



#plymplanning

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## **PLANNING COMMITTEE**

Thursday 8 November 2018  
4.00 pm  
Council House, Plymouth

### **Members:**

Councillor Stevens, Chair  
Councillor Tuohy, Vice Chair  
Councillors Corvid, Derrick, Mrs Johnson, Kelly, Loveridge, Morris, Nicholson, Mrs Pengelly, R Smith, Tuffin and Winter.

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

This meeting will be webcast and available on-line after the meeting. By entering the Council Chamber, councillors are consenting to being filmed during the meeting and to the use of the recording for the webcast.

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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 13 September 2018.

**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.

I.1. Land At Sugar Quay East Quay Sutton Harbour Plymouth -  
18/01245/FUL

**(Pages 7 - 70)**

Applicant:	Sutton Harbour Holdings PLC
Ward:	Sutton and Mount Gould
Recommendation:	Conditionally approved, delegated to Service Director of Strategic Planning and Infrastructure to refuse if the S106 agreement is not signed by the

target date or an otherwise agreed date through an extension of time.

- 6.2. Harbour Car Park Lockyers Quay Plymouth PL4 0RA - 18/01246/FUL **(Pages 71 - 102)**
- Applicant: Sutton Harbour Holdings PLC  
Ward: Sutton and Mount Gould  
Recommendation: Grant Conditionally
- 7. Planning Enforcement: (Pages 103 - 104)**
- 8. Planning Application Decisions Issued (Pages 105 - 132)**

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 since the last meeting, 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 to view online at:  
<http://www.plymouth.gov.uk/planningapplicationsv4/welcome.asp>

- 9. Appeal Decisions (Pages 133 - 134)**

A schedule of decisions made by the Planning Inspectorate on appeals arising from the decision of the City Council will be submitted. Please note that these Delegated Planning Applications are available to view online at:  
<http://www.plymouth.gov.uk/planningapplicationsv4/welcome.asp>

**10. 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 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

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## Planning Committee

Thursday 13 September 2018

### PRESENT:

Councillor Stevens, in the Chair.

Councillor Tuohy, Vice Chair.

Councillors Churchill (substitute for Councillor Mrs Pengelly), Corvid, Derrick, Mrs Johnson, Michael Leaves (substitute for Councillor Nicholson), Loveridge, Dr Mahony (substitute for Councillor Kelly), Morris, R. Smith, Tuffin and Winter.

Apologies for absence: Councillors Kelly, Nicholson and Mrs Pengelly.

Also in attendance: Peter Ford (Head of Development Management, Strategic Planning & Infrastructure), Mark Lawrence (Lawyer), Helen Rickman (Democratic Advisor) and Jamie Sheldon (Democratic Advisor).

The meeting started at 4.00 pm and finished at 5.45 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.*

### 35. Declarations of Interest

The following declarations of interest were made in accordance with the code of conduct:

Name	Minute Number and Item	Reason	Interest
Councillor Churchill	Land Adjacent 3A St. Anne's Road, Plymouth, PL6 7LW - 18/01149/FUL	He knows the developer	Personal
Councillor Michael Leaves	Land Adjacent 3A St. Anne's Road, Plymouth, PL6 7LW - 18/01149/FUL	He knows the developer	Personal

### 36. Minutes

Agreed the minutes of the meeting held on 19 July 2018.

### 37. Chair's Urgent Business

There were no items of Chair's urgent business.

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

There were no questions from members of the public.

39. **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.

40. **I Fortescue Place, Plymouth, PL3 5HT - I8/01054/FUL**

Mr Roger Greenaway

Decision:

Application GRANTED conditionally.

41. **22 Langhill Road, Plymouth, PL3 4JH - I8/01226/FUL**

Mrs Connick & Mr Cox

Decision:

Application GRANTED conditionally.

42. **Land Adjacent 3A St. Anne's Road, Plymouth, PL6 7LW - I8/01149/FUL**

Mr S Larson

Decision:

Application REFUSED because in the opinion of the majority of Members of the Planning Committee it is considered that the development will provide an inadequate level of parking for the combined new and existing parking demand and the new parking layout will create a safety and amenity problem for the existing residents and commercial users. The proposal is therefore considered to cause:-

- (a) Damage to amenity;
- (b) Prejudice to public safety and convenience;
- (c) Interference with the free flow of traffic on the highway

Which is contrary to Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007 and DEV31 (2,3) of the emerging Plymouth and South West Devon Joint Local Plan (2014-2034).

(Councillor R. Smith's proposal to defer the application based on a reconfiguration of parking on the site, as seconded by Councillor Churchill, was put to the vote and declared lost.)

(A Planning Committee site visit was held on 12 September 2018 in respect of this application).

(The Committee heard a representation against this application).

(The Committee heard from the applicant's agent).

43. **Planning Application Decisions Issued**

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

44. **Appeal Decisions**

Peter Ford (Head of Development Management, Strategic Planning and Infrastructure) advised Members that of the 4 appeal's recently processed, 3 had been dismissed and 1 was allowed.

Members noted the update.

45. **Exempt Business**

There were no items of exempt business.

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## PLANNING COMMITTEE – 13 September 2018

## SCHEDULE OF VOTING

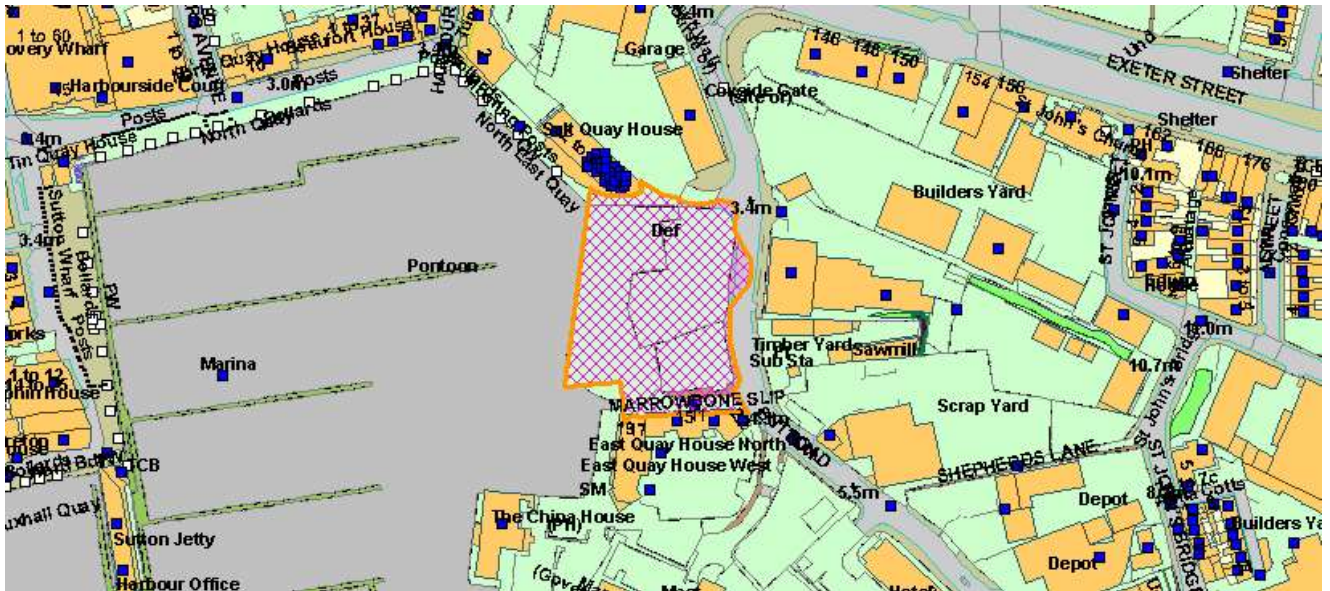
Minute number and Application		Voting for	Voting against	Abstained	Absent due to interest declared
6.1	I Fortescue Place, Plymouth, PL3 5HT - 18/01054/FUL	Unanimous  (Councillors Stevens, Tuohy, Churchill, Corvid, Derrick, Mrs Johnson, Michael Leaves, Loveridge, Dr Mahony, Morris, R. Smith, Tuffin and Winter).			
6.2	22 Langhill Road, Plymouth, PL3 4JH - 18/01226/FUL	Councillors Stevens, Tuohy, Churchill, Corvid, Derrick, Mrs Johnson, Michael Leaves, Loveridge, Morris, R. Smith, Tuffin and Winter.		Councillor Dr Mahony	
6.3	Land Adjacent 3A St. Anne's Road, Plymouth, PL6 7LW - 18/01149/FUL  Motion to defer application (lost):  Decision: to Grant Conditionally	Councillors Churchill, Dr Mahony, Michael Leaves, Mrs Johnson, Loveridge and R. Smith.  Councillor Churchill	Councillors Corvid, Derrick, Morris, Stevens, Tuohy, Tuffin and Winter.  Councillors Corvid, Derrick, Morris, Michael Leaves, Tuohy, Stevens, Tuffin and Winter.		Councillors Dr Mahony, Loveridge, Mrs Johnson and R Smith.

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# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	18/01245/FUL	<b>Item</b>	01
<b>Date Valid</b>	20.07.2018	<b>Ward</b>	SUTTON AND MOUNT GOULD
<b>Site Address</b>	Land At Sugar Quay East Quay Sutton Harbour Plymouth		
<b>Proposal</b>	Erection of a 20 storey (plus basement) mixed use development comprising basement car parking, 170 residential apartments, ground floor and mezzanine commercial space (Class A1, A2, A3 & A4), a gym (Class D1) and co-working space (Class B1a) and associated landscaping, public realm & infrastructure works		
<b>Applicant</b>	Sutton Harbour Holdings PLC		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	19.10.2018	<b>Committee Date</b>	08.11.2018
<b>Extended Target Date</b>	08.11.2018		
<b>Decision Category</b>	Member referral		
<b>Case Officer</b>	Mrs Janine Warne		
<b>Recommendation</b>	Conditionally approved, delegated to Service Director of Strategic Planning and Infrastructure to refuse if the S106 agreement is not signed by the target date or an otherwise agreed date through an extension of time		



**This application is being presented before the Planning Committee as it is a Member Referral by Cllr Sue Dann and Cllr Mary Aspinall**

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

The application site is approximately 0.55ha and is located on the East Quay of Sutton Harbour. The site fronts the Harbour, between Salt Quay House and Jewson’s builder’s merchant’s yard to the north and Marrow Bone Slip to the south, which provides public access to the water. The Eau 2 building (also known as East Quay House) lies beyond the slipway to the south. Sutton Road bounds the site to the east and there is pedestrian access along the quayside to the west. Part of the site is currently in temporary use as a car park; the rest is vacant and surrounded by hoardings.

### **2. Proposal Description**

The proposal seeks full planning permission for a 21 storey landmark building comprising retail and restaurant units at ground floor level together with 170 residential apartments on the upper floors and basement car parking.

The proposed residential apartments are a mix of:

- 74 x 1 bed apartments
- 66 x 2 bed apartments
- 30 x 3 bed apartments (including 2 ‘duplex’)

2,947 sq. m of commercial space is proposed on the ground and upper-ground/mezzanine floors for use as shops (Class A1 – no more than 499 sq. m), or financial and professional services (Class A2), restaurants or cafes (Class A3) or drinking establishments (Class A4).

The roof of the commercial plinth provides both private amenity space for future residents and a seating area for the commercial units.

A gym (Class D1) is also proposed at ground and upper-ground/mezzanine level in the south-eastern corner of the building and a co-working space (Class B1a) is also proposed at upper ground/mezzanine level.

