the edge of Vauxhall Quay, next to the proposal, which will require the removal of the existing railings and some minor alterations to the existing street furniture adjacent to the proposed development. Some, but not all of this land, is highway maintained at public expense and further details should therefore be submitted of the proposed details to ensure servicing takes place without impacting on local access. Some cycle parking is proposed within the site - up to 11 spaces are proposed.
- 8.26 With regards to transport, officers recommend that the conditions be attached to any grant of consent with regards to the travel plan, cycle provision and provision and use of loading areas.

Relocation of existing car parking along Vauxhall Quay

- 8.27 The applicant states that their intention is to relocate the existing car parking on Vauxhall Quay to other car parking areas under their control, including the Harbour Car Park (formerly known as the Coxside / Barbican Car Park) and to other sites around the quayside. Officers support the aim of moving car parking away from the quay edge to enable pedestrians to enjoy being closer to the waterfront as it is consistent with the Policy SH06 of the Sutton Harbour Area Action Plan.

Environment Agency (EA) Issues

- 8.28 The Environment Agency (EA) issues relate to flood risk and pollution prevention. The EA state that this proposal will be acceptable if;
- i. a Section 106 planning obligation is agreed to secure an appropriate contribution towards a Sutton Harbour Flood Risk Management Strategy,
 - ii. a condition is included on the subsequent permission to ensure that flood resilient construction techniques are incorporated in to the buildings and a flood risk management plan is provided future occupants; and,
 - iii. a condition is included on the subsequent permission requiring the preparation and submission of a pollution prevention method statement to ensure the protection of the water environment.
- 8.29 The applicant has agreed to contribute the sum of £5,000 towards a Sutton Harbour Flood Risk Management Strategy. This is to be included within a Section 106 agreement.
- 8.30 The proposal is located within a defended area of Flood Zone 3 (high probability) but would be defined by the Planning Practice Guidance as a “Less Vulnerable” use in flood risk terms. The EA acknowledges that the principle of this type of development around Sutton Harbour is supported in the Sutton Harbour Area Action Plan. Nevertheless the EA states that, it is still necessary for this type of development to be as safe, resistant and resilient as possible from flooding over its lifetime.
- 8.31 The EA considers that the Flood Risk Assessment has adequately considered the flood risks to the site. The Flood Risk Assessment confirms that the proposed buildings will be at risk of coastal flooding should the Environment Agency flood defences (the Sutton Harbour lock gate) fail to operate correctly.
- 8.32 However, the Sutton Harbour Flood Risk Management Strategy, to which the applicant has agreed to contribute the sum of £5,000, will identify the works required to upgrade the standard of flood defence to ensure that additional protection is provided to protect against rising sea levels associated with the impact of climate change. The strategy will also identify the costs of these works, allowing the EA to identify the amount of Government Flood

Defence Grant in Aid funding that would be available and your Authority to devise a fair contributions scheme for new development around Sutton Harbour to ensure the future costs of the necessary upgrade works can be met.

8.33 To ensure that flood risks to the building are managed appropriately a condition is considered necessary by the EA, to ensure that flood resilient construction techniques are incorporated in to the development and a flood risk management plan is provided for future occupants of the development. Officers recommend inclusion of these conditions in the grant of any planning permission accordingly.

8.34 The proposal is within 1km of the Plymouth Sound Special Area of Conservation, and approximately 1.5km from the Bathing Waters at Plymouth Hoe East and Plymouth Hoe West.

8.35 The EA states that while they do not have any in principle objections to these small-scale works if best working practices are adhered to, it is possible that they may have a local impact:

“We are unsure of the methods and mitigation used with regards to the alteration of the quay wall although stainless steel railings are not a concern. However, should the works involve direct contact with the surrounding water-body, disturbance of sediments should be avoided to prevent the release of contaminants associated with harbour sediments.

Mitigation measures should be put in place to ensure environmental disturbances and pollution incidents do not occur, and should they occur, do not impact water quality.

We advise therefore that method statements for any alteration of the quay wall and piling should be prepared and submitted for review as soon as possible. If this cannot be done prior to the grant of planning permission then we would advise that this matter be covered by a condition.”

8.36 The pollution from sediments issue has also been raised by Natural England and a condition is recommended accordingly.

Natural England Issues

8.37 As well as the sediment from piling issue and the need to mitigate impacts of construction impacts on the Plymouth Sound and Estuaries Special Area of Conservation and the Dartmoor Special Area of Conservation, Natural England has also raised concerns about the noise impact of piling on migratory Atlantic Salmon. It is considered that these matters can adequately be dealt with by means of conditions enabling the piling works methodology to be agreed with Natural England before the development can commence.

8.38 Economic Benefits

8.39 The Council's Economic Development Department supports the proposal and consider that it has potential to offer significant employment and skills benefits and request a condition to secure an “Employment and Skills Strategy”.

8.40 Peter Brett Associates have undertaken an Economic Benefits Statement (Dec 2014) on behalf of the applicant. Officers in the Economic Development Department consider that the methodology underpinning the figures in the Economic Benefits Statement seems robust:

- The A1/A3 premises could generate 50 jobs, including 39 direct jobs (employed in the new units). It could also add an estimated £1.3m in GVA per annum to the Plymouth economy. Once allowances are made for leakage and displacement, the Plymouth economy could benefit from 34 net additional jobs supported by the development and £893,000 in GVA per annum.

- The proposal is part of the overall redevelopment of Sutton Harbour (overall 1,326 gross jobs, of which 900 are new to the Plymouth economy). £34m extra GVA to the Plymouth economy.
- The boardwalk will act as attraction in its own right.
- The Economic Benefits Statement includes letters of support from two consultants, who state they are aware of a number of national brands interested in this development.

8.41 This proposal helps meet key objectives in the Visitor Plan and will assist as an attraction on the build up to Mayflower 2020.

Public Protection Issues

Sale of Alcohol and Entertainment

- 8.42 The proposed uses would require licensing permission for the sale of alcohol and for regulated entertainment, such as music. These licensing processes are separate to the planning application process. Because these separate licenses would be required, it is not necessary to put planning conditions in place to control entertainment or the sale of alcohol. The use of any of the units could not be changed to a pub within the limits of this planning application – a new planning application to add the separate use class A4 would be required. It is not therefore necessary to add a condition in this respect.
- 8.43 It is recommended that a condition be added requiring the submission of a management plan to demonstrate how impacts on the amenity of the local area will be mitigated.

Operating Hours

- 8.44 The operating hours of 7am until midnight are considered to be acceptable for the retail units, provided a satisfactory management plan is put in place. The operating hours for the external seating areas of 8am until 11pm is considered to be acceptable, again subject to an acceptable management plan being implemented. Conditions are proposed to restrict the operating hours accordingly and to require the submission and agreement of a management plan for the external areas.

Ventilation and Other Plant and Machinery

- 8.45 The residential units adjacent to the proposed development are 5 storeys in height and the proposed development is one storey, it is therefore important to mitigate the impact of extract odours or noise on residential amenity.
- 8.46 The applicant has stated that kitchens within the two A3 units will be installed centrally within the two restaurant units and that louver wall panels will be fitted where the kitchen extract ventilation systems will expire, although these are not shown on the submitted plans. As the systems will be installed retrospectively to the development by future unknown tenants, no supporting information on the type of equipment that will be installed, the noise that will be emitted from it, or the odour control systems that will be incorporated within it, have been submitted at this stage. The submitted noise assessment states that the pavilion will have only limited noise emitting plant and due to the extra distance to the nearest residential properties has not been included in the noise assessment.
- 8.47 The consultant's noise assessment recommends a noise mitigation strategy requiring that future tenants of the two A1/A3 units be contracted to ensure the equipment they install does not contribute to noise in the locality above those mentioned within the assessment.

- 8.48 Officers have no control over the contracts that will be issued by the applicant to future tenants of the two A1/A3 units, and no information is available with regard to the operation and equipment at the pavilion. Conditions have therefore been included to ensure that any systems fitted to the two units and the pavilion after the development has been completed do not cause noise or odour problems.
- 8.49 Officers have also required by condition that a noise verification report be submitted once the development is fully operational. This will not only assist the applicant in demonstrating that, not only does the cumulative noise effect of equipment installed by its tenants meets the criteria, but that additional cumulative noise from the upgraded sub-station and any other equipment that may be required, such as drainage pumps, also has no unacceptable impact on the amenity of the area.

Waste Arrangements

- 8.50 Bin storage is shown as integral to the retail units on the proposed plans and this is supported. It is understood that it is the applicant's intention to de-clutter and improve the appearance of Vauxhall Quay and Little Vauxhall Quay from the existing situation, by keeping commercial waste bins off the quayside. This aspiration is welcomed as it will improve the appearance of the Conservation Area. The waste management arrangements can be controlled by the management plan that is proposed as a condition.

Drainage and Toilet Arrangements

- 8.51 It is considered that the drainage and toilet arrangements for the units can be satisfactorily addressed through the Building Control process in the normal way and no conditions are therefore considered necessary in this respect.

Construction Phase Impacts

- 8.52 A condition is proposed requiring the applicant to submit for approval a Construction Environmental Management Plan. It is expected that this will detail measures to control and mitigate construction phase nuisances such as noise. The document will be expected to detail hours of work in line with those found in the Plymouth City Council Code of Practice for Construction and Demolition. Given the marine nature of the site it is considered that piling or other works that are dependent upon the tide will still need to adhere to the recommended timeframe for construction and this should be factored in to any build schedule that is proposed.

Land Quality Observations

- 8.53 A preliminary risk assessment (Red Rock Geoscience, Phase I Geotechnical and Geoenvironmental Desk Study Report, December 2014, Reference: RP5440-v4) has been submitted in support of the application. The recommendation is for a Phase II site investigation to determine the level of contamination of the existing soils on the bottom of the harbour and water quality in order to characterise the site from a geo-environmental perspective and to provide information for an adequate construction and remedial / mitigation plan. Conditions are proposed to support the further necessary site characterisation works, plus any other remediation and verification works that may subsequently be necessary. These conditions detail particular actions and a set of works that will need to be submitted and approved by the local planning authority before any

development takes place. Once an approved remediation strategy is in place (if required) the pre-commencement part of these conditions may be lifted.

Other Issues Raised in Letters of Representation

- 8.54 Material planning issues raised in the letters of representation, but not covered elsewhere in this report are considered below:
- 8.55 *“There is no plan or programme to properly enhance the harbour heritage trail”.* Officers must consider the planning application before them here, rather than the delivery and enhancement of the whole harbour heritage trail. However, it can be noted that Policy SH06 for the Sutton Harbour Heritage Trail is in place in the adopted Sutton Harbour Area Action Plan and the applicant’s own Vision for Sutton Harbour sets out their aspirations for improvements to the route. Officers consider that this proposal will enhance the Sutton Harbour Heritage Trail.
- 8.56 *“Development like this should be concentrated in the City Centre”.* Small scale retail and leisure related development at Sutton Harbour is supported by local planning policy. The Council’s Economic Development Officers have advised that the proposal is not considered to have a negative impact on retail in the City Centre. Officers have included a condition to prevent the two main retail units being combined into one larger retail unit in the future, to safeguard against impacts on City Centre retail.
- 8.57 *“The boardwalk could be constructed without the need for retail development.”* Officers must consider the proposal before them. The applicant states that the retail component is enabling development which helps fund the Boardwalk and the reconfiguration of the marina and that the purpose of the retail is also to draw pedestrian footfall around the harbour. Officers support the idea of active uses on the Boardwalk, to generate activity in a relatively quiet part of the quayside, and to encourage people to enjoy walking around the Sutton Harbour Heritage Trail.
- 8.58 *“Existing empty restaurants should be tackled before new facilities are built”.* Tackling existing empty restaurants is beyond the remit of officers. Officers support the Sutton Harbour Area Action Plan aspiration of enlivening the quayside with active ground floor uses.
- 8.59 *“There are already two places to eat on Vauxhall Quay (the Stables and The Marina Bar) and there is no need for more.”* Officers consider that Vauxhall Quay can benefit from more than two restaurant uses.
- 8.60 *“There is already an excess of licensed premises and restaurants in the area causing side effects for local residents e.g. broken glasses.”* It is considered that the proposed management plan for external areas and the contributions towards improvements in CCTV coverage will help to mitigate negative impacts on local residents.
- 8.61 *“Do not want more chain restaurants.”* The types of restaurant cannot be controlled through the planning process.
- 8.62 *“The development will limit the ability of the harbour to carry out its intended function of “water uses” e.g. by reducing moorings.”* It is understood that Vauxhall Quay itself has limited potential for mooring, particularly at its western corner, because of its relative shallowness. In order to make space for the proposed walkway, the applicant proposes to reconfigure the private marina pontoon arrangement. Any impact on water uses is considered to be outweighed by the wider benefits generated by the scheme, including improved public access to the waterfront.
- 8.63 *“The “beach” in the corner of Vauxhall Quay is protected for the “drying out” of local small fishing boats and the supporting information is incorrect in saying that it is no longer used.”* This issue is

outside the planning process. The applicant says that as harbour authority it directs this activity to the beach on the other side of the harbour near Marrowbone Slip and Shepherd's Wharf.

- 8.64 *"Detrimental impact on commercial fishing activity."* Officers are not aware of any evidence to support the claim that the proposal would have a major or unacceptably negative impact on commercial fishing activity in the harbour.
- 8.65 *"Contemporary materials proposed are out of keeping with historic buildings."* Officers consider that contemporary materials can contribute positively to historic buildings. Officers consider that the use of glass, for example, within the converted historic Barbican Fish Market illustrates a positive precedent.
- 8.66 *"Banners have no place on a listed quay".* It is considered that the use of banners can be appropriate on listed quays if they are designed to be of a suitably high quality – and this is proposed to be controlled by condition.
- 8.67 *"Excavation work that will be part of the development may disturb archaeological artefacts."* Officers consider that any archaeological impacts can be adequately mitigated by condition.
- 8.68 *"Proposal is overdevelopment."* Officers consider that the scale of the development is appropriate for its context.
- 8.69 *"This application is approximately 30% larger than the previous proposal that was rejected, therefore why would this be considered acceptable?"* The current proposal is smaller than the previous planning applications.
- 8.70 *"The area of infill is underestimated in the supporting information."* Officers disagree that the proposal represents infill as discussed above. Officers consider that information submitted by the applicant allows an informed judgement to be made about the acceptability of the proposal in planning terms.
- 8.71 *"The application will set a dangerous precedent for building over the harbour."* Any proposal would be considered on its own merits. The idea of a boardwalk on this particular site is proposed by the adopted Sutton Harbour Area Action Plan.
- 8.72 *"There is no defined public access route through the boardwalk or any guarantee of its status."* Officers consider that the plans indicate a publicly accessible route and that this can be safeguarded by condition.
- 8.73 *"Section 6 of the application form appears to indicate that the development will not create a new 'public right of way'."* Access around much of the harbour is currently by license rather than public right of way. However, officers are keen to ensure the route remains publicly accessible and propose to secure this public access by means of condition.
- 8.74 *"Affects natural habitat and environment of the harbour with noise pollution, air pollution, litter pollution and odour pollution, affecting local species in the water and on land."* *"Concern about contamination of sea bed."* Officers consider that any impacts in relation to these issues can adequately be mitigated by the conditions proposed.
- 8.75 *"The proposal would result in additional late night noise which would disturb existing residents. The noise report identifies that there is already excessive noise in the area."* *"Noise from the platform will reverberate around the harbour due to echoing caused by the structure sitting above the water."* Officers consider that any impacts in relation to these issues can adequately be mitigated by the conditions proposed.
- 8.76 With regards to alternative development suggestions put forward in letters of representation, it is not the purpose of this report to consider alternative proposals. Those proposals would be considered on their own merits were they to be submitted as planning applications.