Parking provision for 106 cars is proposed at basement level, with access from the south of the building, off Marrowbone Slip. Additional parking for future residents of Sugar Quay is proposed through an extension to Harbour Car Park, located on Lockyer's Quay, to the south of the Sugar Quay site. The extension is subject to a separate planning application (ref: 18/01246/FUL) which is also being presented before the Planning Committee. This proposed car park extension provides two additional floors of parking providing 114 additional spaces, with 62 parking spaces dedicated to the residential development hereby proposed and an additional 36 spaces to be made available for residents of Sugar Quay on an optional basis via the issue of permits.

Cycle parking and refuse storage is proposed at ground floor level.

Amended plans and additional information has been submitted. In summary the primary changes relate to the top of the building, which has been revised with the 'wraparound' blue bank being refined to a simplified and more elegant point and some associated internal alterations to the residential unit and its terrace at the top of the building. In addition, the servicing arrangements for the building have been revised.

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

Pre-application discussions took place (ref: 18/00686/MAJ), commencing in April 2018. In summary, early advice centred around the design of the proposed building – whilst the building is within the 'Tall Building Zone', justification for the tall, stepped, T-plan, landmark building (which is a radical departure from previously consented schemes and masterplans) was sought. High quality, more elegant design was encouraged and sail-like geometries were recommended and explored. Officers also recommended that the pre-application proposals should be presented before a Design Review Panel. However this was not something that the applicant wanted to pursue.

The opportunity to facilitate the Sutton Harbour Area Action Plan (AAP) concept of a new boulevard linking the site's quayside to St John's Church and Exeter Street was supported in principle. The proposed commercial uses and the level of active frontages in this part of the Harbour were welcomed, as well as flexibility in uses to optimize viability and occupation.

Meetings were held with key external consultees, including the Environment Agency to discuss flood protection measures. The environmental concerns were also discussed in great detail, in conjunction with our ecologists.

In terms of affordable housing, delivery Officers advised that this is one of the top priorities for the Authority, identifying the relevant policy criteria and seeking further information on how this would be addressed. Transport/parking requirements were reviewed by the Highways Authority. And as the scheme progressed, other material planning considerations were highlighted and discussed including the historic environment (pre-app discussions also took place directly with Historic England), sustainability, drainage, designing out crime, land contamination etc. The potential S106 contributions to mitigate the impact of the development were also identified.

Further to the above, earlier pre-application discussions took place, under ref: 15/01294/MAJ, between July 2015 and March 2018. These discussions focused on the potential introduction of student accommodation in this location; something the Local Planning Authority did not support in principle.

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

18/00912/ERS103 - Request for Screening Opinion for proposed 21 storey building comprising circa 175 residential apartments and 5 commercial units (2,940 sq. m) with 120 underground car parking spaces - an Environmental Impact Assessment not required.

17/01573/FUL - Use of the site for temporary car park – APPROVED

15/01335/FUL - Continuation of use as a temporary car park for 24 months – APPROVED

14/01011/FUL - Continuation of use of boatyard land as temporary car park for 12 months - APPROVED.

12/00680/FUL - Use of boatyard land as temporary car park accommodating 49 vehicular spaces, 4 motorcycle spaces and associated access and circulation areas and works - variation of condition 2 of planning permission 09/00763/FUL to enable original permission to be extended for a further 2 years – APPROVED.

09/01882/FUL - Development of mixed use residential scheme comprising 62 residential apartments (C3 use) and 4 ground floor commercial/retail units (A1, A2, A3, A4, B1a and B1 (marine related employment use)), within a 5/10 storey building, with associated car parking, services and public realm works – APPROVED.

09/00763/FUL - Change of use of land from boatyard to temporary car park to accommodate 49 vehicular spaces, 4 motorcycle spaces and associated access and circulation areas and works (3 year consent) – APPROVED

08/02194/FUL - Erection of mixed use office scheme (including use classes A1, A2, A3, and B1) within a three/four storey building, with associated internal car parking and the erection of an external electricity substation building – APPROVED

07/02041/FUL - BBC telecommunications equipment, comprising of 2 satellite dishes, weather camera and off-air reception array – APPROVED

06/01368/FUL - Demolition of light industrial unit/office unit, redundant public house and erection of mixed use residential scheme (including use classes A1, A2, A3, B1a and B1 Marine related employment uses) comprising 101 residential flats within a ten/eleven storey building and three storey office building, with associated parking – APPROVED

06/00394/FUL - Demolition of light industrial/office unit and erection of mixed use residential scheme (including use classes A1, A2, A3, A4, B1, B2 and B8) comprising 107 residential flats within a ten storey building and four storey office building, with associated parking, waterfront piazza and retention, extension and refurbishment of public house – WITHDRAWN

## **5. Consultation Responses**

**Highway Authority** – No in-principle highway objection raised, subject to recommended conditions seeking further details regarding road access for contractors, the submission of a Pedestrian Accessibility Audit (PAA), a car parking management strategy and a Travel Plan, and securing access/highway improvements car parking and cycle provision.

Detailed comments have been provided and are detailed in the analysis section below.

**Environment Agency (EA)** – In the initial consultation response, no in principle objections were raised. However the EA recommended that the application should not be determined until an appropriate contribution towards the future upgrade of defences for Sutton Harbour has been agreed. If this could not be secured, the EA would raise an objection on the grounds that the development is not safe over its lifetime.

In an updated consultation response (dated 4th September) the EA sought the sum of £250,000 towards works to upgrade flood defences at Sutton Harbour, which was subsequently agreed with the applicant. In a further response (dated 15th October) the EA confirmed that the proposal will be acceptable subject to the Section 106 agreement and the inclusion of conditions to cover the mitigation measures set out in the Flood Risk Assessment (FRA), contaminated land and the final Construction Environment Management Plan (CEMP).

**Public Protection Service** – No objections, subject to recommended conditions relating to land contamination, code of practice during construction, management of the proposed gym use, the reduction of sound transmission and vibration from the proposed gym, sound insulation measures for residential units, details and noise reduction measures of any ventilation systems, restrictions on opening hours for commercial uses, restrictions on hours of deliveries and refuse collection, and food refuse storage details.

**Economic Development Department(ED)** – is supportive of the proposal in respect of its potential to support existing city centre and waterfront businesses and its creation of additional business space, including co-working space.

From a Waterfront Masterplan delivery perspective, ED identified the need for S106 contributions to footway/cycleway links around and to and from Sutton Harbour (£238,000 requested) and the pressure on the Hoe/Hoe Foreshore (£235,000 requested). ED also identified the need for the submission of an Employment and Skill Plan, sought by a restrictive planning condition.

**Urban Design Officer** – Through detailed pre-application discussions, the scheme has evolved in design terms. The Local Planning Authority's Urban Design Officer supports the current scheme.

In response to the submission of amended drawings, an additional consultation response has been provided (dated 12/10/18) which confirms that our Urban Design Officer welcomes and supports the amendment to the blue triangular frame at the top of the building, which simplifies and strengthens the buildings intended sail-like silhouette.

Conditions are recommended seeking samples of all external building materials (which should be marine grade), further details regarding the lighting scheme and a design code for the schemes signage, as well as a condition ensuring that all shop fronts remain active and un-obscured, and the design and details of the agreed historic interpretation are submitted for approval.

**Lead Local Flood Authority** – No objections, subject to a recommended restrictive condition seeking the following additional information:

a) The proposed drainage system, including attenuation, should provide a 1% AEP standard of protection plus a 40% allowance for climate change. Calculations and modelling data should be produced in support of any drainage design showing that the defences and drainage system are designed to the required standard.

Clarification should be submitted that shows how the site is protected against off-site surface water runoff from Sutton Road.

b) Details of the outfall proposed for the surface water discharge should be submitted, including invert level, available capacity and existing catchment area.

c) Provision should be made within the development to incorporate suitable temporary flood protection to the 4.81 mAOD standard of protection required by the Local Flood Risk Management Plan should the need arise.

- d) The standing advice set out in the Environment Agency guidance for Sutton Harbour should be followed including signing up to the EA Floodline Warnings Direct service for all residents and commercial managers and the safe protection of emergency access routes. An Emergency Flood Plan should be submitted for review prior to occupation
- e) Details of how and when the system is to be managed and maintained, and any future adoption proposals should be submitted.
- f) Details should be provided that show how the water environment is to be protected from silt and pollution from the parking and access road areas. A construction environment management plan incorporating method statements should be submitted to demonstrate how the new drainage system and water environment is protected during the demolition and construction phase.

**South West Water (SWW)** – Identified the approximate location of a public water main in the vicinity and confirmed that no development shall be permitted within 3 metres of the water main and that the water main must be located within a public open space and ground cover should not be substantially altered.

SWW also confirmed that clean portable water service can be provided from the existing public water main for the proposal.

A planning condition is recommended to ensure that foul drainage from the development must be connected to the public foul or combined sewer.

SWW confirmed that the method proposed to discharge into a surface water body is acceptable and meets with the Run-off Destination Hierarchy. However, SWW noted that should this method be amended, SWW will require clear evidence to demonstrate why the preferred methods listed within the Run-off Destination Hierarchy have been discounted by the applicant.

**Low Carbon Team** – The proposed approach to use Combined Heat and Power (CHP) to achieve the carbon savings of 15% accords with the policy CS20. A restrictive condition is recommended to secure this and seek further details and a commitment to future-proof the scheme for connection to district energy.

**Historic Environment Officer** – Considers that, due to the excessive height of the proposed development, the visual impact of the building would be unduly dominant and harmful to the setting of the Barbican Conservation Area. Although bringing this site back into use will without doubt make a positive contribution to the local area, the scale of the proposals means that at present, this would also cause harm.

In terms of archaeology, no objections are raised subject to a recommended condition seeking an archaeological watching brief.

**Natural Infrastructure Team (NIT)** – In response to initial objections raised by the NIT, the applicant has submitted amended plans and revised information, including a reptile survey and an updated Ecological Mitigation and Enhancement Strategy (EMES). The revised EMES clearly defines the biodiversity mitigation measures to be delivered on-site. Whilst the proposed mitigation measures alone are not sufficient to achieve biodiversity net gain, Officers from the NIT have confirmed that it is acceptable, in this case, to consider these proposals alongside those proposed at Harbour Car Park (application 18/01246/FUL) as the proposals are intrinsically linked and this development cannot be delivered in isolation from the Harbour Car Park development (see recommended restrictive condition). Therefore, on this basis, NIT Officers are satisfied that the proposed on-site measures at Sugar Quay combined with the proposed mitigation at Harbour Car Park (application 18/01246/FUL) will deliver an overall



biodiversity net gain in accordance with the relevant policy criteria. On the basis of this, and additional mitigation to be secured by conditions (including the submission of a final Construction Environmental Management Plan, further details of all hard and soft landscaping, and the submission of a Landscape and Ecological Management Plan) no objections are raised.

In terms of Landscape Visual Impact, it is considered that the submitted Townscape and Visual Impact Appraisal (LTVIA) slightly undervalues the potential visual effects that the proposed development will have when viewed from the Cattewater and Sutton Harbour, the Sound and entrance to the Cattewater, and Mount Batten Point. It is considered that a slightly reduced built form would integrate better into its context. However, NIT Officers are satisfied that the impact will not be significantly adverse and therefore raise no objections in this regard.

The NIT also sought financial contributions to mitigate the impact on development on local green space (£91,014), children's play space (£44,613), playing pitches (154,977) and strategic green space (£203,001). These requested contributions have been considered as part of the viability of the scheme.

**Natural England (NE)** – confirms that this development falls within the 'zone of influence' for the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA, as set out in the (emerging) Local Plan. It is anticipated that new housing development in this area is 'likely to have a significant effect' upon the interest features of the SAC/SPA, when considered in combination, through increased recreational pressure. As such NE advise that mitigation will be required to avoid such an effect occurring and enable the Local Planning Authority to reach a conclusion of "no likely significant effect".

**Historic England (HE)** – The first consultation response (dated 2/8/19) highlighted a number of areas of potential concern to Historic England, particularly with regards to the setting of the Royal Citadel - if the proposed tall building was to appear above the citadel in short and medium-range views, HE believed this could compromise its fortress-like appearance, causing harm to its setting and thus significance.

Following discussions with HE and the submission of amended plans and additional information, which verifies the visual impacts on the Royal Citadel, an updated consultation response has been provided (dated 11/10/18) which confirms that a zone of theoretical visibility analysis has been produced in response to HE's concerns, plus a number of visualisations from selected viewpoints within Plymouth Sound. This information demonstrates that while the proposed building would rise above the Citadel in longer-range views, it would not be visible from any part of the area within 600 metres of the shoreline. Where the proposed building would rise above the Citadel in longer views from Plymouth Sound, it would be read against a backdrop of existing townscape. This being the case, HE agrees that any visual impact on the setting of the Royal Citadel is likely to be negligible.

HE has consistently recommended that the design of the proposed building should be independently reviewed by a Design Review Panel. Paragraph 129 of the NPPF advises that design review arrangements are particularly important for large-scale housing and mixed use developments, and that local authorities should have regard to the outcome from such processes.

In addition, HE expressed regret regarding the potential visual impact of the building on the setting of the Grade II listed Royal Bank of Scotland premises which terminates the view eastwards along Royal Parade (one of Plymouth's finest pieces of modernist architecture, with its elegantly-composed symmetrical silhouette, centrally punctuated by a clock tower). HE noted that the triangular termination of the proposed building will rise above the RBS premises,

detracting from the symmetry, proportion, and sculptural form of the RBS premises. However HE confirmed that the proposals will cause harm that is less than substantial to the setting of this building and concluded that, provided that the Local Authority is content that the proposals are of the highest quality design (HE recommend that this is independently verified) HE are content for this harm to be weighed against any wider public benefits offered by the proposals, in accordance with NPPF paragraph 196.

**Housing Delivery Team (HDT)** – supports this application to redevelop the Sugar Quay site. After prolonged negotiations throughout the pre-application and full planning stages, the HDT supports the affordable housing offer subject to agreeing the £3,150,000 commuted sum with triggers in a Section 106 agreement.

**Health and Safety Executive** – confirms that the site does not lie within the consultation distance of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site.

**Marine Management Organisation (MMO)** – a standard response has been issued confirming that any works within the Marine area will require a license from the MMO.

**Police Architectural Liaison Officer** – confirms that Devon and Cornwall Police are not opposed to the granting of planning permission for this application. The Police Architectural Liaison Officer confirms that he has been fully consulted at the pre-application stage and supports the application in its current design and layout. The development will be constructed in accordance with the principles of secured by design.

**Emergency Planning – Infrastructure** – as the proposed development is within a flood zone it is recommended that all infrastructure supporting the building is not situated at the lowest level. If this is unavoidable then all equipment should be suitably protected from flood water or raised above the predicted flood level based on current available data. No substances or hazardous materials should be kept on the lowest level that has the potential to cause a risk to emergency responders in a flood situation. This includes during the build period.

**Flood Warning** – all tenants should be actively encouraged to participate in the Environment Agency flood warning service.

**Evacuation** - A plan for evacuation should be developed by the building owner and include safe routes, and an evacuation assembly point outside of the flood risk area.

**Devon Fire and Rescue** – No response received.

**Queens Harbour Master** – No response received.

**Cattewater Harbour Commissioner** – No response received.

**Public Health** – No response received.

**Waterfront Partnership** – No response received.

**Wales and West Utilities** – State that gas pipes may be present in the area and advise that the developer must not build over any of Wales and West Utilities' plant or enclose their apparatus.

## **6. Representations**

Sixteen letters of representation have been received, including twelve letters of objection and three neutral letters. The points raised have been summarised below under key theme headings below:

### Support:

- \* Support for high quality housing regeneration of the vacant site and improvements to the waterfront
- \* There is potential for the development to provide a landmark building

### Objections:

#### Principle

- \* Building is too high for the area
- \* There is not the demand for the housing proposed

#### Design

- \* The design is 'confused', 'fussy' and 'cluttered' with a lack of symmetry.
- \* The design is out of scale with the area.
- \* The design is out of character with the general ambience of the harbour and in particular the historic character.
- \* \* Design has been compromised for the sake of profit.
- \* There are too many apartments proposed

#### Neighbouring Amenity

- \* Development will restrict light. Building will block out light from the East and should be lowered in height.
- \* Increase in noise reverberation
- \* Object to the height of commercial units on Marrowbone slip and proximity to East Quay House – could lead to potential noise pollution and lack of privacy/overlooking, exasperated by roof viewing/dining area
- \* Noise and pollution from associated traffic, including that servicing the commercial uses and the entrance to the car park.
- \* It is increasingly apparent that the proximity of entertainment areas and residential accommodation is incompatible. Licensing regulations now apparently allow 2am music and alcohol licences with little restriction, causing major disturbance to residents.
- \* Shadows and wind tunnels will occur.
- \* Harmful impact during construction phase.

#### Commercial Units

- \* Previous commercial units have been unviable and many remain unused.
- \* Other retail operations around the harbour have had little success. From Lockers Quay to Vauxhall Quay there are 12 premises which are, or have been, the sites of retail outlets. Of these only 4 businesses have been operating with what seems to be some measure of success for more than 6 months. In the last six years there have been 16 occasions when the proprietors have moved out. 4 sites are currently empty. 1 has been turned into an office. These figures show just how small the demand is on the east and north sides of Sutton Harbour for retail facilities.
- \* Currently 5 empty restaurants.
- \* When the bridge reopens footfall around the Harbour will reduce having an impact on commercial units here.
- \* The new Bretonside Coach Park development (within half a kilometre) will offer competing commercial units, with 420 car parking spaces and excellent proximity to public transport. In addition, the Barbican Leisure Park (also within half a kilometre) already offers a variety of eating

experiences with a large free car park. With little or no customer parking and poor public transport connections, how will the proposed commercial units compete?

- \* Empty commercial units will not contribute to the City's aspirations to create a vibrant 'Ocean City'. Empty, deteriorating, littered, sad looking premises, are hardly the "vibrant" image that Sutton Harbour Holdings continually alludes to in its description of the development.
- \* The City has more than enough under-used gyms.

### Highway/Parking

- \* Concerned about increase in traffic, during and after construction, which will harm amenity.
- \* The traffic flow in the area is extensively overcrowded and access is restricted which has a detrimental impact on existing residents. This major development would further exacerbate existing poor road access from the east to the city centre.
- \* Insufficient parking provision.
- \* Where will workers and customers of the commercial units park?
- \* The number of apartments has to be matched by the provision of parking spaces.
- \* East Quay House had a parking ratio of 1:1.3. This should be the bare minimum for this proposal, as retail customers are likely to need more parking spaces than office workers. Therefore 170 apartments creates a minimum need for 221 parking spaces; but only 107 of these will be available on the site, and this at the cost of building over an existing car park for 27 cars. Therefore in net terms, only 80 additional spaces will be created on this site.
- \* The proposed extension to Harbour Car Park will provide 139 extra spaces. Looking at overall provision against need, the net position is negative, to the tune of 16 parking spaces resulting in extra pressure on local parking.
- \* The adequacy of the Harbour Car Park as an overflow solution is highly questionable - arranging for allocated spaces in a public car park, quite some distance away, is certainly unacceptable.
- \* There is likely to be a disproportionate number of elderly residents. The necessary walk gives rise to security concerns. This would not be practical/desirable with shopping on a wet day.
- \* Unit numbers should be limited to the number of on-site parking spaces, based on a minimum 1:1.3 ratio.
- \* Request that during and after construction, access to Marrowbone Slip should be constantly available to those that have garages alongside this 'lane' and that no access problems will occur.
- \* If approved, parking restrictions should be implemented along Marrowbone Slip to stop visitors parking and restricting access.
- \* East Quay House has no protection for the overhanging section along Marrowbone Slip. The building has been struck at least twice by high sided vehicles and the risk of this happening again will increase considerably should the development go ahead.
- \* The commercial units on Marrowbone Slip will need servicing and this would mean increased traffic which would increase noise and pollution. In addition pedestrians safety would be put at risk.
- \* Understand why the number of car parking spaces is kept low, on an environmental basis, but this could only work if the public transport infrastructure was considerably improved.
- \* Assuming recharging provision will be made for electric powered vehicles.
- \* The proposed gym will contribute to traffic flow blockages in the immediate area.
- \* Is this a 'back way' of building student flats that do not have parking facilities? Plymouth is already saturated with students.

### Affordable Housing/S106

- \* No apparent details on affordable housing which all housing applications are now supposed to have.
- \* The proposed flats would be 'high end' homes, would command expensive selling prices. The City needs affordable flats to enable younger people to get onto the property ladder, and medium priced flats for retirees wanting to downsize.

- \* There would appear to be no benefit to the local area for this application only to the land owner/company. The application should not go ahead until a number of improvements to the infrastructure of the area and should be included.
- \* The local infrastructure is already seriously overloaded. Plymouth has been identified in a recent medical journal as having the worst GP facilities in the country, and this ward is so badly served that normal GP/patient relationships are already impossible. Indeed, some new residents are already finding it impossible to register with any practice. This issue should be addressed before more patients move to the harbour. This major development would be unsustainable.

#### Flood Risk

- \* The proposed car park will be below sea level. Sutton Road already suffers flood whenever there is heavy rain.

#### Other Matters

- \* Concerns raised regarding the pre-application process, with reference to the "collaborative and positive approach" and "a commitment to a timescale" and conclusions on "the overall scale and design of the development" as stated in the submitted Planning Statement. If these statements are true, such a degree of involvement and commitment, even before the consultative process had properly begun, let alone finished, seems premature and inappropriate before seeking public opinion. This creates concern about the ability of the council and its officers to act objectively in responding to this planning application.
- \* This application needs serious in depth consultation for all those living within a 2 mile radius of the said site.
- \* Query relating to the anticipated effect that the proposed building would have on the winds which blow across Sutton Harbour. Unexpected gusts of wind can have a significant effect on vessels when manoeuvring to and from their berths. Strong gusts of wind may be accelerated through the gaps between the proposed building and those adjoining it and gusts may be caused by the downslope of the proposed building where it faces the harbour. These wind effects should be modelled and reported upon – this serious shortfall in the application should be addressed before the project is considered further.
- \* Concerns regarding the effect of shading across the harbour caused by the proposed building. The plans showing the likely shading included with the application are of interest, but they do not show any effect prior to 0900 each day. The effects of shading are likely to be at their greatest early in the morning. A shading diagram for, say, 0730 during the spring, summer and autumn would give a much more accurate indication of the considerable effect which the proposed development will, have upon those who choose to keep their boats in the Marina.
- \* An underground car park is surely going to encounter major construction problems and is it really viable?
- \* The submitted plans are inaccurate – ref: 18\_01245\_FUL\_GROUND\_FLOOR\_GA\_PLAN-482389 shows that Marrowbone Slip is far wider than it actually is – it is 6.4m (wider than the combined width of 4 garages). The 4 existing garages of East Quay House are also inaccurately drawn in relation to the planned construction – the total width of the 4 garages is 10.9m. It also depicts that the car park access is virtually the same width as Marrowbone Slip. Why are these plans not drawn to scale and why are no dimensions shown? Is this a deliberate attempt to manipulate the approval of these plans or architectural incompetence? All other dimensions should be scrutinized.
- \* To enter the garages on Marrowbone Slip takes at least 3 manoeuvres due to the narrowness of this lane.
- \* Consideration should be given to any pedestrians who pass through Marrowbone Slip. Speed restrictions should be imposed and parking prohibited.
- \* Fire risk – restaurants on the lower floors of residential blocks substantially increase the fire risk to residents.