- 8.77 Representations have made reference to Sutton Harbour Company's own public consultation exercise and question how the feedback from this was published by Sutton Harbour Company. It is not the purpose of this report to comment on the accuracy of that document. In preparing this report, officers have considered the representations made directly in relation to this planning application. This planning application has been subject to appropriate public consultation in the normal way.
- 8.78 "*The construction phase is likely to cause significant disruption to residents.*" It is considered that this can be adequately mitigated.
- 8.79 "*Waste management will be difficult, if not impossible, to control.*" It is considered that waste management can be adequately controlled.
- 8.80 "*Sunlight/natural light will be reduced to buildings and walkways in the area.*" Officers do not consider that the proposal will result in an unacceptable loss of light to buildings and walkways.
- 8.81 "*No provision has been made for smokers.*" The proposal includes external space where provision could be made for smokers. A condition has been added for a management plan for the external areas and an informative sets out that this must include a smoking area management plan to control noise, litter, smoke drift and odour associated with this area.
- 8.82 "*More food and drink outlets are not required given increasing obesity levels.*" The type of restaurants that could potentially form part of the development cannot be controlled through the planning process, but could potentially sell healthy food. The improvements the development makes to the Sutton Harbour Heritage Trail could contribute positively to public health by encouraging exercise in terms of more walking people around the harbour.

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

This proposal is exempt from the Community Infrastructure Levy.

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 have been sought in respect of the following matters:

- Contribution of £5,000 towards CCTV system - agreed with applicant.
- Contribution of £5,000 towards a Sutton Harbour Flood Risk Management Strategy – agreed with applicant.

12. Equalities and Diversities

It is considered that the boardwalk will improve social equity and encourage diversity in the sense that it will allow public access and enjoyment of a stretch of the waterfront that is currently only accessible to private boat owners and marina users.

It will improve the diversity of experience in being the only publicly accessible boardwalk in Sutton Harbour where everyone can enjoy the experience of walking on a timber structure with water visible below - the only similar experience being for users of the marina pontoons and the existing Sutton Jetty boardwalk, both of which are private.

13. Conclusions

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.

As well as accepting that the commercial units are enabling development that helps to enable the creation of the Boardwalk, a key proposal in the Sutton Harbour Area Action Plan (2008), officers consider that the retail units and ferry/water-taxi facility are a positive addition in terms of drawing pedestrian footfall from the busy Quay Road and encouraging pedestrians to enjoy a previously inaccessible stretch of waterfront and allowing them to explore further north and around to the east of the harbour - areas which are currently relatively quiet in terms of activity but important in terms of unlocking Plymouth's vibrant waterfront potential as enshrined in planning policy and the city vision.

Officers consider that the scheme will be a positive addition to the Barbican Conservation Area and do not consider that the proposal results in "harm" to heritage assets in terms of the tests of the NPPF. If any harm did exist it would be less than substantial and outweighed by the wider public benefits the scheme will deliver as outlined above.

13. Recommendation

In respect of the application dated **11/12/2014** and the submitted drawings 12710 L01.02 F (Proposed Site Plan), 12710 L02.01 D (Ground Floor Plan), 12710 L02.02 B (Pavilion Floor Plan), 12710 L03.01 D (Section AA), 12710 L04.01 D (Proposed North & East Elevations), 12710 L04.02 D (Proposed South & West Elevations), 12710 L04.04 K (Pavilion Elevations), 12710 L04.11 (Existing & Proposed Substation), 12710 L06.01 (Quay Connection Detail 1), 12710 L06.01 A (Proposed Refuse Stores Plan), 12710 C01/FIX 01.01, 1530 - Weaver Casting Drawing, Design & Access Statement, it is recommended to: **Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 30/04/2015**

14. Conditions

CONDITION: 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.

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 12710 L01.02 F (Proposed Site Plan), 12710 L02.01 D (Ground Floor Plan), 12710 L02.02 B (Pavilion Floor Plan), 12710 L03.01 D (Section AA), 12710 L04.01 D (Proposed North & East Elevations), 12710 L04.02 D (Proposed South & West Elevations), 12710 L04.04 K (Pavilion Elevations), 12710 L04.11 (Existing & Proposed Substation), 12710 L06.01 (Quay Connection Detail 1), 12710 L06.01 A (Proposed Refuse Stores Plan), 12710 C01/FIX 01.01, 1530 - Weaver Casting Drawing, Design & Access Statement.

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, and paragraphs 61-66 of the National Planning Policy Framework 2012.

Pre-commencement Conditions

PRE-COMMENCEMENT: CONTAMINATED LAND

(3) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation shall not take place until sections 1 to 3 of this condition have been complied with. If unexpected contamination is found after development has begun, 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 section 4 of this condition has been complied with in relation to that contamination.

Section 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall 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
- 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'.

Section 2. 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 shall 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.

Section 3. Implementation of Approved Remediation Scheme

The approved remediation scheme shall 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 the replaced 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.

Section 4. 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 shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section 1 of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 2, 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 section 3.

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, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 – 123 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: SURFACING MATERIALS

(4) No development shall take place until details of all materials to be used to surface external areas 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, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: PROGRAMME OF ARCHAEOLOGICAL WORK

(5) Unless otherwise agreed in writing by the Local Planning Authority, no part of the development allowed by this permission shall be commenced until the applicant (or their agent or successors in title) has completed a programme of archaeological work, in accordance with a written scheme of investigation that has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme.

Reason:

The site is considered likely to contain archaeological deposits that warrant appropriate investigation and/or recording in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: EMPLOYMENT AND SKILLS STRATEGY

(6) No development shall take place until an Employment and Skills Strategy has been submitted to and approved by the Local Planning Authority. The Employment and Skills Strategy should demonstrate how local people and local businesses will benefit from the development in terms of job opportunities, apprenticeship placements, work experience opportunities, business supply chain opportunities and other employment and skills priorities. The Employment and Skills Strategy should cover both the construction and operation of the development.

Reason:

To ensure that local people and businesses benefit from development within the City in accordance with the Council's growth agenda and Strategic Objective 6 and Policy CS04 of the Plymouth Local Development Framework Core Strategy (2006-2021).

PRE-COMMENCEMENT: HABITAT ENHANCEMENT

(7) Unless otherwise agreed in writing with the Local Planning Authority, no development shall take place until an Ecological Enhancement Scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with a timetable forming part of the submitted scheme.

Reason:

To ensure wildlife habitats are protected, to comply with Policies CS19 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 118 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: PROVISION OF LOADING AREA

(8) No development shall take place until details of the alterations to the layout, street furniture, materials and waiting restrictions on Vauxhall Quay associated with the provision of the new loading area have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the details of such work have been agreed in writing and completed in accordance with the approved details.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PRE-COMMENCEMENT: FLOOD RESILIENCE AND MANAGEMENT

(9) No development approved by this permission shall commence until a scheme to minimise flood damage to all the permitted buildings utilising flood resilient construction techniques to an appropriate level has been submitted to and approved in writing by the Local Planning Authority.

Prior to first use of each building it shall be demonstrated to the satisfaction of the Local Planning Authority that the agreed measures have been completed and a Flood Risk Management Plan has been created for the future occupants of the building that includes information on the flood risks and details of the installed flood risk measures.

The flood risk measures agreed by this condition shall be maintained over the lifetime of the development.

Reason:

To minimise and manage the impact of flooding to the building and its occupants in accordance with Policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PRE-COMMENCEMENT CONDITION: POLLUTION PREVENTION METHOD STATEMENT

(10) No development shall take place until a working method statement to cover all works to the quay wall and within the harbour basin has been submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority.

Reason:

To prevent pollution of the water environment in accordance with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PRE-COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

(11) Unless otherwise agreed in writing by the Local Planning Authority, prior to commencement of the development the applicant must submit for approval a Construction Environmental Management Plan. It is expected that this will detail measures to mitigate construction impacts on the Plymouth Sound and Estuaries Special Area of Conservation and the Dartmoor Special Area of Conservation as well as measures to control and mitigate construction phase nuisances such as noise. The document will be expected to detail hours of work in line with those found in the Plymouth City Council Code of Practice for Construction and Demolition.

Reason:

To mitigate pollution impacts on the environment in accordance with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Pre-occupation Conditions

PRE-DAMP-PROOF-COURSE-LEVEL: LIGHTING DETAILS

(12) No development shall take place above damp-proof-course level until details of the external lighting scheme have been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be fully implemented before any building is first occupied and henceforth permanently maintained for the occupiers of the site.

Reason:

To ensure that adequate external lighting is provided for future occupiers of the site [and that it does not interfere with navigation], in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 125 of the National Planning Policy Framework 2012.

PRE-DAMP-PROOF-COURSE: ELEVATION AND ROOF MATERIALS

(13) No development shall take place above damp-proof-course level until details of the materials to be used in the construction of the elevations and roofs of the buildings 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, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

PRE-OCCUPATION CONDITION: OPERATIONAL MANAGEMENT PLAN

(14) Unless otherwise agreed in writing with the Local Planning Authority, prior to the first operation of any individual commercial aspect of the development by any operator, that operator must submit for approval to the Local Planning Authority a management plan in respect of the commercial aspect under their control within the development to which this grant of consent applies. The following information must be provided in full;

- Overview of proposed activities that will be undertaken at the unit both internally and externally including activities such as primary and ancillary uses, and details of proposed entertainment, events, etc.
- Details of the management of the outdoor seating area to control noise and in particular noise from the movement of outdoor furniture, use of furniture by patron, general noise made by patrons, glass policy, etc.
- The proposed time, duration and frequency of any entertainment, events, operation of external areas, operation of plant machinery and equipment installed, etc., and how noise and disturbance from these activities will be controlled.
- Details of the proposed maximum number of patrons for the venue, and whether this is seated and/or standing.
- Details of how arrivals and departures of patrons will be managed, including signage and the arrangements for taxi provision.
- Details of where and when deliveries to the premises will be made and how deliveries will be managed.
- Details and arrangements for the management of refuse disposal, and the refuse collection arrangements.
- Details of any proposed smoking area for patrons, and control of noise, smoke drift and odour associated with this area.
- A pest prevention plan (to include gulls) for any outside seating area to be used in conjunction with the commercial unit.
- A litter prevention plan for the outside seating area, and in particular how articles will be prevented from entering the adjacent water either intentionally or unintentionally.
- Details of the complaints handling procedure.
- Any other appropriate actions relating to the commercial operation as necessary.

Reason:

To protect the residential and general amenity of the area from odour and/or noise emanating from the operation of any plant, machinery and equipment installed and from disturbance or nuisance caused by the general operation of premises within the commercial aspect of the development and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007

PRE-OCCUPATION - TRAVEL PLAN

(15) The building hereby permitted shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The said Travel Plan shall seek to encourage staff and all site users to use modes of transport other than the private car to get to and from the premises. It shall also include measures to control the use of the permitted car parking/loading areas; arrangements for monitoring the use of provisions available through the operation of the Travel Plan; and the name, position and contact telephone number of the person responsible for its implementation. From the date of [the commencement of the use][occupation] the occupier shall operate the approved Travel Plan.

Reason:

The Local Planning Authority considers that such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007. The applicant should contact Plymouth Transport and Infrastructure for site-specific advice prior to preparing the Travel Plan.

PRE-OCCUPATION: CYCLE PROVISION

(16) The buildings shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 11 No bicycles to be securely parked. 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 CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Other Conditions

CONDITION: PUBLIC ACCESS

(17) The boardwalk, and the pedestrian routes across it, shall remain free, open and accessible for the benefit of all members of the public at all times throughout the life of the development, unless temporary closure is necessary in special circumstances, such as for essential maintenance and subject to the operational requirements of the statutory harbour authority.

Reason:

In the interest of safeguarding improved public access to and along the waterfront in accordance with Policy CS01 of the Plymouth Local Development Framework Core Strategy (2006-2021) and Policy SH06 of the Sutton Harbour Area Action Plan (2008).

CONDITION: RESTRICTIONS ON PERMITTED DEVELOPMENT

(18) Notwithstanding the provisions of Article 3 and Classes A, B and C of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no enlargements, improvements or other alterations, including to the roof, shall be constructed to the development hereby approved.

Reason:

In order to ensure the design of the proposed development remains of an appropriate quality for the Barbican Conservation Area in accordance with Policies CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120-123 of the National Planning Policy Framework 2012.

CONDITION: OPENING HOURS

(19) The use hereby permitted shall not be open to customers outside the following times: 0700 hours to 0000 hours.

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, and paragraph 123 of the National Planning Policy Framework 2012.

CONDITION: HOURS OF USE OF EXTERNAL AREAS

(20) The external seating areas shall not be used for the consumption of food or drink outside the hours of 0800 to 2300 on any day.

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, and paragraph 123 of the National Planning Policy Framework 2012.

CONDITION - ODOUR FROM KITCHEN EXTRACTS

(21) Prior to the installation of any mechanical kitchen extract ventilation system, a scheme for the installation of the associated equipment to control the emission of fumes and odour from the premises shall be submitted for approved to the Local Planning Authority and the approved scheme shall be implemented. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason:

To protect the residential and general amenity of the area from odour emanating from the operation of any mechanical extract ventilation system and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CONDITION - NOISE FROM FIXED PLANT

(22) The cumulative noise emanating from all fixed plant and machinery from the commercial units, including but not limited to fans, kitchen extract ventilation equipment, air-conditioning equipment, refrigeration condensing equipment, etc., shall not exceed the levels including the character and tonalities of the noise as prescribed in the applicants Environment Noise Assessment, document report reference 5672/pja determined at any nearby noise sensitive residential properties.

- Opening Hours Plant 48-5 = 43dB LA90

- Non-opening Hours Plant 42-5 = 37dB LA90

The measurements and assessment shall be made in accordance to BS 4142:2014. If the noise levels are identified as exceeding this level during the stipulated hours, then noise mitigation measures shall be implemented on site within 28 days of the noise level recording, in accordance with details which shall have been submitted to and agreed in writing by the Local Planning Authority.

All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason:

To protect the residential and general amenity of the area from noise emanating from the business and to comply with policies CS22 and CS34 of the adopted City of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CONDITION: VERIFICATION NOISE REPORT

(23) The applicant shall submit to the Local Planning Authority for approval a Noise Verification report to demonstrate that the combined fixed plant from the development meets the required standards as set out in the Condition relating to "Noise from Fixed Plant." The report should be submitted no later than 3 months from the commencement of operations of the two A3 units and the pavilion. Should the two units and the pavilion not all be in operation 6 months after granting of the permission the applicant should contact the LPA to discuss submission of an interim report.

The report should be carried out by a suitably qualified person and should show via measurement and calculation that the relevant levels have been achieved.

Reason:

To verify that the fixed plant meets the required noise standards as set out in the Condition "Noise from Fixed Plant"

CONDITION: USE OF LOADING AREAS

(24) The land indicated on the approved plans for the loading and unloading of vehicles shall not be used for any other purposes unless an alternative and equivalent area of land within the curtilage of

the site is provided for loading and unloading with the prior consent in writing of the Local Planning Authority.

Reason:

To ensure that space is available at all times to enable such vehicles to be loaded and unloaded off the public highway so as to avoid:- (i) damage to amenity; (ii) prejudice to public safety and convenience, and (iii) interference with the free flow of traffic on the highway; in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CONDITION: RETAIL UNITS MUST NOT BE COMBINED

(25) The retail units at Vauxhall Quay must remain as two individual retail units and must not be combined to make one larger retail unit.

Reason:

To safeguard the primacy of the City Centre in Plymouth's retail hierarchy in accordance with Policy CS07 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Informatives

INFORMATIVE: CONSTRUCTION CODE OF PRACTICE

(1) The Construction Environmental Management Plan shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web pages, and shall include sections on the following:

- a. Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information;
- b. Proposed hours of operation of construction activities and of deliveries, expected numbers per day and types of all construction vehicles and deliveries, routes of construction traffic to and from the site (including local access arrangements, timing of lorry movements, and weight limitations on routes), initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, location of wheel wash facilities, access points, location of car parking for contractors, construction traffic parking, details of turning facilities within the site for site traffic and HGVs, and a scheme to encourage public transport use by contractors; and
- c. Hours of site operation, dust suppression measures and noise limitation measures.