Following the submission of amended plans and additional information a second public consultation took place (for 14 days). One additional letter of representation was received which expressed support, in principle, for the development of the site and the overall design of the proposed development. However, objections to the height and dominance within the Harbour were expressed. It was also noted that by building luxury apartments would free up other properties in the city and will 'put second home owners in a small area together'. Concerns about the lack of parking were also expressed – should be one per flat and noted that parking at the Harbour Car Park is not practical.

Upon receipt of further amended and additional information, a third public consultation took place (for 7 days). No further letters of representation have been received. However, this consultation period was still underway at the time of writing this report and therefore any additional letters of representation received will be reported by addendum.

### **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) and the Sutton Harbour Area Action Plan (AAP).

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the Core Strategy and other Plymouth Development Plan Documents as the statutory development plan for Plymouth once it is formally adopted.

Annex I of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For Plymouth's current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at an advanced stage of preparation having been submitted to the Planning Inspectorate for Examination, pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations. The Council have received a Post Hearing Advice Note from the Planning Inspectors which has set out a number of modifications the Inspectors considered would make the JLP sound. The Council have prepared a schedule setting out the proposed Main Modifications and these are available for consultation until 3rd December 2018. It is therefore considered that the JLP's policies have the potential to carry significant weight within the planning decision, particularly if there are no substantive unresolved objections.

Other material considerations include the policies of the Framework itself, guidance in National Planning Practice Guidance (NPPG). Additionally, the following planning documents are also material considerations in the determination of the application:

- Planning Obligations and Affordable Housing SPD.
- Sustainable Design SPD

- Development Guidelines SPD

### **5 Year Housing Land Supply**

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

Paragraph 73 of the NPPF stipulates that "Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies or against their local housing need where the strategic policies are more than five years old"

Paragraph 11 of the NPPF states that "plans and decisions should apply a presumption in favour of sustainable development" including applications involving the provision of housing. It also states (paragraph 11(d): "Where there are no relevant development plan policies, or policies which are most important for determining the planning application are out-of-date [the planning authority should] granting permission unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. 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."

For the reasons set out in the Authority's Annual Monitoring Report, when measured against the housing requirement in the adopted development plan (the Core Strategy), Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2017-22 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 4,163 dwellings which equates to a supply of 2.17 years when set against the housing requirement as determined by the requirements of the NPPF or 1.8 years supply when a 20% buffer is also applied.

It should be noted, however, that the Local Planning Authority is at an advanced stage in the preparation of the Plymouth and South West Devon Joint Local Plan. The pre-submission version of the JLP has been formally approved by Plymouth City Council, West Devon Borough Council and South Hams District Council and has since been submitted to the Planning Inspectorate for Examination, pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations.

Nonetheless, the council's current position on this matter is that the pre submission draft JLP sets out that a five year supply of deliverable housing sites can be demonstrated for the whole plan area, for the Plymouth Policy Area and for the Thriving Towns and Villages Policy Area, when measured against the new housing requirements set out in the JLP. Guidance on the amount of weight to be applied to the JLP is contained elsewhere in this report. It should, however, be considered that since the five year land supply elements of the JLP are likely to attract significant representation which are to be considered at the Examination into the JLP, only limited weight should be given to the emerging five year land supply position.

As Plymouth cannot demonstrate a 5 year supply when set against the housing requirement as set out in the adopted Core Strategy, the city's housing supply policy should not be considered up-to-date. Paragraph 11 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.

Due to the need to accelerate housing delivery a two year consent rather than a three year consent has been secured by a recommended condition. This is in accordance with Strategic

Objective 10(8) (Delivering Adequate Housing Supply) and paragraphs 10.34, 17.1 and 7.13 of the Core Strategy and Policy SPT3 of the Plymouth and South West Devon Joint Local Plan.

## **8. Analysis**

### I. Introduction

I.1 This application has been considered in the context of the development plan, the submitted Joint Local Plan, the Framework and other material policy documents as set out in Section 7.

I.2 The Core Strategy was adopted in April 2007 and sets out the spatial planning framework for development in the city from 2006-2021,

I.3 Core Strategy Area Vision 5 sets out the aims for Sutton Harbour, with the headline aspiration '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 accompanying Vision Diagram highlights that the part of Sutton Harbour in which the application site lies is part of an area with 'major opportunities for mixed use regeneration'.

I.4 This report has due regard to the following policies within the Local Development Framework Core Strategy:

CS01 - Sustainable Linked Communities  
CS02 - Design  
CS03 - Historic Environment  
CS04 - Future Employment Provision  
Strategic Objective 5 - Delivering Regeneration  
CS05 - Development of Existing Sites  
CS07 - Plymouth Retail Hierarchy  
CS12 - Cultural / Leisure Development Considerations  
CS13 - Evening/Night-time Economy Uses  
CS15 - Overall Housing Provision  
CS16 - Spatial Distribution of Housing Sites  
CS18 - Plymouth's Green Spaces  
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

I.5 With regard to the Sutton Harbour Area Action Plan, the main policy relating to this site is proposal SH07, which sets out the aspirations for sites east and west of Sutton Road to ensure the creation of an integrated, sustainable, new neighbourhood with a vibrant, publically accessible, destination waterfront with a mix of uses including:

\* Residential uses above active ground floor uses (in the region of 720 units including at least 216 affordable housing units with at least 144 units built to Lifetime Homes Standard) with a variety of housing types and tenures.

\* In the region of 25,700 sq. m of employment uses within the B1 use class order, marine related industries, workshops and live/work units



- \* Cafes, restaurants and shops (in the region of 7,800 sq. m)
- \* Leisure and tourism related uses.

1.6 The proposal goes on to set out the detailed requirements for what development proposal should make provision for within this area.

1.7 Whilst the Core Strategy remains the current adopted Development Plan, the Plymouth and South West Devon Joint Local Plan (JLP) is at an advanced stage. The JLP Examination Hearings have now closed and we are awaiting an Interim Report, which will set out the Main Modifications that need to be made to the Plan. Appropriate weight is therefore afforded to the relevant policies from the JLP, which are:

- PLY1 – Enhancing Plymouth’s strategic role
- PLY2 – Unlocking Plymouth’s regional growth potential
- PLY20 – Managing and enhancing Plymouth’s waterfront
- PLY21 – Supporting the visitor economy
- PLY25 – Sugar House, Sutton Harbour
- PLY37 – Strategic infrastructure measures for the City Centre and Waterfront Growth Area
- DEV1 – Protecting Health and Amenity
- DEV2 – Air, water, soil, noise and land
- DEV7 – Meeting local housing need in the Plymouth Policy Area
- DEV9 – Meeting local housing need in the Plan Area
- DEV10 – Delivering high quality housing
- DEV16 – Providing retail and town centre uses in appropriate locations
- DEV19 – Provisions for local employment and skills
- DEV20 – Place shaping and the quality of the built environment
- DEV21 – Conserving the historic environment
- DEV22 – Development affecting the historic environment
- DEV24 – Landscape Character
- DEV31 – Specific provisions relating to transport
- DEV37 – Managing flood risk and water quality impacts
- DELI – Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

1.8 In addition to the above, the principle relevant JLP Policy for the site is PLY25 (Sugar House, Sutton Harbour). The submitted version seeks the following:

- \* The provision of a residential-led mixed use development, providing opportunities for offices and leisure use as part of a wider mix. Provision is made for in the order of 150 homes.
- \* A development which respects the site’s heritage assets and context, as informed by a detailed heritage character assessment to be undertaken for the proposal.
- \* High quality architecture that responds positively to the site’s heritage and Sutton Harbour’s historic character and distinctiveness.
- \* Active ground floor frontages to enliven all public streets and spaces – including on the quayside and Sutton Road.
- \* Public access to and along the site’s waterfront and a new pedestrian route linking from Sutton Road to the quayside – providing a framed view from the waterfront to St John’s Church.
- \* High quality public realm including new quayside public open space and a proportionate contribution to the Sutton Harbour Heritage Trail, public art and heritage interpretation.
- \* Opportunities for water access for leisure.
- \* Innovative car parking solutions to reduce the visual impact of vehicles on the public realm.

1.9 As noted above, this policy has been subject to examination. As part of these proceedings, a Statement of Common Ground was signed with Sutton Harbour Holdings where both parties agreed to remove reference to 'providing opportunities for offices and leisure use as part of a wider mix' and to increase the suggested provision for homes by ten, to 'in the order of 160'.

1.10 Given that no other substantive objections were raised to this policy in third party representations and the Inspector has not raised any concerns in the Post Hearing Advice Note, your Officers consider that reasonable weight can be given to the amended policy.

1.11 The National Planning Policy Framework (July 2018) is an important material consideration in relation to this planning application.

1.12 As noted in the 'Planning History' section above (ref: 18/00912/ERS103), in the opinion of the Local Planning Authority an Environmental Impact Assessment is not required, as the proposed development would not be likely to have significant effects on the environment by virtue of its characteristics, location or the characteristic of the potential impacts.

1.13 In addition, it should be noted that the applicant and the developers have entered into a Planning Performance Agreement (PPA). This is a voluntary agreement that an applicant and local planning authority can use to agree timescales, actions and resources for handling particular applications. In this case, the PPA was used as a joint commitment by the applicant and your Officers relating to the process and timetable for determining this application and the Harbour Car Park (18/01246/FUL).

1.14 The main planning considerations are the principle of the proposed development, design considerations and the impact on the historic environment, transport issues, residential and neighbouring amenity, sustainability, flood risk/protection, impact on the natural environment and other environmental issues including noise and air quality. The consideration of these issues is explained in full below.

## **2. The principle of the proposed development**

2.1 Emerging and adopted policy seeks the regeneration of this key gateway site, which has been stalled for a significant period. Whilst the site has benefitted from historic planning consents (see above), whereby the Council has supported the principle of mixed use development, the application explains that 'for various reasons, these schemes have not progressed and the site remains undeveloped'.

2.2 The prominent and important waterfront site has been used as a temporary car park which, despite being in operation since 2009, is not an appropriate long-term use for this prime waterfront location and comprises a significant under-utilisation of this key regeneration opportunity. Officers, and some third party representations, therefore welcome the principle of developing this site which will deliver much needed new homes within Plymouth, which is a priority for the Council.

2.3 Sutton Harbour Area Action Plan policy SH07 ('Sites east and west of Sutton Road') seeks, amongst other things, 'residential uses above active ground floor uses'. This is carried through to the emerging JLP policy PLY25, which states that the land at Sutton Road west is 'allocated for residential-led mixed use development...with active ground floor frontages to enliven all public streets and spaces including on the quayside'. The proposed uses accord with these policy aspirations and the development is in keeping with other mixed use developments along the Harbour. In principle, officers are satisfied with the proposed residential-led, mixed use proposals in this case.

2.4 The proposed scheme is for 170 dwellings over 7 to 19 floors ranging from 1 to 3 bedrooms. The number of units proposed is deemed to be 'in the order of 160' as set out in the emerging policy PLY25 (which is subject to the statement of common ground) and Officers welcome the fact that the scheme includes a mix of 1, 2 and 3-bedroom apartments (with 3 bed units more likely to be occupied by families and 1 and 2 bed units appealing to people of a range of ages and family circumstances).

2.5 Turning to the acceptability of the commercial part of the scheme, the level of active ground floor frontage proposed is very much welcomed by your Officers and supported by the Area Vision and adopted and emerging policy aim of creating a vibrant waterfront. It is hoped that the proposed commercial units will bring activity, surveillance and vibrancy to this part of the Harbour. An active frontage condition has been added to ensure that all commercial windows remain visually transparent to improve security and ensure that adjoining streets are overlooked.

2.6 It is positive that, as encouraged by officers, the floor to ceiling height of the active ground floor/mezzanine units has been increased to create double-height units. Mezzanine floors within these premises would create improved waterfront views for occupants and support the success of the units. In association, the principle of basement car parking is strongly welcomed as this has obviously freed up the ground floor plan for additional active ground floor frontage.

2.7 Concerns about the vacancy of other nearby commercial units have been raised within third party representations. The applicant is mindful of this, and has therefore sought consent for a variety of potential uses (A1 - shops, A2 - financial and professional services, A3 - restaurants and cafes or A4 - drinking establishments). Such flexibility should improve the chances of occupation. Furthermore, a restrictive condition is recommended to ensure that these units are completed ready for fit out by a future occupier within 12 months of the first occupation of any residential unit. It is hoped that this will help to facilitate early occupation. In addition, it is noted that future occupiers of the proposed residential accommodation are likely to support existing and new commercial operations on this side of the Harbour. On this basis, officers are satisfied that the proposed commercial units will help to deliver a greater level of activity in this part of the Harbour in accordance with the aspirations of the Sutton Harbour Area Action Plan to enliven the quayside with active ground floor uses.

2.8 In summary, in respect of the residential led, mixed use development proposed, officers raise no objection in principle. The proposal is consistent with the adopted Sutton Harbour Area Action Plan (AAP) Proposal SH07 and emerging Joint Local Plan (JLP) Policy PLY25. Crucially, the proposal will bring a longstanding vacant/derelict site in this prime gateway location back into use; such reuse in itself will bring significant benefits to the immediate environment.

### **3. Highways and Parking**

#### **3.1 Trip Generation**

3.1.1 The primary generator of trips relating to this development will be the residential apartments as the majority of the remaining uses are either ancillary to the residential or would be likely to attract on-foot pass-by trips (this is likely to be the case with the ground floor commercial uses).

3.1.2 Based upon trip rates derived from the Trip Rate Information Computer System (TRICS) database, the 170 residential apartments proposed would generate in the region of 47 two-way trips during the am peak hour and 46 during the pm. The applicant's transport consultant has

applied these extra trips to existing signal controlled junctions on the local road network and carried out detailed traffic modelling to ascertain what impacts would arise as a result of these extra movements taking place through the junctions of Exeter Street/Sutton Road and Barbican Approach/Sutton Road/Commercial Road.

3.1.3 The results of the modelling show that whilst there will clearly be an impact at these junctions as a result of the extra development-related trips, they continue to operate well within their theoretical capacity. The greatest impact in terms of trips is at the Commercial Road/Sutton Road/Barbican Approach junction. Therefore the Highways Authority has sought a financial contribution of a maximum of £15k be secured from the development towards infrastructure and communication upgrades at this junction (this request has been considered as part of the viability of the scheme noted below).

### 3.2 Car Parking

3.2.1 At present the site is currently used as a temporary car park serving Foot Anstey located in the adjoining Salt Quay House development. Therefore whilst 108 car parking spaces are proposed within the development, 36 of these will be allocated to Foot Anstey leaving a remainder of 72 spaces serving the development.

3.2.2 It is the view of the Highway Authority that a car parking standard of 1 space per unit should be applied to this development and the applicant has sought to address this by providing 62 allocated spaces within the extended Harbour Car Park (subject to application 18/01246/FUL). A further 36 permit-controlled spaces will also be identified within Harbour Car Park which would provide allocated parking for all residents albeit they would have to pay for the privilege on an annual basis.

3.2.3 The applicant has confirmed that a rigorous car parking management strategy will be implemented relating to the control, allocation and management of all car parking. This would also include details relating to the issue/purchase of parking permits within the Harbour Car Park and your Officers therefore recommend that a condition be attached to any consent in this regard. It is recommended that this strategy should allow for the use of the Foot Anstey spaces by residents when not in use and out of office hours.

3.2.4 Finally in respect of car parking it is recommended that a minimum of 5 spaces within the basement car parking area are dedicated as electric vehicle charging bays in order to support the use of electric/hybrid vehicles.

### 3.3 Cycle Parking

3.3.1 A cycle storage area is proposed on the ground floor area which will accommodate 88 cycles. This facility will serve all of the various uses on the site including the commercial units. This number of spaces is considered to be acceptable and a condition is recommended accordingly.

### 3.4 Layout

3.4.1 In order to serve the ground floor commercial units, a loading/unloading bay is proposed to be constructed on Sutton Road. The Highways Authority has raised some concerns regarding the impact this will have on intervisibility for vehicles emerging from the Jewsons/North East Quay access when an HGV is parked in the bay whilst being loaded/unloaded. At the time of writing this report, revised details have been received and are being considered by the Highway Authority. This issue will be dealt with by addendum.

3.4.2 In addition the applicant will also be required to carry out a pedestrian accessibility audit relating to journeys being made to and from the site on-foot and identifying where additional dropped kerb crossing points may be required. A Grampian condition is recommended accordingly.

3.4.3 Further servicing for commercial units 4 and 5 is proposed to take place along Marrowbone Slip with vehicles turning around within the access to the basement car parking area so that they can access Sutton Road in a forward gear. Such an arrangement is considered acceptable by the Highways Authority.

### 3.5 Construction Traffic Management Plan (CTMP)

3.5.1 A condition is recommended relating to the need for a CTMP in order to manage the impacts of the construction phase of the works on the operation of the local road network.

### 3.6 Travel Plan

3.6.1 The applicant has provided details of a Framework Travel Plan for the site in order to encourage the use of sustainable modes of travel for journeys being made to and from Sugar Quay. A relevant condition is recommended in this regard.

### 3.7 Conclusion

3.7.1 To conclude, no objections are raised by the Highways Authority and, subject to recommended restrictive conditions, the development will accord with policies CS28 of the Core Strategy and DEV31 of the Joint Local Plan.

## 4. **Design**

### 4.1 Design – Introduction

4.1.1 The design of the proposal and its impact on the Sutton Harbour and City townscape is understandably one of the principal issues for consideration in this case given the height and prominence of the proposed building and its visual impact when viewed from nearby historic settings.

4.1.2 Issues of design and heritage are interrelated in this case given the visual prominence of the proposed development from the Barbican Conservation Area and other designated heritage assets. Historic England Guidance on the setting of heritage assets acknowledges that this is often the case: ‘Consideration of setting in urban areas, given the potential numbers and proximity of heritage assets, often overlaps with considerations both of townscape/urban design and of the character and appearance of conservation areas.’

4.1.3 Although ultimately this report will draw an overall conclusion on design and heritage matters, the issues are firstly considered separately in recognition of the different policy tests that apply to each.

### 4.2 Design - Site Layout Building Footprint

4.2.1 The previous consented schemes for this site responded to the AAP concept (carried forward by JLP Policy PLY25) of a new boulevard linking the site’s quayside to St John’s Church and Exeter Street – creating framed vistas to the church from the harbour and glimpses to the waterfront from Exeter Street, as well as improving pedestrian permeability through the wider

area. It is deemed positive by Officers that the new proposed scheme carries forward this concept.

4.2.2 The curved form of the podium is supported in Urban Design terms and offers advantages at the north of the site, in terms of optimising views and the entryway to the St John Church boulevard and at the south adjacent to Marrowbone Slip, where a more generous quayside space has been created than in the previous pre-application proposals. It is deemed positive that the scheme provides quayside seating and space for congregation.

#### 4.3 Design - Height, Massing and Architectural Expression

4.3.1 The site is within the Tall Building Zone of Opportunity in the AAP, Core Strategy and Design SPD and the principle of optimising development on the site is supported by Officers.

4.3.2 The proposed building's massing is a radical departure from previously consented schemes and masterplans, which broadly proposed that this scheme would continue the ribbon of taller built form towards the harbour in response to the characteristic waterfront buildings of Sutton Harbour – wharf-fronting warehouses attached to merchant's houses inland. Existing development to the north and south of the site – including Salt Quay House and East Quay House – followed this strategy.

4.3.3 Previous consented proposals placed the tallest element of the scheme to mark the quayside corner of the boulevard, whereas the current proposal locates the tallest volume on the Sutton Road corner. The height of the tower volume, at over 21 storeys, is accented beyond that which was proposed for previous schemes.

4.3.4 The Mackay Vision suggested two landmark towers for Sutton Harbour east – not on this site, but adjacent at a new civic square on Lockyer's Quay, to mark the approach to Sutton Harbour and Coxside from eastern arterial road approaches. This concept was embedded in the adopted AAP and informed the consented (now lapsed) scheme for the Plymouth Fruit Sales site which proposed to provide one of the two "Mackay towers".

4.3.5 At the pre-application stage, Officers undertook extensive design discussions and negotiations with the architect to assess the appropriateness of the new three dimensional form of the development and in particular the proposed tower's location and height.

4.3.6 Officers requested that a mini-master planning / 3D modelling exercise be undertaken for the Sutton Harbour East area (covered by AAP Proposal SH07) to assess whether the scheme would;

- i. fit within a coherent future townscape framework,
- ii. be justified in terms of the proposed height in the area's wider tower hierarchy (i.e. relative to the "Mackay towers" which relate to a more strategic arterial route and should therefore be more widely prominent in terms of legibility and way-finding), and
- iii. Safeguard the future redevelopment potential of adjacent sites.

4.3.7 The architects undertook this exercise and were able to satisfy Officers on points i and iii. The architect's justification for the schemes accented height turned on the creation of a high quality architectural landmark to mark the quayside entryway to the proposed "boulevard" linking to St John's Church and Exeter Street. At the time, Officers were concerned that the scheme needed significant evolution in its form for this justification to be credible. Officers considered the form at that point over-complex and suggested the multi-faceted form be rationalised to a series of simple elegant features – perhaps embracing the stepped form of the

building to generate diagonal sail like geometries. Officers referenced the approach taken for the Ibsjerget harbour-side residential building in Aarhus, Denmark. Happily, the architects responded positively to this and the scheme progressed significantly in further discussions with Officers. A key inspiration adopted by the architects was the W57 scheme in Manhattan – another sail-like scheme in a gateway location. The architect's changes as a result of this process included a rationalisation of the building form, regularisation of the balcony terrace steps, the addition of a framing structure to express a sail-like geometry, the introduction of sloping ship's hull-like shopfronts on the podium and the creation of a pattern of triangular sail-like panelling and fenestration framing on the east elevation.

4.3.8 In summary, the scheme has now evolved to a point where Officers consider that its architectural quality and distinctiveness meets the test of providing a high quality, memorable landmark to signify the quayside entryway to the "boulevard" and that this justifies the developments accented height.

#### 4.4 Design - Materials and Design Details

4.4.1 High quality, locally distinctive materials will be essential. It is positive that the use of render has been avoided, given its poor performance, staining and algae growth on adjacent buildings. There is an opportunity for innovation, particularly given the site's gateway role, but materials must be suitably robust for the exposed marine context. They must have longevity and be able to weather attractively. With this in mind, more information is requested, by condition, with regards to the proposed materials and their specification. An informative is also recommended to advise that all materials will need to be of marine-grade specification given the site's exposed waterfront location. With specific reference to metalwork, it is considered that a high quality anodised finish would be most appropriate for aluminium components, since there have been problems with powder coatings wearing off on similarly exposed buildings locally.

4.4.2 In addition, it is proposed that a condition be added to ensure the building is maintained in a good, clean condition and appearance as long as the proposed building remains on the site and any problems with corrosion, discolouration, weathering or other defects are rectified promptly.