INFORMATIVE: CONTAMINATED LAND - WARNING

(2) There is a possibility that the site is contaminated due to previous activities on the land. The responsibility for the safe development and secure occupancy of the site rests with the developer. The Local Planning Authority has determined this application on the basis of the information available to it at the time, but this does not mean that the land is free from contamination.

INFORMATIVE: RESIDENT PARKING PERMIT SCHEME

(3) 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.

INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)

(4) 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 negotiated amendments to the application to enable the grant of planning permission.

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PLANNING APPLICATION REPORT



Application Number 14/02334/LBC

Date Valid 11/12/2014

Item 6.5

Ward St Peter & The Waterfront

Site Address

VAUXHALL QUAY PLYMOUTH

Proposal

Installation of boardwalk and commercial units with alterations to quay wall and quayside to accommodate service and associated pedestrian access, works to substation, installation of pontoon and associated works

Applicant

Sutton Harbour Services LTD

Application Type

Listed Building

Target Date

27/02/2015

Committee Date

Planning Committee: 12 February 2015

Decision Category

Assistant Director of Strategic Planning and Infrastructure Referral

Case Officer

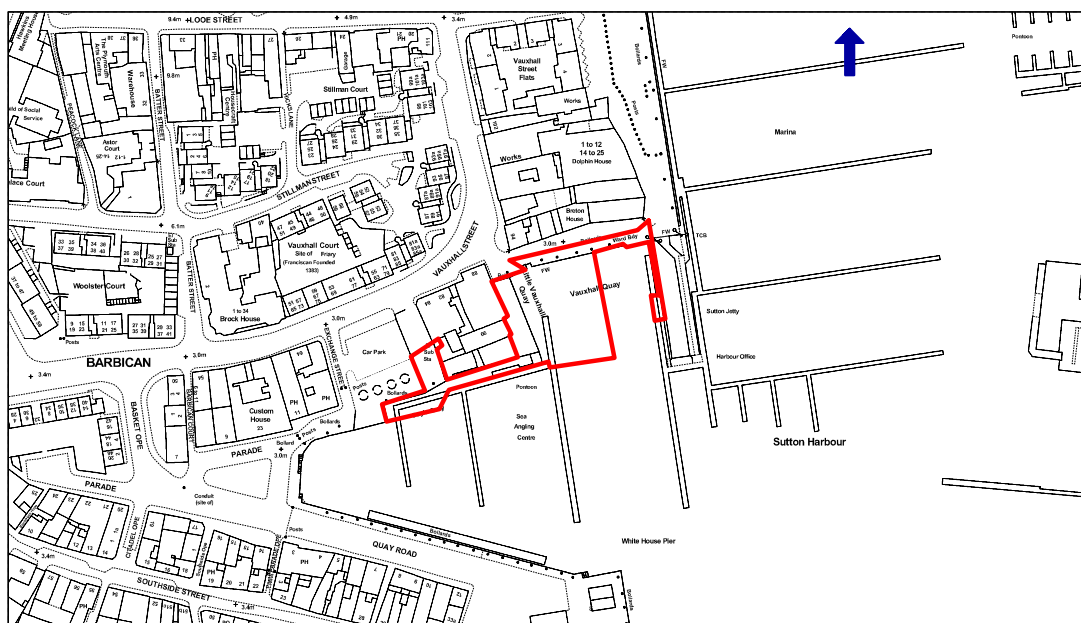
Matt Coombe

Recommendation

Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 30/04/2015

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This planning application has been referred to Planning Committee by the Assistant Director for Strategic Planning and Infrastructure because of the level of public interest in this proposal.

1. Description of site

The site is located within and adjacent to the Barbican Conservation Area at Sutton Harbour and extends west from Guy's Quay in front of the Exchange Street Car Park, to Vauxhall Quay at the east. It includes areas of open-water, marina berths, pontoons, as well as hard landscaped areas of the quayside. The water in Vauxhall Quay is understood to be relatively shallow and a small beach is visible at the northwest corner, particularly at low tide.

Vauxhall Quay forms an existing vehicular and pedestrian link inland west to Vauxhall Street, which in turn links towards Bretonside, Exeter Street and the eastern side of the City Centre. To the east the quayside continues into Sutton Wharf, which links to North Quay and the East Quays of Cossida.

Vauxhall Quay faces south and is bounded to the north partly by Grade II listed historic warehouse buildings and a pub. The warehouses have been converted to flats, with garages on their ground floors fronting the quayside.

The western side of Vauxhall Quay is fronted by Little Vauxhall Quay. West of Little Vauxhall Quay is a block of buildings which include a bar/restaurant, dive shop, nightclub, offices and Jamaica House, the Grade II listed former Barbican Antiques building and an electricity sub-station.

To the east of the site is Sutton Jetty, an existing boardwalk structure, with a single storey building on top. Sutton Jetty formerly contained a railway goods shed, and now includes sales offices for Princess Yachts.

The quay itself is a Grade II listed structure.

2. Proposal description

The proposal is for a boardwalk over the harbour, providing a pedestrian link over water from Guy's Quay at the west to Vauxhall Quay at the east – a stretch of waterfront which is currently inaccessible to pedestrians walking around Sutton Harbour's quayside. The boardwalk is proposed to sit above a grid of piled columns set in the harbour bed, similar to the piles used for the existing marina pontoons and freestanding from the existing quayside. The applicant's intention is for the boardwalk to appear as separate from the historic quay wall and areas of open water have been retained around the larger pontoon deck at Vauxhall Quay. Walkway links to this deck are proposed to be gantry-like surfaces through which the water below will be visible. The boardwalk itself is proposed as a timber structure created with anti-slip decking boards.

Where access is provided from the existing quayside, the proposal is that existing cast iron railings are removed, altered and made good. The proposed stainless steel and mesh railings for the new boardwalk are proposed to abut the existing railings, but not join them, to emphasise the difference between new and old.

On top of the boardwalk structure, the applicant proposes three "family orientated" commercial units to contain A1 (retail) and A3 (restaurant) uses. Two single storey units containing 325sqm of retail space are proposed to the west of the site at Vauxhall Quay. One smaller single storey "pavilion" unit with 75sqm retail space is proposed at Guy's Quay at the western entryway to the boardwalk.

Adjacent to the existing Sutton Jetty boardwalk, is a proposal for a new publicly accessible landing stage accessible from Vauxhall Quay. The applicant proposes that this will serve a new ferry link to other waterfront sites around Plymouth, such as Commercial Wharf and Royal William Yard.

It is proposed that car parking be removed from the quayside as part of this application, along with the signage and chain barriers related to the parking, with the quay finish being made good.

The applicant proposes to repair and enhance Little Vauxhall Quay as part of this scheme, to bring it to a standard that is in keeping the best of the historic quayside. Little Vauxhall Quay is currently shored up with gabions – a temporary repair. It is proposed that reclaimed granite setts (often referred to as cobbles) be used resurface the quayside to reflect historic surfaces elsewhere in the Barbican. The marina gate and pontoon access to the end of this quay is proposed to be relocated.

Along Little Vauxhall Quay, two flag banners are proposed, together with a new bench. On Vauxhall Quay, it is proposed that three existing street lamps are adapted to receive banners, and that two new benches, and four cycle stands be installed.

The proposals also include the replacement and upgrading of the existing electricity sub-station located at the rear of Grade II listed Jamaica House, adjacent to the Exchange Street Car Park.

3. Pre-application enquiry

Further to the applicant's decision to withdraw the previous two planning applications officers had pre-application discussions with the applicant's team including measures to address issues raised by English Heritage and the Design Review Panel.

4. Relevant planning history

Two previous planning applications were submitted for earlier versions of this proposal on this site. The first on the 23rd January 2013 and the second on the 5th September 2013, both were withdrawn before a decision had been reached:

13/00116/FUL & 13/00118/LBC - New boardwalk with 4 two-storey retail units and 3 one-storey retail kiosks - WITHDRAWN

13/01675/FUL & 13/01676/LBC - New boardwalk with 4 two-storey shop / restaurant / café units (A1 / A3) and 2 one-storey shop / hot food takeaway (A1 / A5) units and associated works - WITHDRAWN

Both previous applications raised concerns about design and layout from various parties. The second planning application was presented to the South West Design Review Panel. In response to comments from Design Panel, the Council, English Heritage, local residents, businesses and other stakeholders, the applicant decided to withdraw and revise the proposal.

5. Consultation responses

Highways Authority

No objection, subject to conditions.

Public Protection Service

No objection, subject to conditions.

Police Architectural Liaison Officer

No objection. Contribution of £5,000 towards CCTV system agreed with applicant.

Environment Agency

No objection, subject to conditions. Contribution of £5,000 agreed with applicant towards a Sutton Harbour Flood Risk Management Strategy

English Heritage

English Heritage comment as follows:

“We have commented previously on similar proposals for this site, and remain of the view that construction of built form within a significant portion of Plymouth’s earliest surviving harbour will have a harmful effect. We acknowledge that the proposed buildings are significantly reduced in scale and massing than those previously tabled, but this does not address the fundamental issue that introducing built form into a historic harbour where a view of water would be expected will have a harmful effect.

Unfortunately the consultation for this application has been received immediately before the Christmas break, and I am unable to offer detailed comments and analysis without first having had the benefit of a site visit. However, our initial view is that while we support the proposed bridge between land at Exchange Street and the site, we feel that the proposed piled structure will harm the character and appearance of the Vauxhall Conservation Area [sic], and the settings of the Grade II listed warehouses adjacent to the site whose physical and visual relationship with the water will be diluted.

We have long expressed an ambition to see a masterplan for the Sutton Harbour and Barbican area. Viewed in isolation, these proposals are damaging to the historic environment with insufficient justification for that harm. However, if articulated as part of a wider masterplan it might be possible to demonstrate wider public benefits that outweigh the harm. Unfortunately this is not the case at present.”

Natural England

Request further information about construction impacts on the Plymouth Sound and Estuaries Special Area of Conservation and the Dartmoor Special Area of Conservation.

The Devon Design Review Panel

The planning application was considered by the Devon Design Review Panel on 20/01/15 and the comments from their report are as follows:

“The clear and concise presentation was welcomed by the Panel. The Panel also welcomed the thoroughness of the information provided in advance of the session, including the Urban Design Analysis and Heritage Appraisal.

Generally, subject to the comments made within this report being addressed, the Design Review Panel is very supportive of the proposals.

The Panel recognised and supported the aspiration to create better city links to the waterfront and to help to draw footfall towards the east Quay. The aspirations to create links and wider waterfront interconnectivity, for example between Sutton Harbour, the Barbican and the Royal William Yard were also strongly supported. The Panel felt that the proposed family friendly usage was appropriate and that this was evident in the proposed form and aesthetic of the design. It was considered that the proposed development may have a positive impact upon existing businesses in the vicinity as well as the neighbouring built form, as the development would most likely increase footfall and demand for other activities. As a result the Panel felt

that, appropriate, development of this type may act as a positive catalyst to ensure the long term prosperity and therefore conservation of the historic setting.

It was felt by the Panel that whilst there would be some harmful impact on the historic setting, this was clearly outweighed by the overall benefit. Therefore the Panel advised that it felt the proposals were acceptable in regards to the historic setting.

The Panel was particularly supportive of the aspiration for the proposals to act as a catalyst for the creation of a 'history trail' throughout the harbour.

In regard to the form and design of the proposals, the Panel suggested that the proposals would benefit from a simplification of the proposed built form, particularly in relation to the design of the roof. It was suggested that the removal of the proposed roof lantern should be investigated.

Notwithstanding the historic and conservation considerations, careful detailing and high quality materials were advised to be crucial to the success of the proposals. It was felt that the proposals may act as a catalyst to other development within the harbor and as such should be of an extremely high quality in order to set the minimum standard. Consideration should be given to the proposals coastal location in terms of weathering and maintenance when specifying and detailing materials.

Whilst the Panel felt that the overall design was appropriate, it was advised that it may be beneficial to the overall design for the proposals to incorporate a contemporary twist in regards to detailing and materials. In particular the highly glazed nature of the proposals was supported, as this resulted in a simple, elegant and contemporary form, that allowed for sight of the activity within.

The Panel was supportive of the 'lightness of touch' approach described by the applicant in regard to the historic fabric of the surroundings and felt that, subject to appropriate detailing, this could constitute a repair and be of benefit to the existing fabric.

Appropriate external lighting design was also advised to be a crucial consideration and it was felt that this would be a key factor to assess the success of the proposals. Appropriate lighting design would also ensure any concerns in regards to the creation of antisocial spaces were addressed.

The Panel recognised the constraints in regard to moorings, however suggested that the proposals would benefit from widening the boardwalk where possible to ensure that there was room for external table and chairs as well as for pedestrians.

As above, the Panel supported the creation of improved links across the harbour and improved access to the waterside. Therefore the Panel advised that their support for the proposals is dependent upon the boardwalk remaining accessible 24hrs a day to the public, and not just be accessible to customers visiting the proposed units.

The stated aim to incorporate the provision of locally sourced public art was strongly supported by the Panel and the applicant was encouraged to engage with local artists to ensure a sense of local cultural identity and distinctiveness.

It was suggested that the proposals would result in the simplification of 'street clutter'/street furniture and this was supported by the Panel, as it was considered to be of benefit to the wider setting.

Based upon the information presented, the Panel did not consider that the proposals would result in any significant ecological harm. However it was advised that there may be an opportunity to incorporate elements within the design to encourage greater biodiversity around the proposal site. In particular the Panel advised the incorporation of habitat boxes to encourage birds such as swifts and house martins.

SUMMARY OF RECOMMENDATIONS

In summary the main recommendations of the Panel were:

- Generally subject to the comments within this feedback document being addressed the Panel is very supportive of the proposals

- The Panel supported the aspiration to create better city links to the waterfront, to help to draw footfall towards the east key and to create wider waterfront interconnectivity
- The proposed family friendly usage was evident in the proposed & aesthetic of the design, which was supported
- There would be some harmful impact on the historic setting, however it was considered that this was outweighed by the overall benefit
- The proposals would benefit from a simplification of the proposed built form, particularly in relation to the design of the roof
- Careful detailing & high quality materials were advised to be crucial to the success of the proposals
- It may be beneficial to the overall design for the proposals to incorporate a contemporary twist in regards to detailing & materials
- The 'lightness of touch' approach described by the applicant in regard to the historic fabric of the surroundings was supported
- Appropriate external lighting design would be a key factor to assess the success of the proposals & may help to avoid the creation of anti-social spaces at night
- Proposals would benefit from widening the boardwalk where possible
- Support for the proposals is dependent upon the boardwalk remaining publicly accessible 24hrs a day
- The stated aim to incorporate the provision of locally sourced public art was strongly supported by the Panel
- Opportunity to incorporate habitat boxes for birds such as swifts and house martins"

Marine Management Organisation (MMO)

The applicant reports that an updated marine licence application was submitted to the MMO and accepted on 19/12/14 (reference MLA/2013/00462).

6. Representations

A total of about 460 letters of representation have been received in respect of this planning application. A small number of duplicate representations have been received – about the same in number for and against the application. A relatively small number of representations include comments for or against the application. With such representations, officers have made a judgement about whether these are overall for or against the application.

Approximately 190 letters support the application and the comments within them can be summarised as follows:

Plans, Visions and Strategies

- Complies with the Council's aim to become one of Europe's finest waterfront cities, as envisaged in the Mackay Vision, Core Strategy and draft Plymouth Plan.
- Designed to take in to account Sutton Harbour Area Action Plan (2008) and Barbican Conservation Area Management Plan (2007).

Land Use

- Delivers efficient use of land as the area is physically constrained for mooring, specifically at low tide.