4.4.3 Amended drawings have been submitted; the blue triangular frame at the top of the building is now taller, sharper and aligned with the north facade, creating a right angled triangle and bringing the hypotenuse of the frame parallel with the triangular frame below when viewed from the west, including, importantly from key viewpoints in the Barbican and Hoe Conservation Area. Officers had previously suggested this amendment to the architect with a view to simplifying and strengthening the building's intended sail-like silhouette and therefore welcome the architect's decision to make this amendment.

4.4.4 The Agent has provided additional details, proposing the use of aluminium planks for balcony and other soffits, which is supported in principle. Furthermore, assurances have been provided that the roof will have minimal plant / equipment – these assurances are welcomed. However a restrictive condition is recommended to seek full details of these design elements and to ensure that no accretions are added to the roof without prior written approval from the Local Planning Authority in order that the roof remains uncluttered.

4.4.5 The architect is exploring a lighting strategy for the building. An appropriate condition is recommended to require a lighting scheme to be agreed with the Local Planning Authority. The lighting scheme should ensure the building functions as a strategic urban marker at night.

4.4.6 Whilst the proposed signage zones are supported in principle, this application would not give or imply any consent for advertising material. Such advertising is controlled under the Town

and Country Planning (Control of Advertisements) Regulations 2007 and the applicants would need to obtain any necessary consent separately. Having said this, a condition is recommended to ensure that a design code is agreed for the scheme's signage – to achieve high quality and to ensure ad hoc signage does not undermine the quality of the overall architectural composition over time.

4.4.7 Finally, it is positive that the applicant has agreed to provide interpretation of the site's history as appropriate given its position on the Sutton Harbour Heritage Trail (AAP Proposal SH06 / JLP Policy PLY25). The design of this historic interpretation should be agreed by condition.

### 4.5 Design – public realm, hard and soft landscaping

4.5.1 The scheme delivers significantly improved public realm around all four of the site's frontages and notably includes the quayside element of the boulevard – the proposed strategic link connecting the East Quay waterfront to St John's Church and Exeter Street as set out in SHAAP Proposal SH07.

4.5.2 The scheme delivers significantly improved public access around the site, including the provision of generous areas of publicly accessible space along the site's quayside – enhancing this important part of the Sutton Harbour Heritage Trail (SHAAP Policy SH06).

4.5.3 The landscape scheme is a very particular response to the site and Sutton Harbour. The swirling organic patterns are intended to reference marine-related themes, "sugar swirls" and the historic railway lines around the quayside. They are also planned to relate to the geometry of the building footprint and to aid the suggested hierarchy of space, between pedestrian 'thoroughfare', spaces for congregation, café / restaurant outdoor seating space and areas of occasional vehicular use. At a number of locations these swirling elements are proposed to rise up to form planters or balustrades. It is considered that this sculptural form will add significant interest to the public open space. Officers consider that the structure should also incorporate public seating, including backed seating to provide for people who need this. The detailed design of the swirling form, including its height and materiality will require further consideration, but Officers consider that this can be controlled by the recommended condition.

4.5.4 High quality granite paving materials are proposed to match the existing materials around Sutton Harbour. This is positive, however, the junctions between the proposed and existing paving surfaces will need further detailed consideration.

4.5.5 Officers broadly welcome the principle of the proposed planting scheme and consider that this will add intimacy, interest and human scale to the landscape scheme. However, the specification of some soft landscape elements may need further consideration (Monterey Pine trees for example can grow up to 60m tall, 12m wide and drop large cones) and it is proposed that a condition be added to allow for a review. All planting will require satisfactory root infrastructure and an ongoing maintenance regime to ensure its success. It is proposed that this also be controlled by condition.

### 4.6 Design – Conclusions

4.6.1 Both during the pre-application and at the full planning stage, Officers have strongly encouraged the applicant to present the scheme to a Design Review Panel. This has also been recommended by Historic England. It is considered that further professional input from a Design Panel (which should include tall building design specialists) could add value on detailed tall building technical matters and assurances on the design quality. However, this has been resisted



by the applicant. As Officers are broadly supportive, the applicant considers that a Panel is not necessary in this case, especially at this stage. It is accepted that the applicant has worked very closely and positively with Officers to achieve a high quality design that is supported in principle and has received a lot of positive commentary from members of the public, as evidenced in the submitted Statement of Community Involvement. Therefore, on balance, Officers have not insisted on a Panel review.

4.6.2 The developer has confirmed a commitment to:

*‘executing the high quality design intent shown in the planning proposal. Indeed, exceptional design is paramount to the success of the development to achieve values not seen elsewhere in Plymouth and to attract national and international investors to the City that will expect design excellence. This will deliver regeneration that will act as a catalyst for the area and help the City deliver other regeneration objectives in the surrounding area to the east of Sutton Harbour’.*

4.6.3 Overall, several design improvements have been made in line with Officer advice (and that of HE) throughout the process. The scheme can now be supported in design terms, subject to a series of recommended restrictive conditions. The development is considered to contribute positively to the existing high quality waterfront design and is in keeping with the variety of building styles that give Sutton Harbour and the Barbican its locally distinctive character. Such development is supported by adopted City of Plymouth Core Strategy Policies CS01, CS02, CS03, CS34, Area Vision 5 – Sutton Harbour, the Sutton Harbour Area Action Plan, and emerging JLP policies.

## **5. Historic Environment**

5.1 The townscape within which the proposal is situated comprises of a large number of heritage assets. The site is visible from the Barbican Conservation Area, the boundary of which extends to include the western side of the Harbour basin, opposite the application site. A development of the scale proposed will have an impact on the setting of this Conservation Area as well as a visual impact on a number of designated heritage assets, including many listed buildings and the scheduled monuments of the Royal Citadel and Mount Batten Tower.

5.2 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the LPA shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. Section 72(1) of the Act contains similar requirements with respect to buildings or land in a conservation area. Although the setting of conservation areas is not a statutory duty in primary legislation, the NPPF states that the setting of a designated heritage asset can contribute to its significance.

5.3 Paragraph 193 of the NPPF 2018 states that ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be).’ Paragraph 194 confirms that ‘any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.’

5.4 In this case, impacts on the heritage assets can only be to their setting as there is no physical connection between the development and the designated heritage assets. The NPPF defines ‘Setting of a heritage asset’ as follows:

*The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*

5.5 It is accepted by Officers, including the Historic Environment Officer, and Historic England that the site in question can take a large, landmark building, higher than those immediately adjacent to it. Its sensitive location means that the development should be of a high quality and an innovative design has been encouraged and achieved, so your Officers are supportive of the building having a striking appearance.

5.6 However, the Council's Historic Environment Officer has raised concerns regarding the excessive height and mass of the proposed building in terms of its dominating effect on the surrounding buildings, wider harbour area and nearby scheduled fortifications which would lose their dominance; noting that 'the proposed height is simply out of proportion with everything around it. A landmark building could still be achieved by a significant reduction in height to make it sit more comfortably within the site whilst reducing its impact on the designated assets in the immediate vicinity'. In response to this advice, the applicant's agent has submitted an additional supporting consultant's letter which concludes that 'whilst it is recognised that there will be a change within the setting of the conservation area (as identified by the Historic Environment Officer), it is clear that, if harm could be alleged, this could be no more than 'less than substantial'.

5.7 Historic England (HE) initially supported the view given by the Historic Environment Officer, with specific reference to the setting of the Royal Citadel. However, following further negotiation, amendments to the roof line (which modestly increased the height of the building) and the submission of additional information (including a zone of theoretical visibility analysis which has been considered by HE), HE has now confirmed that, in their view, any visual impact on the setting of the Royal Citadel is likely to be negligible.

5.8 In addition to the above, HE raised concerns regarding the impact of the building on the setting of the Grade II listed Royal Bank of Scotland premises which terminates the view eastwards along Royal Parade. HE noted that the triangular termination of the proposed building will rise above the RBS premises, detracting from the symmetry, proportion, and sculptural form of the RBS premises. However, HE has confirmed that the proposals will cause less than substantial harm to the setting of the RBS building. Furthermore, Officers have revisited Royal Parade to make a further assessment of the impact in light of the HE comments and noted that the visual symmetry of the RBS premises is already disturbed by the Bretonside development which is currently under construction and now rises above the RBS building. Officers are therefore of the opinion that the impact of the proposed development will not be unduly harmful here.

5.9 Further to the above, HE called for the application to be independently considered by a Design Review Panel, noting that 'a design review panel could provide the desirable reassurance for your authority that the proposed building will be the splendid piece of new architecture suggested by the supporting information.' However, this has been resisted by the applicant for reasons set out above in this report. Notwithstanding this, HE confirmed that 'provided that your authority is content that the proposals are of the highest quality design, we (HE) are content for this harm to be weighed against any wider public benefits offered by the proposals'.

5.10 Of critical importance to this balancing, given the requirements of sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and paragraphs 193-202 of the NPPF 2018, it is Officers' view that any harm to heritage assets is 'less than substantial'. Whilst objections have been raised (and discussed in greater details above), the Local Planning

Authority's Historic Environment Officer, nor Historic England claim that 'substantial harm' will be caused.

5.11 Officers recognise that the site is currently derelict and a new development will improve the appearance of the area. The design and massing of the proposed building has evolved and been carefully justified. Whilst third party representations are critical of the design, height and massing of the proposed building, as set out above, Officers now consider that the scheme's architectural quality and distinctiveness will provide a high quality, memorable landmark to signify the entry way to the 'boulevard' and it is this which justifies the development's height.

5.12 Paragraph 196 of the NPPF 2018 states that '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 ...'. It is concluded that the scheme will inevitably change the setting of the conservation area (deemed to be harmful by the Historic Environment Officer), particularly as a result of its scale, but Officers are in agreement that this constitutes 'less than substantial'. Weighing up this 'less than substantial' harm, against its numerous benefits (which are set out elsewhere in this report), Officers conclude that the proposal can be accepted.

## **6. Archaeology**

6.1 In terms of archaeology, the proposed development area is situated on a vacant space in between other modern high buildings on the east side of Sutton Harbour where previous archaeological evaluation in 2006 exposed limestone walls defining quayside and property boundaries with recorded 17th century owners. One of the buildings exposed is arguably of international importance - the Sugar House, known to have been in existence before 1633 when it was in the ownership of Samuel Buttall a 'sugar baker'. The excavation revealed evidence of sugar production on site from sugar cane imported from the 'New World', off loaded at Sutton Harbour and processed using specially made cones and syrup jars (which we believe were made in the Plympton St Mary area where kiln wasters were found some years ago). The site illustrates therefore the significant trade links between Plymouth and the Americas once sugar-cane plantations took root in the 17th century. Had the development not stalled the results would have been published at National Journal level probably in *Post-Medieval Archaeology*. Due to the loss of revenue all that emerged was a paragraph summary and a block plan in *Post-Med Arch* (2009). A restrictive condition, seeking a programme of archaeological work, is therefore recommended.

## **7. Residential Amenity**

7.1 Officers welcome the fact that the scheme includes a mix of 1, 2 and 3-bedroom apartments which could appeal to a range of people and families.

7.2 The proposed flats and duplex units all meet or exceed the internal spaces standards set out in the Nationally Described Space Standards (NDSS) ensuring that all future residents benefit from sufficient living space (these standards have been applied, rather than those set out in our Development Guidelines SPD, in accordance with an Inspectors appeal decision – APP/N1160/W/17/3179173, which advises that guidelines on the minimum internal floor spaces are provided in the SPD however those specific guidelines have been superseded by the introduction of the nationally described space standard which should be applied alongside requirement of policy CS15(5))

\* The minimum 1 Bed Apartment area is: 54sqm (NDSS for a 1beds, 2persons, 1 storey dwelling is 50sqm)

- \* The minimum 2 Bed Apartment area is: 70sqm (NDSS for a 2beds, 4persons, 1 storey dwelling is 70sqm)
- \* The minimum 3 Bed Apartment area is: 110sqm (NDSS for a 3beds, 6persons, 1 storey dwelling is 95sqm)

7.3 Care has been taken to maximise the waterfront and ensure that future occupiers benefit from acceptable levels of amenity in accordance with the principles of policy CS34, the guidance set out in the Development Guidelines SPD and emerging JLP policies DEVI and DEV20. Further, Officers are satisfied that all principle habitable rooms will benefit from adequate levels of light and outlook by virtue of the size and position of proposed windows.

7.4 The ground floor will provide some shared residential services, with a front and rear entrance and lift/stair hall.

7.5 All units have private external amenity space in the form of roof gardens or balconies. This is consistent with other residential developments in the area and given the waterfront location, future occupiers will have access to public open spaces, which are amongst the highest quality in the City, including the Hoe Registered Park (Grade II). Therefore, although the proposed outdoor space falls below the minimum recommended size as set out in the Development Guidelines Supplementary Planning Document (SPD), such provision is deemed acceptable in this case. It should be noted that some of the proposed roof gardens on the south (Marrowbone Slip) elevation have a close relationship with the proposed commercial outdoor seating area at first floor level. Therefore further details regarding boundary treatment here shall be sought by recommended restrictive condition to ensure appropriate privacy levels are achieved.

7.6 The Public Protection Service points out that the proposed ground floor commercial use and existing nearby commercial units, including the timber and building merchant and the vehicle repair centre at the rear of the application site, may have a noise impact upon future occupiers of the development. The Officer therefore recommends a condition to ensure that all units are built to ensure external noise is kept to a minimum.

7.7 In summary, subject to appropriate restrictive conditions, new residents will be afforded a high standard of living. The development is therefore deemed to accord with policy CS15 and CS34 of the Core Strategy and Policy DEVI and DEV20 of the emerging Joint Local Plan.

## **8. Impact on Neighbouring Amenity**

### **8.1 Overshadowing/Loss of Light**

8.1.1 Overshadowing impacts are likely to be experienced most acutely by the commercial building known as Salt Quay House (and to a much lesser extent to the proposed Harbour Arch Quay residential development and adjacent Pinnacle Quay) as well as the Jewson's Yard and other commercial development on the other side of Sutton Road. There will also be overshadowing of the harbour itself; however this will only occur in the mornings. The submitted shadow study allows a detailed assessment of these impacts. It compares the overshadowing impacts of the existing and proposed scenario at the summer and winter solstices and spring and autumn equinoxes. These suggest that with a lower solar altitude, the worst case scenario for overshadowing will occur in the winter months, whereby longer shadows will be cast. Whilst significant overshadowing will inevitably occur from a building of this height, the buildings primarily affected are commercial. Therefore, Officers are satisfied that this impact could not warrant the refusal of planning consent in this case.

8.1.2 Maintaining sufficient light to East Quay House North is more critical as this building primarily comprises residential units. However, as this residential building lies due south of the application site, overshadowing will not occur.

### 8.3 Outlook/Visual Prominence

8.3.1 By virtue of the proposed 'T' shaped design, the main bulk and massing of the building has been arranged in a way that it is set away from the neighbouring residential accommodation in East Quay House North.

8.3.2 At the closest point (i.e. the south elevation to the Sutton Road/Marrowbone Slip corner) there is approximately 15.3m between the proposed development and East Quay House North. This complies with the guidance within the Development Guideline Supplementary Planning Document which recommends that developments over three storeys in height should be set away from existing residential windows by at least 15m to maintain sufficient outlook.

8.3.3 Given that the application site has remained undeveloped and derelict for a sufficient period of time, the properties to the side of East Quay House have become accustomed to unimpeded views north. This proposal would severely interrupt, and in many cases sever completely, those views. The Courts have long held that local Planning Authorities cannot protect individual private views and that the impact upon existing private views from a development proposal is not a legitimate matter of planning concern.

8.3.4 The planning system does however provide for the consideration of overbearing impacts, and given the size of the building and its proximity, residents of East Quay House North will clearly perceive an impact. However, taking in to account the policy aspiration for a tall building in this location, where higher densities are a typical character of the locality, these localised negative impacts must ultimately be weighed against the wider benefits of the site development.

### 8.4 Privacy/Overlooking

8.4.1 In terms of privacy, the Development Guidelines Supplementary Planning Document suggests distances of 21m for facing habitable windows or 28m for dwellings of 3+ storeys.

8.4.2 The north elevation of East Quay House North comprises the primary frontage of several residential units, many of which benefit from balconies and generous floor-to-ceiling windows – these windows are likely to be most sensitive to loss of privacy due to their width and full height.

8.4.3 As noted above, the proposed Sutton Road/Marrowbone Slip corner of the development lies within 15.4m (approx.) of neighbouring windows and balconies. Such separation distance falls significantly short of that recommended in the relevant guidance document for the protection of privacy. Therefore a restrictive condition is recommended to ensure that all of the windows on the residential first to fourth floors in the side (south) elevation (immediately adjacent to Marrowbone Slip), shall at all times be obscured to protect neighbouring privacy.

8.4.4 Whilst balconies are proposed to serve units fronting Marrowbone Slip, all balconies are at eighth floor level and above. Given the adjacent East Quay House North contains only four storeys of residential accommodation, the balconies will look out over the neighbouring building. Therefore Officers are satisfied that there will not be an undue loss of privacy.

8.4.5 Other residential windows in the north and south elevations (within the 'stem of the T') do not create any significant opportunities for overlooking, as adequate separation distances are

achieved – 23.8m (approx.) from Salt Quay House to the north and 45.5m (approx.) from East Quay House North to the south.

8.4.6 Third party representations have raised concerns/objections regarding the potential loss of privacy/overlooking caused by the proposed height of the commercial units (at ground floor and mezzanine level) and the associated roof garden/dining area. At the closest point, these units and their raised external seating areas are sited approximately 18m from East Quay House North. Officers acknowledge that there will be some impact in terms of overlooking/loss of privacy. Whilst it is important to maintain active ground floor frontages, Offices consider that some form of screening could be introduced at mezzanine level to protect neighbouring amenity. In addition, details of boundary treatment along the south side of the proposed commercial roof terrace will be sought.

### 8.5 Noise and Disturbance

8.5.1 In terms of potential noise and disturbance from such commercial units and their associated external spaces, the Council's Public Protection Service has considered the application and raised no objections, subject to recommended restrictive conditions limiting hours of operation and seeking a management plan detailing how any impact to the general amenity (including noise) from the operation of the commercial units and their associated external spaces will be controlled.

8.5.2 It is noted that similar concerns were raised in the determination of the previous planning application on this site, whereby a condition was recommended to ensure that no more than one A4 use (drinking establishment) is permitted on the ground floor to prevent the cumulative impact on such uses in close proximity having a significant detrimental impact upon residential amenity of the proposed development or locality. It is deemed reasonable to take the same approach in this case.

8.5.3 The construction phase of the development has the potential to disturb nearby residential dwellings and as such it is recommended that a Code of Practice is submitted to deal with this. The Code of Practice should cover all potential aspects of nuisance with regards to the development and should acknowledge that the development has the potential to impact others.

### 8.6 Neighbouring Amenity – Conclusions

8.6.1 Overall, in amenity terms officers acknowledge that the scheme would have some negative impacts on adjacent residential occupiers. However, subject to the recommended restrictive conditions, Officers conclude that the impacts are not considered to lead to significant harm in accordance with the advice contained within the Council's Development Guidelines SPD, policy CS34 of the adopted Core Strategy and emerging policy DEVI.

## 9. **Affordable Housing**

9.1 Policies CS15 of the adopted Core Strategy and DEV7 of the emerging Joint Local Plan require at least 30% of the total number of new dwellings on qualifying developments to be affordable with a presumption that these should be provided on site. Policy CS15 and paragraph 62 of the National Planning Policy Framework allow for off-site affordable housing provision where it can be robustly justified and it contributes to the creation of balanced, mixed and sustainable communities.

9.2 Whilst Officers would like to see 51 affordable housing units delivered on site, it is recognized that the proposed development is viability constrained and accept that it would not

be possible to integrate affordable housing within the development due to the high rents and service charges, which would not be affordable to households on low incomes. On this basis, as noted above, the Housing Delivery Team accepts the principle of the applicant meeting its affordable housing obligation through a commuted sum for off-site delivery.

9.3 The applicant offered to pay a commuted sum of £3,150,000 for off-site affordable housing delivery with instalments of £1,050,000 to be paid on three milestones:

- \* Commencement of construction;
- \* Disposal of the 87th unit; and
- \* Disposal of the 153rd unit.

9.4 This offer is equivalent to 10% affordable housing delivery. After interrogating the applicant's viability appraisal, Officers agree that, whilst it does not deliver policy compliant 30% affordable housing provision, £3,150,000 is an acceptable offer that will deliver a substantial number of affordable housing units in the City whilst ensuring the proposed development remains financially viable to prevent the site from remaining stalled.

9.5 Commuted sums have been put to good use to bridge viability gaps and unlock stalled and brownfield sites such as Stonehouse Arena (56 affordable homes) and Hoegate House (30 affordable homes). These sites often have high abnormal costs associated with former uses, thus commuted sums can be used to good effect.

### 10. Accessible Housing

10.1 Policies CS15 of the Core Strategy and DEV9 of the emerging Joint Local Plan require provision of at least 20% M4(2) dwellings (formerly referred to as lifetime homes) whilst policy DEV9 requires at least 2% M4(3) provision. The developer will therefore need to deliver 34 no. M4(2) and 4 no. M4(3) dwellings to comply with planning policy. This should be secured by the recommended restrictive planning condition.

### 11. Town Centre Uses

11.1 The proposal includes commercial units at ground floor level (including a double height space to create an internal mezzanine) totalling circa 3,101 sq. m to be used within classes A1, A2, A3 and A4. As the site falls outside of a defined town centre, Officers have carefully considered the acceptability of such uses in this location.

#### 11.2

Emerging JLP policy PLY25 'Sugar House, Sutton Harbour' is not explicit in its support for town centre uses on the site but does set out the requirement for a 'wider mix' of uses as part of a residential-led scheme with active ground floor frontages to enliven public streets and spaces – including on the quayside and Sutton Road (PLY25.3). If this policy were to form part of the adopted development plan, Officers consider that a sequential test would be required in accordance with paragraphs 86 and 87 of the NPPF 2018 which states that *Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan*. However, as the Sutton Harbour AAP (adopted 2008) still comprises the adopted development plan at the time of writing this report and policy SH07 allocates the site (as part of a wider area to the east and west of Sutton Road) for 'in the region of 7,800 sq. m of cafes/restaurants and shops', Officers are satisfied, in this particular case, that a sequential test is not required.

11.3 Further to the above, Officers note that emerging policy DEV16 requires an impact assessment for development of 500 sq m or more retail (A1) floor space. No objections to DEV16 for the Plymouth policy area have been received to contest that the proposed 500 sq m threshold is too low. The application confirms that the developer is happy to accept a restrictive planning condition limiting A1 retail floor space to no more than 500 sq. m. On this basis, it is not considered necessary to insist on a full quantitative impact assessment

11.4 In summary, officers consider that the uses proposed can be accepted in this case subject to conditions.

## 12. Sustainability

12.1 Officers have considered the submitted Energy Statement, which sets out the proposed approach of using Combine Heat and Power (CHP) to achieve the carbon savings of 15% in accordance with the policy CS20. The report sets out that this alone would not meet the JLP policy DEV34 requirements which seek to achieve carbon savings of 20%. However as this policy is still emerging, it does not carry full weight. Therefore, on balance, Officers are satisfied with the proposals in this case.