Historic Character

- *Repairs and enhancements to the historic quayside together with the removal of street furniture will enhance the character and setting of historic buildings and structures.*

Design

- *Great addition to the area that has been tastefully designed and will make it more attractive.*
- *Design has been amended to respond to the concerns raised in previous applications in consultation with the council, ward councillors and other statutory consultees. The design is now in keeping with the locality.*

Public Access to Waterfront

- *Improves access to the waterside by providing an accessible waterfront walkway which will help Sutton Harbour to feel less isolated.*
- *Provides new signposting and interpretation of heritage trails and assets to help highlight the Harbour's principle role in Plymouth's colonial past and global maritime heritage.*
- *Helps the elderly and disabled to access the waterfront as they may find it difficult on the cobbles in the Barbican.*
- *Promotes a seamless walkable positive experience, linking the blue, the city centre and the green space, for both residents and visitors alike.*
- *Will complement the facilities being proposed for Bretonside, providing a link between the Waterfront and the City Centre.*
- *Improves links and integration between the commercial fishing port and tourist infrastructure.*

Image of Area

- *Will help to raise status of the area so it can compete with the Royal William Yard.*
- *Celebrates the naval and fishing heritage of the city.*
- *Focus on family-oriented operators supports the aspirations of bodies such as Plymouth Waterfront Partnership to make areas of the Barbican and Sutton Harbour more attractive to families.*

Transport

- *New cycle facilities will be incorporated in to the development.*
- *Will tie-in with the new cycle bridge across Laira Bridge.*
- *Located in close proximity to the bus hub on Royal Parade.*

Water Transport

- *Water accessibility will be further improved by the introduction of a ferry which will launch from the boardwalk, supporting the recommendations of the Tamar Estuaries Consultative Forum report in 2004 "Plymouth Sound and Estuaries Water Transportation Study" which will link in with Mountbatten and Royal William Yard ferry services.*
- *The development will provide better water-borne access.*

Economy and Tourism

- *Will bring financial investment and improve the visitor experience.*
- *Will improve the status of “Britain’s Ocean City” and help secure other international events such as the America’s Cup and Solitaire du Figaro, which have taken place in the city.*
- *Helps to support existing businesses and charitable organisations through increased footfall.*
- *Helps to attract further leisure and business use to Sutton Harbour and the wider City.*
- *Will regenerate the waterfront, creating jobs and increasing tax base.*
- *Will act as a catalyst for further investment and delivery of the Harbour Vision.*
- *Good if brown road signs will now be erected for “The Barbican” following this development.*
- *Will strengthen the economy of the wider South West.*
- *Supports the Mayflower 400 celebrations.*

Public Safety

- *CCTV and other initiatives will be included as part of the proposal to create a safe and secure environment.*

In some letters of support some additional comments have also been raised as detailed below:

- *Concern about noise to existing office accommodation.*
- *Is the local road infrastructure going to support this? If so, how?*
- *Car parking is already extremely difficult. Is this going to put even more pressure on a system where I can already only park for a maximum of 3 hours, or face paying?*
- *Will the boardwalk become a hazard when wet (slipping). I would like to see how this has been taken into account?*
- *Are the restaurants going to be severely overpriced in the same way as the Royal William Yard, thereby excluding most of the residents of Plymouth?*
- *Some of the artistic interpretation drawings do not appear to show Salt Quay House. Is it the intention that this building is removed?*
- *What is meant by a “pavilion”? Might it be a nice idea to have somewhere for folk to sit and take in their surroundings without having to be in a restaurant?*

The Action Group for Sutton Harbour (AGSH) have submitted a letter of representation which includes an attachment of 41 questionnaire forms completed by people who attended AGSH’s own consultation event considering alternative options for the site. The AGSH representation is treated as a single letter of representation and the issues within it are considered below.

Approximately 270 letters object to the application and the comments within them can be summarised as follows:

Planning Policy

- *The application is contrary to Policy SH06 of the Sutton Harbour Area Action Plan (AAP) as the walkway will be achieved by harbour infill.*
- *There is no policy support for the commercial development, although there is for the walkway.*

- *The site is not included in the AAP and there is no policy basis for commercial infilling of the harbour, especially for non-marine related development.*
- *The applicant's interpretation of the NPPF is questioned – there are no public benefits to this scheme.*
- *The application is contrary to Core Strategy Policy CS03 (Historic Environment).*
- *The platform will block a lot of the public views across the harbour identified in the Barbican Conservation Area Appraisal and Management Plan (BCAAMP) as important elements requiring protection to preserve the historic value of the Barbican Conservation Area.*
- *The development will block views of the listed buildings on Vauxhall Quay surrounding the harbour identified in the Barbican Conservation Area Appraisal and Management Plan (BCAAMP) as important elements requiring protection to preserve the historic value of the Barbican Conservation area.*
- *The development is inconsistent with the Sutton Harbour Plan.*
- *There is no plan or programme to properly enhance the harbour heritage trail.*

Principle of Retail

- *Development like this should be concentrated in the City Centre.*
- *The boardwalk could be constructed without the need for retail development.*

Existing Restaurants

- *Existing empty restaurants should be tackled before new facilities are built.*
- *There are already two places to eat on Vauxhall Quay (the Stables and The Marina Bar) and there is no need for more.*
- *There is already an excess of licensed premises and restaurants in the area causing side effects for local residents e.g. broken glasses.*
- *Do not want more chain restaurants.*

Impact on Existing Water Uses

- *The development will limit the ability of the harbour to carry out its intended function of “water uses” e.g. by reducing moorings.*
- *The “beach” in the corner of Vauxhall Quay is protected for the “drying out” of local small fishing boats and the supporting information is incorrect in saying that it is no longer used.*
- *Detrimental impact on commercial fishing activity.*

Impact of Historic Environment

- *Detracts and destroys historic waterfront legacy of the City.*
- *Detrimental impact on the setting of several listed buildings, including the harbour wall.*
- *Diminishes and harms the character and appearance of the Conservation Area.*
- *Contemporary materials proposed are out of keeping with historic buildings.*
- *Banners have no place on a listed quay.*

Archaeological Impacts

- *Excavation work that will be part of the development may disturb archaeological artefacts.*

Design

- *Design is unsympathetic and an eyesore, with the buildings appearing as sheds.*
- *The chimneys (extracts) from the restaurant kitchens will be unsightly and contribute to air and water pollution.*

Scale of Development

- *Proposal is overdevelopment.*
- *This application is approximately 30% larger than the previous proposal that was rejected, therefore why would this be considered acceptable?*
- *The area of infill is underestimated in the supporting information.*

Precedent of Building over Harbour

- *The application will set a dangerous precedent for building over the harbour.*

Public Access

- *There is no defined public access route through the boardwalk or any guarantee of its status.*
- *Section 6 of the application form appears to indicate that the development will not create a new “public right of way”.*
- *Fails to encourage pedestrian flow around the harbour by concentrating retail activity in to one corner of the harbour.*

Pollution

- *Affects natural habitat and environment of the harbour with noise pollution, air pollution, litter pollution and odour pollution, affecting local species in the water and on land.*
- *Concern about contamination of sea bed.*

Noise

- *The proposal would result in additional late night noise which would disturb existing residents. The noise report identifies that there is already excessive noise in the area.*
- *Noise from the platform will reverberate around the harbour due to echoing caused by the structure sitting above the water.*

Transport, Servicing and Parking

- *The existing narrow, one-way road is already subject to major traffic problems and the development would exacerbate this problem.*
- *The application suggests that large vehicles (10m lorries) will need to negotiate the road and there is a concern about the safety of pedestrians.*

- *No consideration has been given to the impact on parking. There is already insufficient parking in the area.*
- *The highway is already in a poor state of repair and this would only exacerbate the situation. The road should be repaired before further work takes place.*

Economy

- *The applicant has made over-optimistic claims that cannot be supported in terms of the number of jobs that will be created.*
- *There is insufficient information about the jobs to be created.*
- *Jobs created are likely to be part-time, low skilled and low paid.*
- *The applicant's claim that they are acting in the local interest should be disregarded as they have allowed buildings in the area to become derelict.*
- *Detrimental to existing businesses in the area. They are already struggling due to competition from other areas in the city and economic conditions.*

Viability of Development

- *The development is likely to stand empty as no named operators have been detailed.*
- *The development could be a burden to taxpayers if the development decays and Sutton Harbour Holdings go bankrupt.*
- *Is the scheme viable considering the number of empty units in the area?*

Public Safety

- *Will encourage further anti-social behaviour and area is already under-policed.*

Flood Risk

- *Placing piles will disturb the flow of water and could result in flooding or the grounding of boats.*
- *Concerns regarding submitted flood risk assessment.*

Alternative Development Suggestions

- *Guy's Quay and Jamaica House should be refurbished and brought back into use instead of this development going ahead.*
- *The development is unnecessary and a cheaper alternative is possible as highlighted by the Action Group for Sutton Harbour (AGSH) – an alternative cantilevered walkway link which would have the least possible impact on the historic environment. There is public support for the AGSH scheme demonstrated by an AGSH consultation event held in October 2014. Included as attachments to the AGSH letter of objection are details of their proposed alternative scheme, the Local Planning Authority's pre-application letter of response to it and questionnaire results from a consultation event held by the AGSH in October 2014.*
- *Should build a replica of the Mayflower instead to encourage tourism.*

Consultation

- *Local residents were consulted by Sutton Harbour Company but the feedback has not been correctly published by the applicant.*
- *Local residents have not been properly consulted.*

Construction Phase Disruption

- *The construction phase is likely to cause significant disruption to residents.*

Waste

- *Waste management will be difficult, if not impossible, to control.*

Loss of Light

- *Sunlight/natural light will be reduced to buildings and walkways in the area.*

Public Health

- *No provision has been made for smokers.*
- *More food and drink outlets are not required given increasing obesity levels.*

Other matters that have been raised but are not material planning considerations are:

- *The development will devalue my property.*
- *Loss of views from private residence.*
- *Contrary to deeds of surrounding properties and original Act of Parliament in 1847 (and subsequent revision in 1964) forming Sutton Harbour Improvement Company.*

A total of 48 letters of representation were received on the accompanying Listed Building Consent (LBC) application (12/02334/LBC). The comments relating to the LBC are detailed in the LBC 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.

The development plan is the Local Development Framework Core Strategy (adopted 2007) and the Sutton Harbour Area Action Plan (adopted 2008)

The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One: Consultation Draft was approved by Cabinet for consultation purposes on 9 December 2014. As such it is a material consideration for the purposes of planning decisions.

The policies contained in National Planning Policy Framework (the Framework) and guidance in National Planning Practice Guidance (NPPG) are also material considerations which should be taken into account in the determination of planning applications. Due weight should be given to relevant policies in existing and emerging plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Framework provides that the weight to be given to an emerging draft plan is also to be determined according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The Plymouth Plan is at an early stage of preparation.
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given). The draft policies of the Plymouth Plan are currently subject to consultation, although the general direction taken by the plan and key issues and options relating to it have been subject to consultation.

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- Specific policies in the Framework indicate development should be restricted.

City Vision

Plymouth's vision is to be one of Europe's most vibrant waterfront cities where an outstanding quality of life is enjoyed by everyone. This has long been at the heart of policy and plan making in the city. It was included in the Mackay Vision, adopted in the Core Strategy and is now being taken forward into the new Plymouth Plan.

Core Strategy

The adopted Core Strategy contains many policies relevant to this planning application as set out in this report, including the following:

CS01 - Sustainable Linked Communities

CS02 - Design

CS03 - Historic Environment

CS04 - Future Employment Provision

CS12 - Cultural / Leisure Development Considerations

CS13 - Evening/Night-time Economy Uses

CS19 - Wildlife

CS20 - Resource Use

CS21 - Flood Risk

CS22 - Pollution

CS28 - Local Transport Consideration

CS32 - Designing out Crime

CS33 - Community Benefits/Planning Obligation

CS34 - Planning Application Consideration

Core Strategy Area Vision 5 (Sutton Harbour) is particularly relevant and includes the following:

“To consolidate and develop the Sutton Harbour area as an attractive and sustainable mixed-use city quarter creating a unique, high quality environment that will attract investment and new residents.

The Council’s objectives to deliver this vision are:

- 1. To promote the positive mixed-use regeneration of disused or under-used land and buildings, including where appropriate, tall buildings.*
- 2. To conserve and enhance the special historic character of the Barbican, Bretonside and Coxside for future generations - capitalising on historic assets while respecting the character of existing communities, uses, buildings and structures that make the area distinctive.*
- 3. To create a safe, high-quality environment that capitalises on the waterfront setting. This should include a linked network of attractive public spaces including a vibrant, publicly and visually accessible waterfront – enlivened with entertainment, leisure and cultural uses.”*

Sutton Harbour Area Action Plan (2008) (AAP)

The planning policy which has the greatest weight with regards to this proposal is Policy SH06 (Sutton Harbour Heritage Trail) in the adopted Sutton Harbour Area Action Plan (2008):

“The Council will support proposals to deliver and enhance the Sutton Harbour Heritage Trail around the complete length of the harbour including:

- 1. Allowing active uses at ground floor level at appropriate locations, having regard to residential amenity, including a limited number of small scale food and drink kiosks.*
- 2. The review and possible rearrangement of quayside parking to facilitate use of the Heritage Trail whilst safeguarding the operational requirements of the Sutton Harbour Company and other commercial and recreational users.*
- 3. The provision of a new waterfront walkway link connecting Vauxhall Quay to Guy’s Quay and Exchange Street.*
- 4. The removal of quayside structures that do not enhance the special character of the harbour and the creation of a safe, high quality environment.*
- 5. Public realm enhancements through landscaping and improvements to surface treatments.*
- 6. The incorporation of public art and heritage interpretation along the quays.*
- 7. Improvements to the existing Sutton Harbour Heritage Trail Room or the creation of a new high-profile, accessible facility.*

Pedestrians walking around the harbour currently have to detour inland between Exchange Street / Guy’s Quay and Vauxhall as there is no quayside walkway around this part of the harbour. This limits public enjoyment of the waterfront and also discourages people from walking from the Barbican towards the north

and east quays. The policy will help to create an opportunity to complete this missing link in the waterfront walkway around the harbour. The new link route must be designed to be sensitive to the historic quay wall - with a boardwalk or cantilevered walkway structure, for example, but not through infill of the harbour."

Barbican Conservation Area Appraisal and Management Plan (2007) (BCAAMP)

The development site is largely just outside the Barbican Conservation Area boundary, but the development's impact on the latter is a key issue. The Barbican Conservation Area Appraisal and Management Plan (2007) (BCAAMP) was a Supplementary Planning Document which was used as part of the evidence base for the Sutton Harbour Area Action Plan (2008) – the adopted Development Plan Document. As an adopted Development Plan Document, the SHAAP has greater material weight than the BCAAMP, but the BCAAMP is nevertheless a material consideration.

Views to and from Vauxhall Quay and Quay Road are identified as important. The current gap in public access around the harbour's waterfront at the site is illustrated and the document identifies the barrier to public enjoyment of the waterfront presented by car parking at the quay edge. Vauxhall Street itself is identified as a busy road forming a barrier to pedestrian movement in the Conservation Area.

The document supports the principle of a walkway link from Vauxhall Quay to the Exchange Street car park - *"Completion of the harbourside walkway from Vauxhall Quay to Exchange Street would also be highly desirable as an enhancement of public enjoyment of the Conservation Area, though the impact on the listed harbour walls would need very careful consideration."*

Plymouth Plan

The emerging Plymouth Plan will eventually replace the SHAAP. Central to the document is the aspiration to enhance Plymouth as *"an international city, renowned as Britain's Ocean City, harnessing the benefits of the city's outstanding waterfront and maritime heritage."*

Improving access to and along the waterfront and capitalising on waterfront opportunities is a strategic objective in the document and the vision for Plymouth in 2031 is set out:

"Plymouth provides an internationally competitive cultural and visitor offer, optimising the value of existing destinations such as the National Marine Aquarium, Sutton Harbour and the Theatre Royal, and linking them to new destinations such as the Plymouth History Centre, so that the city is recognised as a 'must do' visitor destination on any visit to the UK."

"Plymouth's unique waterfront has been transformed through improvements to public spaces and key heritage assets, such as The Hoe and The Barbican, as well as hosting major events for art, culture and sport."

"Water transport improvements have improved access to and opportunities at key locations such as Mount Batten, Sutton Harbour, Millbay, Royal William Yard, Devonport and Mount Edgcumbe country park."

“The Mayflower 2020 celebrations have created a strong legacy both for the visitor economy and for local people, through improved public realm and waterfront access and lasting economic benefits.”

“Plymouth has built on its reputation for excellent hospitality and food and drink, with major new investment in quality hotels and visitor accommodation.”

“The design of new buildings and of public spaces in the City Centre, along Plymouth’s waterfront and at gateways to the city reflect the quality to be expected from Plymouth’s Britain’s Ocean City status.”

Policy 44 of the Plymouth Plan states that *“Limited retail development may be permitted at the waterfront locations of Millbay and Sutton Harbour provided that they are complementary to the City Centre's prime role and specifically support the visitor economy and the regeneration of these key destinations.”*

Policy 46 of the Plymouth Plan (Managing and enhancing Plymouth’s waterfront) includes the following:

3. *Safeguarding and further enhancing public access to and along the waterfront particularly at the land / sea interface, especially to provide increased opportunity for its enjoyment by people who live in the city's waterfront neighbourhoods.*
4. *Safeguarding water access points along the waterfront*
6. *Improving key waterfront destinations for the local community and to grow the visitor economy, including The Barbican / Sutton Harbour, The Hoe, Millbay and the Royal William Yard.*
7. *Safeguarding and enhancing the natural environment and key historic heritage features, including the city's marine archaeology.*
8. *Ensuring that waterfront development is of high quality design, safeguards the waterfront's primary functions, improves use of and access to underused waterfront sites, delivers marine recreation opportunities where appropriate, and supports the regeneration of waterfront communities.”*

“Sutton Harbour, The Hoe, parts of Millbay and the Royal William Yard are key parts of the waterfront that have been identified for their recreational and visitor role and opportunities will be sought to enhance this function by creating vibrant areas which make full use of their historic features.”

National Planning Policy Framework (2012) (NPPF)

The NPPF is an important material consideration in relation to this planning application and particularly the paragraphs below:

“132. 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.”

“133. 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 loss is necessary to achieve substantial public benefits that outweigh that harm or loss”.

“134. 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 securing its optimum viable use.”

“137. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.”

8. Analysis

Principle

- 8.1 The principle of creating a walkway link over the water from Guy's Quay to Vauxhall Quay is supported by Sutton Harbour Area Action Plan (AAP) Policy SH06 and by the Barbican Conservation Area Appraisal and Management Plan. It is considered that this will create a positive improvement to the Sutton Harbour Heritage Trail and will increase public enjoyment of the waterfront by adding an important, but currently missing, link in the quayside pedestrian route around the harbour. Many objectors agree with the principle of the walkway itself.
- 8.2 Some letters of representation raise objections on the basis that the scheme represents infill of the harbour and is therefore contrary to the AAP. Officers disagree that the proposal represents infill of the harbour. The Boardwalk sits, raised above the water on stilts (piles). Water will clearly be visible beneath and around the Boardwalk and underfoot in places (e.g. through the gantry-like linking walkways).

Uses

- 8.3 It is considered that AAP Policy SH06 also supports the commercial units on the Boardwalk *“The Council will support proposals to deliver and enhance the Sutton Harbour Heritage Trail around the complete length of the harbour including:*
 - 1. Allowing active uses at ground floor level at appropriate locations, having regard to residential amenity, including a limited number of small scale food and drink kiosks.”*
- 8.4 The scale of the proposed commercial units within the scheme has reduced considerably from those in the previous versions of the proposal. The first planning application contained 1,812sqm of retail space. The current scheme contains 725sqm of retail space – less than half that in the original proposal – meaning that it is classed as a minor planning application. Officers consider that the retail units proposed are of a relatively small scale and limited in number and accord with AAP Policy SH06.
- 8.5 The A1 (shop) and A3 (restaurant) uses proposed are considered acceptable in this location with regards to residential amenity. The applicant states that their aspiration is for family-oriented restaurants. The family orientation of the restaurants cannot be secured by condition, but a change of use to a pub, for example, can be controlled as it would require a new planning application for a change of use to A4. Officers consider that any impacts as a result of the proposed uses can be adequately mitigated, including by the proposed conditions as set out below. The external seating areas are set well away from existing residential dwellings.

- 8.6 As well as accepting that the commercial units are enabling development that helps to fund the creation of the Boardwalk, officers consider that the retail units are a positive addition in terms of drawing pedestrian footfall from the busy Quay Road and encouraging pedestrians to enjoy a previously inaccessible stretch of waterfront and allowing them to explore further north and around to the east of the harbour - areas which are currently relatively quiet in terms of activity (there is little in the way of active ground floor frontage along Vauxhall Quay), but important in terms of unlocking Plymouth's vibrant waterfront potential as enshrined in planning policy and the city vision.
- 8.7 The creation of a new ferry / water taxi link is considered to add positively to the critical mass of activity to draw pedestrians to and around the site and will contribute towards the site's role as a destination and the wider Ocean City agenda, tourism and visitor offer.

English Heritage Issues

- 8.8 Extensive negotiations have taken place between officers, English Heritage and the applicant's team with the various versions of this scheme at application and pre-application stage. The applicant has made significant changes to the scale and design of the scheme in an attempt to respond positively to the concerns raised. The applicant also commissioned a Heritage Appraisal and an Urban Design Study in response to requests from English Heritage. The applicant presented their new Sutton Harbour Vision document to English Heritage at the pre-application stage of the current proposal. Sutton Harbour's Vision document shows how the Boardwalk fits within the wider context of the applicant's plans for Sutton Harbour.
- 8.9 English Heritage's consultation response is as follows – *"while we support the proposed bridge between land at Exchange Street and the site, we feel that the proposed piled structure will harm the character and appearance of the Vauxhall Conservation Area [sic], and the settings of the Grade II listed warehouses adjacent to the site whose physical and visual relationship with the water will be diluted. [...] if articulated as part of a wider masterplan it might be possible to demonstrate wider public benefits that outweigh the harm"*. English Heritage have since clarified that they consider that *"the harm is less than substantial"*.
- 8.10 Officers consider that there are plans in place that demonstrate the wider public benefits of the proposal – chiefly the adopted Sutton Harbour Area Action Plan. Officers also consider that Sutton Harbour Holdings' Vision document also sets the wider context and is a helpful document in terms of showing how the proposal will fit with the applicant's plans, including enhancing the Heritage Trail and activity around the harbour and improving public access to the waterfront.
- 8.11 English Heritage's comments invoke the tests of the NPPF. The key NPPF test here is the weighing of "harm" to a heritage asset against the public benefits of the proposal. Officers do not consider that the current proposal results in "harm" or "less than substantial harm". The only direct impact on a heritage asset is minimal, where the Boardwalk connects with the Grade II listed quayside. It is considered that the detail of how the structure is secured to the quayside can be adequately controlled by condition and is not dissimilar to the connection existing marina pontoons and landing stages already make to the listed quayside in the harbour.
- 8.12 Impacts on heritage assets are indirect – i.e. to the setting of the Barbican Conservation Area and the setting of the adjacent listed buildings. The proposal clearly represents a change to the setting of those assets and a change to the important views identified in the Barbican Conservation Area Appraisal and Management Plan. However, officers consider that this change is positive. It represents another layer in the evolution of Sutton Harbour; just as the creation of the built quaysides was a new layer beyond the historic shoreline along Vauxhall Street; just as the Sutton Jetty was a new layer over the harbour when a railway goods shed

was required during the Steam Age; just as the marina and pontoons are a new layer over the water now. Like many historic harbours, the Sutton Harbour and the Barbican Conservation Area has adapted and changed to as its function has changed and diversified over time. Vauxhall Quay has not been a working quayside for a long time. The function of the harbour has expanded to incorporate more leisure uses in the last few decades. Historic warehouses have been changed to accommodate new uses, different from their original function, including residential and retail. It is considered that the function of this site can also change to accommodate this proposal without detriment to the quality of the Conservation Area or the setting of the adjacent listed buildings. Officers consider that the proposal in fact enhances the Conservation Area in many respects.

8.13 If Members consider that the proposal causes “harm”, officers would argue that this is outweighed by the substantial wider public benefits offered by the proposal, including the following:

- Delivery of improved public access for all along a previously missing link in the Sutton Harbour Heritage Trail as sought by the adopted Sutton Harbour AAP.
- Creation of a new public realm destination and a new experience in terms of being able to walk on a boardwalk with water below.
- Delivery of a new publicly accessible ferry/water taxi service for the benefit of local people and visitors alike - contributing to Plymouth’s Ocean City agenda and tourism offer.
- Repair of the Grade II listed quay wall at Little Vauxhall Quay, which is currently temporarily held up with gabions.
- Resurfacing of Little Vauxhall Quay with reclaimed granite setts (cobblestones) in keeping with historic surfaces in the Barbican Conservation Area.
- Public realm improvements, landscape enhancements and de-cluttering of Vauxhall Quay.
- Contribution of £5,000 towards strategic flood protection work to protect the harbour.
- Contribution of £5,000 towards CCTV surveillance for the site.

Design

- 8.14 Officers consider that the footprint and massing of the proposed scheme is positive in design terms. The footprint of both the Boardwalk and the retail units has been reduced significantly in response to concerns with the previous planning applications.
- 8.15 Officers support the concept of separation of the structure from the historic quay walls on Vauxhall Quay and Little Vauxhall Quay. This gives clear definition between old and new and allows the listed quay walls to be seen. The gantry-type linking walkway sections which connect to the main boardwalk reinforce this separation as water will be visible through them below.
- 8.16 The height of the proposed retail units at Vauxhall Quay has been reduced from two storeys to one storey. This height is considered acceptable, as is the height of the “pavilion” building which is also a single storey structure. At one-storey, the two main retail units result in less change to the historic view from Quay Road towards the site and reveal more of the listed warehouses beyond than the previous scheme.

- 8.17 Parts of the Barbican are characterised by single storey buildings set in front of taller warehouses inland (e.g. the Barbican Glassworks / former fish-market building and Sutton Jetty).
- 8.18 The three-dimensional form of the main two retail units, and their architectural expression, makes obvious reference to the Barbican Glassworks / former fish-market building. The applicant changed the architecture of the buildings to something more traditional in style in response to comments about the previous withdrawn application, which was very futuristic in style, with leaning walls and flat roofs. The applicant has sought to redesign the scheme to make its architecture more sensitive to its Barbican Conservation Area context. Officers consider that the design of the current proposed scheme can be supported. It will be important that the material specification and detailing of the buildings and Boardwalk are completed to a high quality, appropriate for the Conservation Area and this is proposed to be secured by condition.
- 8.19 The scheme was considered by the Devon Design Review Panel on 20/01/15. The Panel were unanimous in their support for the proposal, and this is reflected in the comments in their report as set out above. The Panel's report states that they considered that there is some harm to the historic setting, in reference to the NPPF tests, but that this is "*clearly outweighed by the overall benefit*". The Panel state that their support for the proposal is dependent on the Boardwalk remaining accessible to the public 24 hours a day. A condition is proposed to safeguard public access.

Transport

- 8.20 The principle of improved pedestrian access and the new walkway link is supported in sustainable transport terms and the new ferry / water-taxi link is welcomed. The site lies within convenient reach of public transport facilities.
- 8.21 With regards to the proposed retail units, in total 725 sqm of new A1 and A3 floor area is proposed and considering the nature of the uses that are proposed, the total floor area and the fact that no dedicated off-street car parking is provided, the traffic impacts associated with the proposed development are likely to be minimal and would not give rise to any capacity issues on the local highway network. Officers consider that the peak hour in terms of traffic movements associated with A1-A3 uses is likely to be low and will mainly occur during evenings and weekends. Many of the trips will also be linked to other attractions in the area.
- 8.22 No dedicated off-street car parking is proposed to serve the development with reference being made in the Transport Statement to reliance upon the use of existing public car parking within the area such as Exchange Street etc. and while these car parks are busy at certain times, the impact of these developments on the operation of these car parks is likely to be small.
- 8.23 The applicant states that they will promote the use of the Harbour Car Park to customers. Since the applicant first proposed the idea of the boardwalk, they have increased the opening hours of the Sutton Harbour lock bridge and it now remains open until 11:00pm rather than 9:30pm, allowing people greater access to the Harbour Car Park which has historically been underused at times. For clarification, the applicant cannot be held to these opening hours through planning conditions.
- 8.24 There have also been discussions regarding Travel Planning in the area and given the high demand for existing car parking in the area, it is considered that a Travel Plan should be prepared to advise visitors how to best access the area using alternative modes of transport to the private car and provide information on local car parks in the area.

- 8.25 Vehicle loading and unloading is proposed to take place along the edge of Vauxhall Quay, next to the proposal, which will require the removal of the existing railings and some minor alterations to the existing street furniture adjacent to the proposed development. Some, but not all of this land, is highway maintained at public expense and further details should therefore be submitted of the proposed details to ensure servicing takes place without impacting on local access. Some cycle parking is proposed within the site - up to 11 spaces are proposed.
- 8.26 With regards to transport, officers recommend that the conditions be attached to any grant of consent with regards to the travel plan, cycle provision and provision and use of loading areas.

Relocation of existing car parking along Vauxhall Quay

- 8.27 The applicant states that their intention is to relocate the existing car parking on Vauxhall Quay to other car parking areas under their control, including the Harbour Car Park (formerly known as the Coxside / Barbican Car Park) and to other sites around the quayside. Officers support the aim of moving car parking away from the quay edge to enable pedestrians to enjoy being closer to the waterfront as it is consistent with the Policy SH06 of the Sutton Harbour Area Action Plan.

Environment Agency (EA) Issues

- 8.28 The Environment Agency (EA) issues relate to flood risk and pollution prevention. The EA state that this proposal will be acceptable if;
- i. a Section 106 planning obligation is agreed to secure an appropriate contribution towards a Sutton Harbour Flood Risk Management Strategy,
 - ii. a condition is included on the subsequent permission to ensure that flood resilient construction techniques are incorporated in to the buildings and a flood risk management plan is provided future occupants; and,
 - iii. a condition is included on the subsequent permission requiring the preparation and submission of a pollution prevention method statement to ensure the protection of the water environment.
- 8.29 The applicant has agreed to contribute the sum of £5,000 towards a Sutton Harbour Flood Risk Management Strategy. This is to be included within a Section 106 agreement.
- 8.30 The proposal is located within a defended area of Flood Zone 3 (high probability) but would be defined by the Planning Practice Guidance as a “Less Vulnerable” use in flood risk terms. The EA acknowledges that the principle of this type of development around Sutton Harbour is supported in the Sutton Harbour Area Action Plan. Nevertheless the EA states that, it is still necessary for this type of development to be as safe, resistant and resilient as possible from flooding over its lifetime.
- 8.31 The EA considers that the Flood Risk Assessment has adequately considered the flood risks to the site. The Flood Risk Assessment confirms that the proposed buildings will be at risk of coastal flooding should the Environment Agency flood defences (the Sutton Harbour lock gate) fail to operate correctly.
- 8.32 However, the Sutton Harbour Flood Risk Management Strategy, to which the applicant has agreed to contribute the sum of £5,000, will identify the works required to upgrade the standard of flood defence to ensure that additional protection is provided to protect against rising sea levels associated with the impact of climate change. The strategy will also identify the costs of these works, allowing the EA to identify the amount of Government Flood

Defence Grant in Aid funding that would be available and your Authority to devise a fair contributions scheme for new development around Sutton Harbour to ensure the future costs of the necessary upgrade works can be met.

8.33 To ensure that flood risks to the building are managed appropriately a condition is considered necessary by the EA, to ensure that flood resilient construction techniques are incorporated in to the development and a flood risk management plan is provided for future occupants of the development. Officers recommend inclusion of these conditions in the grant of any planning permission accordingly.

8.34 The proposal is within 1km of the Plymouth Sound Special Area of Conservation, and approximately 1.5km from the Bathing Waters at Plymouth Hoe East and Plymouth Hoe West.

8.35 The EA states that while they do not have any in principle objections to these small-scale works if best working practices are adhered to, it is possible that they may have a local impact:

“We are unsure of the methods and mitigation used with regards to the alteration of the quay wall although stainless steel railings are not a concern. However, should the works involve direct contact with the surrounding water-body, disturbance of sediments should be avoided to prevent the release of contaminants associated with harbour sediments.

Mitigation measures should be put in place to ensure environmental disturbances and pollution incidents do not occur, and should they occur, do not impact water quality.

We advise therefore that method statements for any alteration of the quay wall and piling should be prepared and submitted for review as soon as possible. If this cannot be done prior to the grant of planning permission then we would advise that this matter be covered by a condition.”

8.36 The pollution from sediments issue has also been raised by Natural England and a condition is recommended accordingly.

Natural England Issues

8.37 As well as the sediment from piling issue and the need to mitigate impacts of construction impacts on the Plymouth Sound and Estuaries Special Area of Conservation and the Dartmoor Special Area of Conservation, Natural England has also raised concerns about the noise impact of piling on migratory Atlantic Salmon. It is considered that these matters can adequately be dealt with by means of conditions enabling the piling works methodology to be agreed with Natural England before the development can commence.

8.38 Economic Benefits

8.39 The Council's Economic Development Department supports the proposal and consider that it has potential to offer significant employment and skills benefits and request a condition to secure an “Employment and Skills Strategy”.

8.40 Peter Brett Associates have undertaken an Economic Benefits Statement (Dec 2014) on behalf of the applicant. Officers in the Economic Development Department consider that the methodology underpinning the figures in the Economic Benefits Statement seems robust:

- The A1/A3 premises could generate 50 jobs, including 39 direct jobs (employed in the new units). It could also add an estimated £1.3m in GVA per annum to the Plymouth economy. Once allowances are made for leakage and displacement, the Plymouth economy could benefit from 34 net additional jobs supported by the development and £893,000 in GVA per annum.

- The proposal is part of the overall redevelopment of Sutton Harbour (overall 1,326 gross jobs, of which 900 are new to the Plymouth economy). £34m extra GVA to the Plymouth economy.
- The boardwalk will act as attraction in its own right.
- The Economic Benefits Statement includes letters of support from two consultants, who state they are aware of a number of national brands interested in this development.

8.41 This proposal helps meet key objectives in the Visitor Plan and will assist as an attraction on the build up to Mayflower 2020.

Public Protection Issues

Sale of Alcohol and Entertainment

- 8.42 The proposed uses would require licensing permission for the sale of alcohol and for regulated entertainment, such as music. These licensing processes are separate to the planning application process. Because these separate licenses would be required, it is not necessary to put planning conditions in place to control entertainment or the sale of alcohol. The use of any of the units could not be changed to a pub within the limits of this planning application – a new planning application to add the separate use class A4 would be required. It is not therefore necessary to add a condition in this respect.
- 8.43 It is recommended that a condition be added requiring the submission of a management plan to demonstrate how impacts on the amenity of the local area will be mitigated.

Operating Hours

- 8.44 The operating hours of 7am until midnight are considered to be acceptable for the retail units, provided a satisfactory management plan is put in place. The operating hours for the external seating areas of 8am until 11pm is considered to be acceptable, again subject to an acceptable management plan being implemented. Conditions are proposed to restrict the operating hours accordingly and to require the submission and agreement of a management plan for the external areas.

Ventilation and Other Plant and Machinery

- 8.45 The residential units adjacent to the proposed development are 5 storeys in height and the proposed development is one storey, it is therefore important to mitigate the impact of extract odours or noise on residential amenity.
- 8.46 The applicant has stated that kitchens within the two A3 units will be installed centrally within the two restaurant units and that louver wall panels will be fitted where the kitchen extract ventilation systems will expire, although these are not shown on the submitted plans. As the systems will be installed retrospectively to the development by future unknown tenants, no supporting information on the type of equipment that will be installed, the noise that will be emitted from it, or the odour control systems that will be incorporated within it, have been submitted at this stage. The submitted noise assessment states that the pavilion will have only limited noise emitting plant and due to the extra distance to the nearest residential properties has not been included in the noise assessment.
- 8.47 The consultant's noise assessment recommends a noise mitigation strategy requiring that future tenants of the two A1/A3 units be contracted to ensure the equipment they install does not contribute to noise in the locality above those mentioned within the assessment.

- 8.48 Officers have no control over the contracts that will be issued by the applicant to future tenants of the two A1/A3 units, and no information is available with regard to the operation and equipment at the pavilion. Conditions have therefore been included to ensure that any systems fitted to the two units and the pavilion after the development has been completed do not cause noise or odour problems.
- 8.49 Officers have also required by condition that a noise verification report be submitted once the development is fully operational. This will not only assist the applicant in demonstrating that, not only does the cumulative noise effect of equipment installed by its tenants meets the criteria, but that additional cumulative noise from the upgraded sub-station and any other equipment that may be required, such as drainage pumps, also has no unacceptable impact on the amenity of the area.

Waste Arrangements

- 8.50 Bin storage is shown as integral to the retail units on the proposed plans and this is supported. It is understood that it is the applicant's intention to de-clutter and improve the appearance of Vauxhall Quay and Little Vauxhall Quay from the existing situation, by keeping commercial waste bins off the quayside. This aspiration is welcomed as it will improve the appearance of the Conservation Area. The waste management arrangements can be controlled by the management plan that is proposed as a condition.

Drainage and Toilet Arrangements

- 8.51 It is considered that the drainage and toilet arrangements for the units can be satisfactorily addressed through the Building Control process in the normal way and no conditions are therefore considered necessary in this respect.

Construction Phase Impacts

- 8.52 A condition is proposed requiring the applicant to submit for approval a Construction Environmental Management Plan. It is expected that this will detail measures to control and mitigate construction phase nuisances such as noise. The document will be expected to detail hours of work in line with those found in the Plymouth City Council Code of Practice for Construction and Demolition. Given the marine nature of the site it is considered that piling or other works that are dependent upon the tide will still need to adhere to the recommended timeframe for construction and this should be factored in to any build schedule that is proposed.

Land Quality Observations

- 8.53 A preliminary risk assessment (Red Rock Geoscience, Phase I Geotechnical and Geoenvironmental Desk Study Report, December 2014, Reference: RP5440-v4) has been submitted in support of the application. The recommendation is for a Phase II site investigation to determine the level of contamination of the existing soils on the bottom of the harbour and water quality in order to characterise the site from a geo-environmental perspective and to provide information for an adequate construction and remedial / mitigation plan. Conditions are proposed to support the further necessary site characterisation works, plus any other remediation and verification works that may subsequently be necessary. These conditions detail particular actions and a set of works that will need to be submitted and approved by the local planning authority before any

development takes place. Once an approved remediation strategy is in place (if required) the pre-commencement part of these conditions may be lifted.

Other Issues Raised in Letters of Representation

- 8.54 Material planning issues raised in the letters of representation, but not covered elsewhere in this report are considered below:
- 8.55 *“There is no plan or programme to properly enhance the harbour heritage trail”.* Officers must consider the planning application before them here, rather than the delivery and enhancement of the whole harbour heritage trail. However, it can be noted that Policy SH06 for the Sutton Harbour Heritage Trail is in place in the adopted Sutton Harbour Area Action Plan and the applicant’s own Vision for Sutton Harbour sets out their aspirations for improvements to the route. Officers consider that this proposal will enhance the Sutton Harbour Heritage Trail.
- 8.56 *“Development like this should be concentrated in the City Centre”.* Small scale retail and leisure related development at Sutton Harbour is supported by local planning policy. The Council’s Economic Development Officers have advised that the proposal is not considered to have a negative impact on retail in the City Centre. Officers have included a condition to prevent the two main retail units being combined into one larger retail unit in the future, to safeguard against impacts on City Centre retail.
- 8.57 *“The boardwalk could be constructed without the need for retail development.”* Officers must consider the proposal before them. The applicant states that the retail component is enabling development which helps fund the Boardwalk and the reconfiguration of the marina and that the purpose of the retail is also to draw pedestrian footfall around the harbour. Officers support the idea of active uses on the Boardwalk, to generate activity in a relatively quiet part of the quayside, and to encourage people to enjoy walking around the Sutton Harbour Heritage Trail.
- 8.58 *“Existing empty restaurants should be tackled before new facilities are built”.* Tackling existing empty restaurants is beyond the remit of officers. Officers support the Sutton Harbour Area Action Plan aspiration of enlivening the quayside with active ground floor uses.
- 8.59 *“There are already two places to eat on Vauxhall Quay (the Stables and The Marina Bar) and there is no need for more.”* Officers consider that Vauxhall Quay can benefit from more than two restaurant uses.
- 8.60 *“There is already an excess of licensed premises and restaurants in the area causing side effects for local residents e.g. broken glasses.”* It is considered that the proposed management plan for external areas and the contributions towards improvements in CCTV coverage will help to mitigate negative impacts on local residents.
- 8.61 *“Do not want more chain restaurants.”* The types of restaurant cannot be controlled through the planning process.
- 8.62 *“The development will limit the ability of the harbour to carry out its intended function of “water uses” e.g. by reducing moorings.”* It is understood that Vauxhall Quay itself has limited potential for mooring, particularly at its western corner, because of its relative shallowness. In order to make space for the proposed walkway, the applicant proposes to reconfigure the private marina pontoon arrangement. Any impact on water uses is considered to be outweighed by the wider benefits generated by the scheme, including improved public access to the waterfront.
- 8.63 *“The “beach” in the corner of Vauxhall Quay is protected for the “drying out” of local small fishing boats and the supporting information is incorrect in saying that it is no longer used.”* This issue is

outside the planning process. The applicant says that as harbour authority it directs this activity to the beach on the other side of the harbour near Marrowbone Slip and Shepherd's Wharf.

- 8.64 *"Detrimental impact on commercial fishing activity."* Officers are not aware of any evidence to support the claim that the proposal would have a major or unacceptably negative impact on commercial fishing activity in the harbour.
- 8.65 *"Contemporary materials proposed are out of keeping with historic buildings."* Officers consider that contemporary materials can contribute positively to historic buildings. Officers consider that the use of glass, for example, within the converted historic Barbican Fish Market illustrates a positive precedent.
- 8.66 *"Banners have no place on a listed quay".* It is considered that the use of banners can be appropriate on listed quays if they are designed to be of a suitably high quality – and this is proposed to be controlled by condition.
- 8.67 *"Excavation work that will be part of the development may disturb archaeological artefacts."* Officers consider that any archaeological impacts can be adequately mitigated by condition.
- 8.68 *"Proposal is overdevelopment."* Officers consider that the scale of the development is appropriate for its context.
- 8.69 *"This application is approximately 30% larger than the previous proposal that was rejected, therefore why would this be considered acceptable?"* The current proposal is smaller than the previous planning applications.
- 8.70 *"The area of infill is underestimated in the supporting information."* Officers disagree that the proposal represents infill as discussed above. Officers consider that information submitted by the applicant allows an informed judgement to be made about the acceptability of the proposal in planning terms.
- 8.71 *"The application will set a dangerous precedent for building over the harbour."* Any proposal would be considered on its own merits. The idea of a boardwalk on this particular site is proposed by the adopted Sutton Harbour Area Action Plan.
- 8.72 *"There is no defined public access route through the boardwalk or any guarantee of its status."* Officers consider that the plans indicate a publicly accessible route and that this can be safeguarded by condition.
- 8.73 *"Section 6 of the application form appears to indicate that the development will not create a new 'public right of way'."* Access around much of the harbour is currently by license rather than public right of way. However, officers are keen to ensure the route remains publicly accessible and propose to secure this public access by means of condition.
- 8.74 *"Affects natural habitat and environment of the harbour with noise pollution, air pollution, litter pollution and odour pollution, affecting local species in the water and on land."* *"Concern about contamination of sea bed."* Officers consider that any impacts in relation to these issues can adequately be mitigated by the conditions proposed.
- 8.75 *"The proposal would result in additional late night noise which would disturb existing residents. The noise report identifies that there is already excessive noise in the area."* *"Noise from the platform will reverberate around the harbour due to echoing caused by the structure sitting above the water."* Officers consider that any impacts in relation to these issues can adequately be mitigated by the conditions proposed.
- 8.76 With regards to alternative development suggestions put forward in letters of representation, it is not the purpose of this report to consider alternative proposals. Those proposals would be considered on their own merits were they to be submitted as planning applications.

- 8.77 Representations have made reference to Sutton Harbour Company's own public consultation exercise and question how the feedback from this was published by Sutton Harbour Company. It is not the purpose of this report to comment on the accuracy of that document. In preparing this report, officers have considered the representations made directly in relation to this planning application. This planning application has been subject to appropriate public consultation in the normal way.
- 8.78 *"The construction phase is likely to cause significant disruption to residents."* It is considered that this can be adequately mitigated.
- 8.79 *"Waste management will be difficult, if not impossible, to control."* It is considered that waste management can be adequately controlled.
- 8.80 *"Sunlight/natural light will be reduced to buildings and walkways in the area."* Officers do not consider that the proposal will result in an unacceptable loss of light to buildings and walkways.
- 8.81 *"No provision has been made for smokers."* The proposal includes external space where provision could be made for smokers. A condition has been added for a management plan for the external areas and an informative sets out that this must include a smoking area management plan to control noise, litter, smoke drift and odour associated with this area.
- 8.82 *"More food and drink outlets are not required given increasing obesity levels."* The type of restaurants that could potentially form part of the development cannot be controlled through the planning process, but could potentially sell healthy food. The improvements the development makes to the Sutton Harbour Heritage Trail could contribute positively to public health by encouraging exercise in terms of more walking people around the harbour.

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

This proposal is exempt from the Community Infrastructure Levy.

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 have been sought in respect of the following matters:

- Contribution of £5,000 towards CCTV system - agreed with applicant.
- Contribution of £5,000 towards a Sutton Harbour Flood Risk Management Strategy – agreed with applicant.

12. Equalities and Diversities

It is considered that the boardwalk will improve social equity and encourage diversity in the sense that it will allow public access and enjoyment of a stretch of the waterfront that is currently only accessible to private boat owners and marina users.

It will improve the diversity of experience in being the only publicly accessible boardwalk in Sutton Harbour where everyone can enjoy the experience of walking on a timber structure with water visible below - the only similar experience being for users of the marina pontoons and the existing Sutton Jetty boardwalk, both of which are private.

13. Conclusions

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.

As well as accepting that the commercial units are enabling development that helps to enable the creation of the Boardwalk, a key proposal in the Sutton Harbour Area Action Plan (2008), officers consider that the retail units and ferry/water-taxi facility are a positive addition in terms of drawing pedestrian footfall from the busy Quay Road and encouraging pedestrians to enjoy a previously inaccessible stretch of waterfront and allowing them to explore further north and around to the east of the harbour - areas which are currently relatively quiet in terms of activity but important in terms of unlocking Plymouth's vibrant waterfront potential as enshrined in planning policy and the city vision.

Officers consider that the scheme will be a positive addition to the Barbican Conservation Area and do not consider that the proposal results in "harm" to heritage assets in terms of the tests of the NPPF. If any harm did exist it would be less than substantial and outweighed by the wider public benefits the scheme will deliver as outlined above.

13. Recommendation

In respect of the application dated **11/12/2014** and the submitted drawings 12710 L01.02 F (Proposed Site Plan), 12710 L02.01 D (Ground Floor Plan), 12710 L02.02 B (Pavilion Floor Plan), 12710 L03.01 D (Section AA), 12710 L04.01 D (Proposed North & East Elevations), 12710 L04.02 D (Proposed South & West Elevations), 12710 L04.04 K (Pavilion Elevations), 12710 L04.11 (Existing & Proposed Substation), 12710 L06.01 (Quay Connection Detail 1), 12710 L06.01 A (Proposed Refuse Stores Plan), 12710 C01/FIX 01.01, 1530 - Weaver Casting Drawing, Design & Access Statement, it is recommended to: **Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 30/04/2015**

14. Conditions

CONDITION: 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.

CONDITION: APPROVED PLANS (LISTED BUILDING CONSENT)

(2) The works hereby permitted shall be carried out in accordance with the following approved plans: 12710 L01.02 F (Proposed Site Plan), 12710 L02.01 D (Ground Floor Plan), 12710 L02.02 B (Pavilion Floor Plan), 12710 L03.01 D (Section AA), 12710 L04.01 D (Proposed North & East Elevations), 12710 L04.02 D (Proposed South & West Elevations), 12710 L04.04 K (Pavilion Elevations), 12710 L04.11 (Existing & Proposed Substation), 12710 L06.01 (Quay Connection Detail 1), 12710 L06.01 A (Proposed Refuse Stores Plan), 12710 C01/FIX 01.01, 1530 - Weaver Casting Drawing, Design & Access Statement.

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Pre-commencement Conditions

PRE-COMMENCEMENT: PROGRAMME OF ARCHAEOLOGICAL WORK

(3) No part of the development allowed by this permission shall be commenced until the applicant (or their agent or successors in title) has completed a programme of archaeological work, in accordance with a written scheme of investigation that has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme.

Reason:

The site is considered likely to contain archaeological deposits that warrant appropriate investigation and/or recording in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: RETENTION OF HISTORIC QUAY FEATURES

(4) Unless otherwise agreed in writing with the Local Planning Authority, no works shall take place to the listed quay wall or associated wharves and public realm spaces until a plan which details how the historic features of those structures will be

incorporated into the proposed landscape scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that a record of such features is made and kept available for inspection, in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

PLANNING COMMITTEE

Decisions issued for the following period: 4 January 2015 to 1 February 2015

Note - This list includes:

- Committee Decisions
- Delegated Decisions
- Withdrawn Applications
- Returned Applications

Item No 1

Application Number:	14/00711/FUL	Applicant:	Evolution Cove (Plymouth) Ltd
Application Type:	Full Application		
Description of Development:	Resubmission of 13/01658/FUL: Change of use of ground floor retail unit to 2no. Residential units with dedicated parking at 9-11 Durnford Street		
Site Address	EVOLUTION COVE, 29 DURNFORD STREET PLYMOUTH		
Case Officer:	Jessica Vaughan		
Decision Date:	16/01/2015		
Decision:	Grant Subject to S106 Obligation - Full		

Item No 2

Application Number:	14/01281/FUL	Applicant:	Lidl UK
Application Type:	Full Application		
Description of Development:	Construction of a new food retail store and non-food retail unit with associated car parking landscaping and access arrangements (existing building to be demolished)		
Site Address	FORMER MEGABOWL, PLYMOUTH ROAD PLYMOUTH		
Case Officer:	Simon Osborne		
Decision Date:	20/01/2015		
Decision:	Grant Conditionally		

Item No 3

Application Number: 14/01778/FUL **Applicant:** Black Rock Student Housing Uni

Application Type: Full Application

Description of Development: Demolition of existing buildings (retail and educational uses) and construction of 3-9 storey building, comprising 185 student bed spaces and associated landscaping and public realm works

Site Address 45 REGENT STREET PLYMOUTH

Case Officer: Olivia Wilson

Decision Date: 06/01/2015

Decision: Application Withdrawn

Item No 4

Application Number: 14/01780/FUL **Applicant:** Mr Matthew Stead

Application Type: Full Application

Description of Development: Variation of condition 2 (list of approved plans of planning permission 13/02427/FUL) to amend the red line to the north of Granby Street and revise layout

Site Address LAND AT GRANBY GREEN, WEST OF PARK AVENUE AND LAND AT GRANBY STREET, EAST OF PARK AVENUE PLYMOUTH

Case Officer: Janine Warne

Decision Date: 16/01/2015

Decision: Grant Subject to S106 Obligation - Full

Item No 5

Application Number: 14/01784/FUL **Applicant:** Mr Michael Wills

Application Type: Full Application

Description of Development: Garage conversion to store/personal training studio; and minor alterations to create off street parking

Site Address 5 LONGFIELD VILLAS PLYMOUTH

Case Officer: Amy Thompson

Decision Date: 23/01/2015

Decision: Grant Conditionally

Item No 6

Application Number: 14/01827/REM **Applicant:** Mr T C Chiddle

Application Type: Reserved Matters

Description of Development: Application for reserved matters including access, appearance, landscaping, layout and scale following grant of outline planning permission 13/01933/OUT for the erection of one new dwelling with all matters reserved

Site Address 128A LYNWOOD AVENUE PLYMOUTH

Case Officer: Jon Fox

Decision Date: 05/01/2015

Decision: Grant Conditionally

Item No 7

Application Number: 14/01864/FUL **Applicant:** Mr Richard Sander

Application Type: Full Application

Description of Development: Eight industrial units for uses with classes B1, B2 & B8 of the use classes order

Site Address LISTER MILL BUSINESS PARK, LISTER CLOSE PLYMOUTH

Case Officer: Jon Fox

Decision Date: 22/01/2015

Decision: Grant Conditionally

Item No 8

Application Number: 14/01975/FUL **Applicant:** Miss Tara Kerlin

Application Type: Full Application

Description of Development: Conversion of existing garage to create annexed accommodation (two storey)

Site Address 18 ST EDWARD GARDENS PLYMOUTH

Case Officer: Amy Thompson

Decision Date: 19/01/2015

Decision: Application Withdrawn

Item No 9

Application Number: 14/01992/LBC **Applicant:** Plymouth City Council
Application Type: Listed Building
Description of Development: Boiler replacement & associated works
Site Address PLYMOUTH GUILDHALL, ROYAL PARADE PLYMOUTH
Case Officer: Jess Maslen
Decision Date: 12/01/2015
Decision: Grant Conditionally

Item No 10

Application Number: 14/02001/TPO **Applicant:** Mrs Judith Sheehy
Application Type: Tree Preservation
Description of Development: Reduce Horse Chestnut by 5m overall and reduce over-extended side branch by 8m
Site Address 9 AND 11 ALBERT ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 09/01/2015
Decision: Refuse

Item No 11

Application Number: 14/02015/TPO **Applicant:** Plymouth Tree Services
Application Type: Tree Preservation
Description of Development: 4 sycamore trees, 1 ash tree - Reduce by 6 metres
Site Address 7 WARLEIGH CRESCENT PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 08/01/2015
Decision: Refuse

Item No 12

Application Number: 14/02049/EXUS **Applicant:** Plymouth Garage Services
Application Type: LDC Existing Use
Description of Development: B2 use class
Site Address P G S, 7 CATTEWATER ROAD PLYMOUTH
Case Officer: Ben Wilcox
Decision Date: 08/01/2015
Decision: Issue Certificate - Lawful Use

Item No 13

Application Number: 14/02059/TPO **Applicant:** Plymouth City Council
Application Type: Tree Preservation
Description of Development: Removal of dead trees / branches
Clear street lights
Remove one third of holly understorey
Site Address BICKLEIGH DOWN ROAD PLYMOUTH
Case Officer: Jane Turner
Decision Date: 14/01/2015
Decision: Grant Conditionally

Item No 14

Application Number: 14/02061/FUL **Applicant:** Miss Kelly Bray
Application Type: Full Application
Description of Development: Change of use to fish and chip shop (hot food takeaway)
Site Address 76 GRANBY WAY PLYMOUTH
Case Officer: Liz Wells
Decision Date: 15/01/2015
Decision: Grant Conditionally

Item No 15

Application Number: 14/02069/FUL **Applicant:** Mr G Tucker
Application Type: Full Application
Description of Development: Demolition of existing garage, construction of new garage and front single storey extension
Site Address 37 WIDEY LANE PLYMOUTH
Case Officer: Opani Mudalige
Decision Date: 13/01/2015
Decision: Grant Conditionally

Item No 16

Application Number: 14/02090/LBC **Applicant:** Corporate Property, Plymouth Ci
Application Type: Listed Building
Description of Development: Create a doorway in an internal partition wall
Site Address MAYFLOWER SAILING CLUB, MADEIRA ROAD
PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 14/01/2015
Decision: Grant Conditionally

Item No 17

Application Number: 14/02097/FUL **Applicant:** Mr Matthew Duncombe
Application Type: Full Application
Description of Development: Single storey front extension
Site Address 57 RESERVOIR ROAD PLYMSTOCK PLYMOUTH
Case Officer: Christopher King
Decision Date: 06/01/2015
Decision: Grant Conditionally

Item No 18

Application Number: 14/02099/FUL **Applicant:** SLM Ltd
Application Type: Full Application
Description of Development: Installation of two shipping containers on site
Site Address THE BRICKFIELDS SPORTS CENTRE, MADDEN ROAD
DEVONPORT PLYMOUTH
Case Officer: Opani Mudalige
Decision Date: 08/01/2015
Decision: Grant Conditionally

Item No 19

Application Number: 14/02128/FUL **Applicant:** SLM Ltd

Application Type: Full Application

Description of Development: Installation of four floodlights attached to existing lighting columns

Site Address BRICKFIELDS SPORTS CENTRE, MADDEN ROAD
PLYMOUTH

Case Officer: Amy Thompson

Decision Date: 06/01/2015

Decision: Grant Conditionally

Item No 20

Application Number: 14/02143/LBC **Applicant:** Tasty PLC

Application Type: Listed Building

Description of Development: Fit out works including new kitchen and associated ventilation/extraction, toilet pod, enclosing cattle lairs, floors, entrance lobbies

Site Address SLAUGHTERHOUSE, ROYAL WILLIAM YARD PLYMOUTH

Case Officer: Jess Maslen

Decision Date: 19/01/2015

Decision: Grant Conditionally

Item No 21

Application Number: 14/02146/FUL **Applicant:** Mr Guy Pennington

Application Type: Full Application

Description of Development: Conversion of first and second floor office space to create two one-bedroom flats

Site Address 7 MARLBOROUGH STREET PLYMOUTH

Case Officer: Aidan Murray

Decision Date: 08/01/2015

Decision: Grant Conditionally

Item No 22

Application Number: 14/02148/FUL **Applicant:** Mr John Douglass
Application Type: Full Application
Description of Development: Erection of part two storey, part single storey extension with terrace above, car port and new vehicular access
Site Address 20 ST JOHNS DRIVE PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 16/01/2015
Decision: Grant Conditionally

Item No 23

Application Number: 14/02158/FUL **Applicant:** Mr Romuald Boco
Application Type: Full Application
Description of Development: Change of use from disused residential care home to form 7 self-contained 2 bed flats
Site Address SOUTHVIEW, WOODSIDE PLYMOUTH
Case Officer: Christopher King
Decision Date: 19/01/2015
Decision: Refuse

Item No 24

Application Number: 14/02162/OUT **Applicant:** Mr David Lawrence
Application Type: Outline Application
Description of Development: Erection of two detached dwellings
Site Address 208 SPRINGFIELD ROAD PLYMOUTH
Case Officer: Jon Fox
Decision Date: 20/01/2015
Decision: Grant Conditionally

Item No 25

Application Number: 14/02163/FUL **Applicant:** Wessex Reserve Forces and Ca

Application Type: Full Application

Description of Development: Erection of two-storey building for use by Air Training Corps and Army Cadet Force, with associated works including cycle shelter

Site Address ARMY RESERVE CENTRE, PROSPECT PLACE
PLYMOUTH

Case Officer: Jon Fox

Decision Date: 09/01/2015

Decision: Grant Conditionally

Item No 26

Application Number: 14/02167/TPO **Applicant:** Mrs Wendy Pryke

Application Type: Tree Preservation

Description of Development: Various pruning and reduction works to 9 trees

Site Address 8 CANDISH DRIVE PLYMOUTH

Case Officer: Chris Knapman

Decision Date: 08/01/2015

Decision: Grant Conditionally

Item No 27

Application Number: 14/02168/FUL **Applicant:** Maplin Electronics Ltd

Application Type: Full Application

Description of Development: Change of shop frontage

Site Address 32- 34 CORNWALL STREET CITY CENTRE PLYMOUTH

Case Officer: Aidan Murray

Decision Date: 09/01/2015

Decision: Grant Conditionally

Item No 28

Application Number: 14/02169/ADV **Applicant:** Plymouth Community Homes
Application Type: Advertisement
Description of Development: Erection of 2 no. flags and poles including signage
Site Address THE HUB, 58 COOKWORTHY ROAD PLYMOUTH
Case Officer: Opani Mudalige
Decision Date: 16/01/2015
Decision: Grant Conditionally

Item No 29

Application Number: 14/02174/ADV **Applicant:** Co-operative Food Group
Application Type: Advertisement
Description of Development: Replacement signage.
Site Address THE CO-OPERATIVE FOOD, HOEGATE STREET PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 06/01/2015
Decision: Grant Conditionally

Item No 30

Application Number: 14/02180/FUL **Applicant:** Nazareth Care Charitable Trust
Application Type: Full Application
Description of Development: Modifications to existing boundary wall
Site Address SISTERS OF NAZARETH, NAZARETH HOUSE, DURNFORD STREET PLYMOUTH
Case Officer: Kate Price
Decision Date: 19/01/2015
Decision: Grant Conditionally

Item No 31

Application Number: 14/02181/TPO **Applicant:** Mrs Ruth Hewitt

Application Type: Tree Preservation

Description of Development: Weeping Ash - Reduce middle by 4m and side by house by 2-3m
Sycamore - Crown raise to 4m above ground level and reduce by 2-3m

Site Address 8 LOPWELL CLOSE PLYMOUTH

Case Officer: Jane Turner

Decision Date: 07/01/2015

Decision: Grant Conditionally

Item No 32

Application Number: 14/02185/ADV **Applicant:** Plymouth University

Application Type: Advertisement

Description of Development: Wall mounted signage

Site Address ARTILLERY PLACE PLYMOUTH

Case Officer: Aidan Murray

Decision Date: 06/01/2015

Decision: Grant Conditionally

Item No 33

Application Number: 14/02187/FUL **Applicant:** Goulds Outdoors

Application Type: Full Application

Description of Development: Ground floor change of use from shop to café and conversion of first and second floors to two bed duplex

Site Address GOULDS SURPLUS STORES (PLYMOUTH) LTD, 57
EBRINGTON STREET PLYMOUTH

Case Officer: Rebecca Boyde

Decision Date: 12/01/2015

Decision: Grant Conditionally

Item No 34

Application Number: 14/02188/FUL **Applicant:** Salon at No 6
Application Type: Full Application
Description of Development: Single storey extension to accommodate two beauty rooms
Site Address 6 ST MAURICE ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 08/01/2015
Decision: Grant Conditionally

Item No 35

Application Number: 14/02192/TPO **Applicant:** Dr Brian Pollard
Application Type: Tree Preservation
Description of Development: 1 Horse Chestnut - Fell
3 Lime - Remove epicormic growth from base
Site Address 5 KINGSLAND GARDENS CLOSE PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 09/01/2015
Decision: Refuse

Item No 36

Application Number: 14/02204/FUL **Applicant:** Mrs P White
Application Type: Full Application
Description of Development: Front porch
Site Address 5 WATERLOO YARD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 15/01/2015
Decision: Grant Conditionally

Item No 37

Application Number: 14/02205/FUL **Applicant:** Plymouth Garden Centre Ltd
Application Type: Full Application
Description of Development: Installation of portacabin for use as office
Site Address PLYMOUTH GARDEN CENTRE LTD, FORT AUSTIN AVENUE PLYMOUTH
Case Officer: Jon Fox
Decision Date: 07/01/2015
Decision: Grant Conditionally

Item No 38

Application Number: 14/02206/FUL **Applicant:** Mr Steven Towle
Application Type: Full Application
Description of Development: Extension and conversion of outbuilding into residential annexe
Site Address 12 LADYSMITH ROAD PLYMOUTH
Case Officer: Opani Mudalige
Decision Date: 13/01/2015
Decision: Grant Conditionally

Item No 39

Application Number: 14/02218/TPO **Applicant:** Mr Lydia Sweeney
Application Type: Tree Preservation
Description of Development: Oak - Prune back to previous pruning points
Site Address 824 WOLSELEY ROAD PLYMOUTH
Case Officer: Chris Knapman
Decision Date: 21/01/2015
Decision: Refuse

Item No 40

Application Number: 14/02223/FUL **Applicant:** Mrs Gloria Empson
Application Type: Full Application
Description of Development: Replacement balcony frontage
Site Address 2 FREEMANS WHARF, CREMYLL STREET PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 06/01/2015
Decision: Grant Conditionally

Item No 41

Application Number: 14/02226/FUL **Applicant:** Oakwood Primary School
Application Type: Full Application
Description of Development: Erection of outdoor classroom
Site Address OAKWOOD PRIMARY SCHOOL, PENDEEN CRESCENT PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 09/01/2015
Decision: Grant Conditionally

Item No 42

Application Number: 14/02234/FUL **Applicant:** The Stable Bar & Restaurants Lt
Application Type: Full Application
Description of Development: Replacement terrace extension; internal and external alterations including 8 roof lights
Site Address 90 VAUXHALL STREET PLYMOUTH
Case Officer: Christopher King
Decision Date: 13/01/2015
Decision: Grant Conditionally

Item No 43

Application Number: 14/02235/ADV **Applicant:** The Stable Bar & Restaurants Lt
Application Type: Advertisement
Description of Development: The display of 6 new signs
Site Address 90 VAUXHALL STREET PLYMOUTH
Case Officer: Christopher King
Decision Date: 13/01/2015
Decision: Grant Conditionally

Item No 44

Application Number: 14/02236/FUL **Applicant:** Mr Steven Smith
Application Type: Full Application
Description of Development: Single storey rear extension
Site Address 45 BROXTON DRIVE PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 14/01/2015
Decision: Grant Conditionally

Item No 45

Application Number: 14/02245/FUL **Applicant:** GF Energy Ltd
Application Type: Full Application
Description of Development: Standby small scale embedded STOR power plant with associated tanks and connection to National Grid
Site Address FARADAY INDUSTRIAL PARK, FARADAY ROAD PLYMOUTH
Case Officer: Kate Saunders
Decision Date: 16/01/2015
Decision: Grant Conditionally

Item No 46

Application Number: 14/02246/FUL **Applicant:** High Street Primary School
Application Type: Full Application
Description of Development: Expand school car park to include 8 spaces
Site Address HIGH STREET SCHOOL, HIGH STREET STONEHOUSE
PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 05/01/2015
Decision: Grant Conditionally

Item No 47

Application Number: 14/02247/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Demolition of two semi-detached dwellings and construction of three, 2 and 3 bedroom family dwellings with parking
Site Address 16-18 LAUREL ROAD PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 22/01/2015
Decision: Grant Conditionally

Item No 48

Application Number: 14/02249/ADV **Applicant:** JCDecaux UK Ltd
Application Type: Advertisement
Description of Development: Advertising panel on double sized bus shelter
Site Address ROYAL PARADE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 30/01/2015
Decision: Application Withdrawn

Item No 49

Application Number: 14/02253/FUL **Applicant:** Mr Daniel Fellows

Application Type: Full Application

Description of Development: Change of use from house in multiple occupation to seven apartments, construction of tenement, rear extension and extension to roof to form additional storey in the roof space and associated car parking

Site Address 1 QUAKER LANE, OXFORD AVENUE PLYMOUTH

Case Officer: Jon Fox

Decision Date: 22/01/2015

Decision: Grant Conditionally

Item No 50

Application Number: 14/02256/FUL **Applicant:** Mr Graham Garbett

Application Type: Full Application

Description of Development: Erection of detached dwelling

Site Address 23 JENKINS CLOSE PLYMOUTH

Case Officer: Rebecca Boyde

Decision Date: 20/01/2015

Decision: Application Withdrawn

Item No 51

Application Number: 14/02257/FUL **Applicant:** Startermotor & Alternator Co. Lt

Application Type: Full Application

Description of Development: To add B2 to current use of B8

Site Address 40 VALLEY ROAD PLYMOUTH

Case Officer: Rebecca Boyde

Decision Date: 08/01/2015

Decision: Grant Conditionally

Item No 52

Application Number: 14/02261/FUL **Applicant:** Mr & Mrs Luke Green
Application Type: Full Application
Description of Development: Demolition of existing conservatories and erection of rear ground-floor extension and first-floor extension
Site Address 28 CEDARCROFT ROAD PLYMOUTH
Case Officer: Opani Mudalige
Decision Date: 15/01/2015
Decision: Grant Conditionally

Item No 53

Application Number: 14/02263/ADV **Applicant:** Spirit Group Ltd
Application Type: Advertisement
Description of Development: Replacement of advertising boards
Site Address TAMAR HOTEL,1 MORSHEAD ROAD PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 09/01/2015
Decision: Grant Conditionally

Item No 54

Application Number: 14/02267/FUL **Applicant:** Mrs Alison Treharne
Application Type: Full Application
Description of Development: B1 Office use
Site Address 15 ATHENAEUM STREET PLYMOUTH
Case Officer: Ben Wilcox
Decision Date: 27/01/2015
Decision: Grant Conditionally

Item No 55

Application Number: 14/02271/FUL **Applicant:** Mrs Fiona Kerr
Application Type: Full Application
Description of Development: Proposed single storey extension to front
Site Address 10 ST BRIDGET AVENUE PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 05/01/2015
Decision: Grant Conditionally

Item No 56

Application Number: 14/02273/FUL **Applicant:** Dr Ismail

Application Type: Full Application

Description of Development: Formation of rooms in roof space by raising the ridge.

Site Address 59 ABERDEEN AVENUE PLYMOUTH

Case Officer: Amy Thompson

Decision Date: 12/01/2015

Decision: Grant Conditionally

Item No 57

Application Number: 14/02275/TPO **Applicant:** Plymouth Community Health Ce

Application Type: Tree Preservation

Description of Development: Poplar - Reduce overhang into property by 4m
Elm - Remove lowest branch over wall
Mulberry - Remove low branch towards property

Site Address MOUNT GOULD HOSPITAL, MOUNT GOULD ROAD
PLYMOUTH

Case Officer: Chris Knapman

Decision Date: 21/01/2015

Decision: Grant Conditionally

Item No 58

Application Number: 14/02280/TPO **Applicant:** Mrs Samantha Buckthought

Application Type: Tree Preservation

Description of Development: Various tree management works to Ash Sycamore & Monterey Cypress including removal of some

Site Address 10 KINGSWAY GARDENS PLYMOUTH

Case Officer: Jane Turner

Decision Date: 14/01/2015

Decision: Grant Conditionally

Item No 59

Application Number: 14/02283/LBC **Applicant:** TKW Properties
Application Type: Listed Building
Description of Development: Internal alterations to upper ground floor, installation of external stairs and gate in front railings
Site Address 5 NELSON GARDENS PLYMOUTH
Case Officer: Olivia Wilson
Decision Date: 22/01/2015
Decision: Application Withdrawn

Item No 60

Application Number: 14/02284/EXDE **Applicant:** Mr D Holland
Application Type: LDC Existing Develop
Description of Development: Replacement windows and doors
Site Address 13A STONEHALL FLATS PLYMOUTH
Case Officer: Ben Wilcox
Decision Date: 09/01/2015
Decision: Issue Certificate - Lawful Use

Item No 61

Application Number: 14/02288/PRDE **Applicant:** Mrs D Dowding
Application Type: LDC Proposed Develop
Description of Development: Garden room
Site Address 9 SPRINGFIELD ROAD PLYMOUTH
Case Officer: Ben Wilcox
Decision Date: 08/01/2015
Decision: Issue Certificate - Lawful Use

Item No 62

Application Number: 14/02289/TPO **Applicant:** Barton Park Homes

Application Type: Tree Preservation

Description of Development: Various tree management works

Site Address VARIOUS ADDRESSES VALLEY WALK, SYCAMORE WAY, GLENFIELD WAY, KINGFISHER CLOSE, UNITY CLOSE, GLENFIELD CLOSE JULIAN WALK, QUEENS CLOSE, PRINCES ROAD ROSE GARDENS, BAY TREE CLOSE, MAPLE CLOSE PLYMOUTH

Case Officer: Chris Knapman

Decision Date: 23/01/2015

Decision: Grant Conditionally

Item No 63

Application Number: 14/02296/TPO **Applicant:** Sanctuary Maintenance Contrac

Application Type: Tree Preservation

Description of Development: Various tree management works to R/O 69 - 79 & 83 - 87 Chard Barton

Site Address R/O 69 - 79 & 83 - 87 CHARD BARTON PLYMOUTH

Case Officer: Jane Turner

Decision Date: 14/01/2015

Decision: Grant Conditionally

Item No 64

Application Number: 14/02299/FUL **Applicant:** Mr Ian Lowson

Application Type: Full Application

Description of Development: Demolition of existing rear extension and construction of two storey rear extension

Site Address 216 OUTLAND ROAD PLYMOUTH

Case Officer: Opani Mudalige

Decision Date: 13/01/2015

Decision: Grant Conditionally

Item No 65

Application Number: 14/02301/ADV **Applicant:** J D Wetherspoon
Application Type: Advertisement
Description of Development: New gates with halo illuminated letters above to replace existing
Site Address 58 SOUTHSIDE STREET PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 23/01/2015
Decision: Grant Conditionally

Item No 66

Application Number: 14/02309/FUL **Applicant:** Mr & Mrs Adam Drake
Application Type: Full Application
Description of Development: Rear and side extension
Site Address 2 ROSEDALE AVENUE PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 13/01/2015
Decision: Refuse

Item No 67

Application Number: 14/02310/GPD **Applicant:** Mr Steve Smeeth
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 5m, has a maximum height of 2.8m, and has an eaves height of 2.8m
Site Address 51 SOUTHWELL ROAD PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 06/01/2015
Decision: Prior approval not req

Item No 68

Application Number: 14/02312/FUL **Applicant:** Mr James Harrison

Application Type: Full Application

Description of Development: Internal alterations including creating a kitchen diner and replacing 7 fireplaces, externally re-covering the roof; replacing UPVC windows

Site Address 120 MOLESWORTH ROAD STOKE PLYMOUTH

Case Officer: Jess Maslen

Decision Date: 21/01/2015

Decision: Grant Conditionally

Item No 69

Application Number: 14/02313/FUL **Applicant:** Mr David Wilding

Application Type: Full Application

Description of Development: Demolition of existing rear first floor conservatory and erection of part ground floor and part first floor extension to rear

Site Address 3 HAROLDSLEIGH AVENUE PLYMOUTH

Case Officer: Aidan Murray

Decision Date: 20/01/2015

Decision: Grant Conditionally

Item No 70

Application Number: 14/02315/LBC **Applicant:** Mr James Harrison

Application Type: Listed Building

Description of Development: Internal alterations including creating a kitchen diner and replacing 7 fireplaces; externally re-covering the roof; replacing uPVC windows

Site Address 120 MOLESWORTH ROAD STOKE PLYMOUTH

Case Officer: Jess Maslen

Decision Date: 26/01/2015

Decision: Grant Conditionally

Item No 71

Application Number: 14/02316/FUL **Applicant:** Mr John Reed
Application Type: Full Application
Description of Development: Loft conversion and internal alterations
Site Address 6 GOAD AVENUE PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 12/01/2015
Decision: Grant Conditionally

Item No 72

Application Number: 14/02318/FUL **Applicant:** MR Nick Murrell
Application Type: Full Application
Description of Development: WiFi transmitters to be located at 24 sites around the city centre, Barbican and the Hoe
Site Address VARIOUS SITES ON THE BARBICAN, THE HOE AND THE CITY CENTRE PLYMOUTH
Case Officer: Christopher King
Decision Date: 27/01/2015
Decision: Grant Conditionally

Item No 73

Application Number: 14/02321/FUL **Applicant:** Mr Wayne Davies
Application Type: Full Application
Description of Development: Front porch extension
Site Address 24 PENDENNIS CLOSE PLYMOUTH
Case Officer: Aidan Murray
Decision Date: 13/01/2015
Decision: Grant Conditionally

Item No 74

Application Number: 14/02327/FUL **Applicant:** Mr Salam Fawzi
Application Type: Full Application
Description of Development: Conversion into four separate one-bedroom, self-contained flats
Site Address 272 NORTH ROAD WEST PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 16/01/2015
Decision: Grant Conditionally

Item No 75

Application Number: 14/02335/FUL **Applicant:** Plymouth Community Homes
Application Type: Full Application
Description of Development: Over cladding to external walls, replacement of existing balcony railings and external boundary walls
Site Address 5-12F HIGH STREET & 1A TO 3C WATERLOO CLOSE FLATS STONEHOUSE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 16/01/2015
Decision: Grant Conditionally

Item No 76

Application Number: 14/02338/FUL **Applicant:** Mr Mark Damerell
Application Type: Full Application
Description of Development: Two storey side extension
Site Address 8 PARNELL CLOSE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 29/01/2015
Decision: Grant Conditionally

Item No 77

Application Number: 14/02340/FUL **Applicant:** Mr and Mrs Hill
Application Type: Full Application
Description of Development: New detached garage and driveway works
Site Address 20 POWISLAND DRIVE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 16/01/2015
Decision: Grant Conditionally

Item No 78

Application Number: 14/02343/31 **Applicant:** Mr Daniel Baugh
Application Type: GPDO PT31
Description of Development: Demolition of extension to quadrangle
Site Address DEVONPORT DOCKYARD, SALTASH ROAD KEYHAM PLYMOUTH
Case Officer: Christopher King
Decision Date: 07/01/2015
Decision: Prior approval not req

Item No 79

Application Number: 14/02353/ADV **Applicant:** Marshall Motors Group Limited
Application Type: Advertisement
Description of Development: 4 free-standing signs, 4 double-sided free-standing signs, and 5 fascia signs
Site Address AUDI PLYMOUTH, EAGLE ROAD PLYMOUTH
Case Officer: Opani Mudalige
Decision Date: 29/01/2015
Decision: Grant Conditionally

Item No 80

Application Number: 14/02374/FUL **Applicant:** Mr D Jensen
Application Type: Full Application
Description of Development: First floor side extension
Site Address 35 ASHWOOD PARK ROAD PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 29/01/2015
Decision: Grant Conditionally

Item No 81

Application Number: 14/02378/GPD **Applicant:** Mr R Reip
Application Type: GPDO Request
Description of Development: Change of use of ground floor from B1 office(s) to C3 residential – (1 dwelling)
Site Address 59 SOUTHSIDE STREET PLYMOUTH
Case Officer: Rebecca Boyde
Decision Date: 12/01/2015
Decision: Prior approval not req

Item No 82

Application Number: 14/02382/GPD **Applicant:** Alex Nicol
Application Type: GPDO Request
Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 5.445m, has a maximum height of 3.35m, and has an eaves height of 2.5m
Site Address 39 TORR VIEW AVENUE PLYMOUTH
Case Officer: Amy Thompson
Decision Date: 14/01/2015
Decision: Prior approval not req

Item No **83**

Application Number: 14/02398/GPD **Applicant:** Mr & Mrs Raymond

Application Type: GPDO Request

Description of Development: A single-storey rear extension which extends beyond the rear wall of the original dwellinghouse by 4.1m, has a maximum height of 4.0m, and has an eaves height of 2.6m

Site Address 5 WESTBOURNE ROAD PLYMOUTH

Case Officer: Amy Thompson

Decision Date: 16/01/2015

Decision: Prior approval not req