12.2 The proposals do not make any commitment to future-proof the scheme for connection to district energy. The development falls on the edge of the 'DH Opportunity Areas' set out in the Plymouth District Energy Strategy published in 2017, but also meets the criteria for relevant development outside of this area. Therefore Officers have sought to ensure that it is future-proofed for heating and hot water connection to a future district network in accordance with the CIBSE CPI standards, with a secondary heating system that reduces its temperature to a minimum, ideally 65. This normally includes some allocated space in the plant room for a heat exchanger, valve connections and identified pipe routes to the boundary of the site (with sleeve connections through any building walls) and a compatible design, pressure and temperature. A restrictive condition is therefore recommended accordingly.

## 13. Flood Risk/Protection

### 13.1 Flood Risk Sequential and Exception Test

13.1.1 In considering the flood risk implications of the scheme, it is important to consider whether the proposal has complied with the sequential test directing development away from areas that are at highest risk of flooding, as set out in emerging policy DEV37 of the Joint Local Plan, policy CS21 of the Core Strategy and chapter 14 of the NPPF 2018. Officers have also paid due regard to the Environment Agency's (EA) view on the applicability of the sequential test around Sutton Harbour as set out in their 'flood risk management guidance for new development'.

13.1.2 The EA and LPA have reviewed the revised Flood Risk Assessment (FRA) (ref. WE04821/FRA, 28/07/18) and are satisfied that it adequately highlights the key flood risk issues associated with the proposed development. The mitigation measures set out in the FRA are welcomed and they demonstrate that the layout of the proposed development has been significantly influenced by consideration of flood risk management. The FRA is therefore appropriate to inform the application of the sequential and exception tests, as required by the NPPF.

13.1.3 The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. The Sequential Test is a decision making tool designed to ensure that areas at little or no risk of flooding are developed in preference to areas of higher risk. The



NPPF 2018 advises that ‘the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding’ (para 158).

13.1.4 Emerging JLP policy PLY25 identified the application site as suitable for development despite the potential flood risk on the basis there was no alternative suitable site available at lower flood risk. The ‘Plymouth and South West Devon Joint Local Plan: Flood Risk Sequential Test Report’ (February 2017) sets out how the requirements of the Flood Risk Sequential Test was integrated into the assessment of this site allocation as part of the JLP preparation. It confirms that there are no other reasonable alternative sites available in the same or lower flood zones and ‘the site forms a key development opportunity on the edge of Sutton Harbour and is part of a previous site allocation in the Sutton Harbour AAP. The site is within the City Centre and Waterfront Growth Area which is identified as a focus for growth in the JLP’.

13.1.5 As it is not possible for this development to be located in a zone with a lower risk of flooding, the NPPF allows the exception test to be applied to any development which includes a ‘more vulnerable’ use. The Exceptions Test provides a method for managing flood risk while still allowing development to occur.

13.1.6 There are two elements of the Exception Test both of which need to be passed:

- I. the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- II. the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. (NPPF 2018, para.160).

13.1.7 In terms of part one of the Exception Test, the Local Planning Authority considers that the proposed development will deliver wider regeneration and economic benefits, including visual enhancement of this stalled site, as well as beneficial effects in terms of flood risk management (by way of the agreed S106 contribution towards the upgrading of the existing Sutton Harbour defences to provide protection against increasing sea levels and more intense coastal storms). The Local Planning Authority considers that these wider community benefits outweigh the flood risks and therefore the first part of the test is passed.

13.1.8 The second part of the test requires that the proposal will be safe (including access and egress) over its lifetime, not increase flood risk elsewhere and, where possible, reduce flood risk overall. In this regard, the Environment Agency is satisfied with the flood risk mitigation measures set out in the submitted FRA and associated plans, which will be secured by way of planning conditions, and the agreed financial contribution towards the upgrade of existing defences which will ensure that this development is safe over its lifetime.

## 13.2 Flood Risk Assessment Review

13.2.1 The proposed below ground car park is not in line with the EA’s development guidance for the flood risk area of Sutton Harbour. However, following pre-application meetings, the EA appreciated the wider planning policy aspirations to incorporate this into the development. Typically, the EA expect that below ground car parks to be robustly defended from flooding during a 1 in 1000 year event. It has not been possible to defend this car park to this level without the need for demountable flood defences and this emphasises the importance of the need for this development proposal to contribute to future upgrades of the flood defences at Sutton Harbour.

13.2.2 The FRA has set the proposed ramp level for the entrances to the below ground car park at 3.9m AOD, which would provide protection from a 1 in 1000 year flood during present day conditions, however provides no real buffer for sea level rise associated with climate change. The proposed commercial units have their floor levels set at 3.75m AOD, which provides protection from a present day 1 in 200 year flood. These facts are important because this development proposal is reliant on the off-site flood defences to ensure this development is safe, in relation to passing the NPPF exception test (as noted above). This relates to both the floor levels of the building and the safety of the routes that occupants of the development would take to enter and leave the building.

13.2.3 The 4.6m AOD floor level that is proposed for the lobby area of the development provides a good level of protection to key elements of the building should the flood defences fail for any reason and the EA welcome the fact that all the proposed residential development is above this level. It is worth highlighting that the 4.6m AOD is only considered appropriate for development in this location behind defences, which are to be upgraded. In other locations in Plymouth the EA expect levels to be higher than this to provide adequate levels of protection from a 1 in 200 year coastal flood event.

13.2.4 Additionally, the FRA references the installation of a new surface water drainage pipe, also shown in Appendix D, running along the northern site boundary. The EA welcome the inclusion of this feature, which will not only address existing surface water flooding issues on Sutton Road, it will provide a conduit for future surface water drainage connections in the future, in recognition to this site's important access to the harbour.

### 13.3 Financial contribution for the upgrade of defences

13.3.1 Sutton Harbour is currently defended from coastal flooding during a 1 in 200 year event through a combination of raised quay walls, flood gates and a water level within the harbour that allows for the storage of waters that overtop these defences.

13.3.2 The NPPF advises that developers need to consider flood risk over the lifetime of development and as such sea level rise needs to be considered. Sea level rise using current predictions will increase sea levels by approximately 0.7m over the next 75 years and 1.1m over the next 100 years. When sea level rise is included the current defences at Sutton Harbour do not provide adequate protection during a 1 in 200 year coastal flood event.

13.3.3 Given that the proposed development will rely on our flood defences to keep it safe from flooding over its lifetime, the EA, supported by Officers, consider that it is justified to request a financial contribution to the future upgrade of the defences to meet the challenge of climate change.

13.3.4 Section 106 contributions have therefore been agreed towards future flood risk management works around the harbour. The level of this contribution is linked to the scale and nature of this development. Further details are set out in the 'Planning Obligations' section below.

### 13.4 **Pollution Prevention**

13.4.1 The applicant has submitted an outline Construction Environmental Management Plan (CEMP) to pull together and manage the pollution control and waste management requirements during the construction phase. However, this will need to be updated by the contractor when appointed. A planning condition is recommended to secure the submission and agreement of the final CEMP before development takes place.

## 14. Contaminated Land

14.1 The contained land risk assessment report has identified potential pollutant linkages, particularly as a result of the historic use of the site, including a potential source of contamination to groundwater and future users of the land therefore restrictive conditions are recommended in accordance with guidance from the Environment Agency and Public Protection Service.

## 15. Natural Infrastructure

### 15.1 Biodiversity

15.1.1 A revised Preliminary Ecological Appraisal (PEA) was submitted in support of the application (Preliminary Ecological Assessment, Encompass Ecology Ltd, 2018) which identified that the site is not within or adjacent to any statutory or non-statutory sites of conservation interest. However, it is 800m from the Plymouth Sound and Tamar Estuaries Special Area of Conservation (SAC). This is covered in the Habitat Regulations Assessment Screening document (see further details below).

15.1.2 The PEA identified the following:

- \* Potential good quality reptile habitat. Therefore further survey information has been submitted to address the potential presence of reptiles; this concludes that reptiles are highly likely absent of the site;
- \* The site as a whole is of low to negligible ecological value due to lack of habitat features;
- \* Breeding birds are present on the site and so an ecologist must be check vegetation prior to removal. Also artificial nesting provision is recommended at Harbour Car Park site (given the nature of the overall development).

15.1.3 The applicant has now submitted a revised Ecological Mitigation and Enhancement Strategy (EMES) to take account of the outcomes of the reptile survey. The revised EMES clearly defines the biodiversity mitigation measures to be delivered on-site. However, it is considered that these measures alone would not deliver biodiversity net gain in accordance with the policy requirements. Given that this application is intrinsically linked with the application (ref: 18/01246/FUL) to extend the Harbour Car Park, Officers from the NIT have concluded that it is reasonable to consider the combined biodiversity gain in this case. On this basis, Officers are satisfied that the proposed on-site mitigation at Sugar Quay and that proposed at Harbour Car Park will deliver an overall biodiversity Net Gain in accordance with Core Strategy Policy CS19 and Joint Local Plan Policy DEV28 (biodiversity net gain).

### 15.2 Habitat Regulations Assessment

15.2.1 As noted above, Natural England raised concerns that new housing development in this area is 'likely to have a significant effect' upon the interest features of the SAC/SPA, when considered in combination, through increased recreational pressure. As such Natural England advised that mitigation will be required to avoid such an effect occurring and enable the LPA to reach a conclusion of "no likely significant effect". As set out in the Stage 1: Habitat Regulations Assessment (dated 28th August 2018), the Local Planning Authority has secured appropriate mitigation. Specifically, a Construction Environmental Management Plan will be secured through a pre-commencement condition and monies will be extracted from the CIL as a contribution to the recreational mitigation project. The HRA reflects and addresses the concerns raised by NE.

## **16. Comments on Third Party representations not previously covered within the Report**

### 16.1 Pre-application process

16.1.1 As outlined above in the summary of the letters of objection received, concerns have been raised about the pre-application process. Officers have responded to this concern/complaint through other procedures. However, it may be worth clarifying that the Council's Development Enquiry Service provides informal pre-application planning advice to help developers understand how planning policies and other requirements affect a proposal and provide an assessment of whether there seems a reasonable chance of getting planning permission. Any advice provided is not binding to the Council. The pre-application advice given in this case (under reference no.s 15/01294/MAJ and 18/00686/MAJ) is outlined under the title 'Pre-application Enquiry' above.

16.1.2 In addition, as noted above, Officers and the developer entered into a voluntary Planning Performance Agreement. A planning performance agreement does not differ from other forms of pre-application engagement. It does not commit the local planning authority to a particular outcome. It is instead a mutual commitment to a process and timetable for determining an application.

### 16.2 Public Consultation

16.2.1 Third party representations call for detailed consultation for all those living in a 2 mile radius of the application site. However Officers note that the application has been advertised in accordance with the Council's publicity code. Site notices were posted, the application was published on our 'weekly list', appeared on our website and was published in the local press.

### 16.3 Wind Microclimate effect

16.3.1 An Environmental Wind Study has been submitted with this application. This has reviewed the existing built environment and the existing built environment with the proposed development. This has shown within the conclusions at 6.3.2 on page 56, which includes reference to changed wind conditions at various locations, there will be 'minimal change' in wind conditions to some locations with wind levels decreasing in other locations due to the shielding from the building. Overall, no concerns with regards to the Harbour wind environment are raised.

### 16.4 Viability of the car park

16.4.1 Whilst third party concerns have been raised about the viability of the car park, Officers have received detailed information on the viability of the scheme and are confident that the scheme (and underground car parking) can be delivered.

### 16.5 Inaccurate Plans

16.5.1 As detailed above, third party representations queried the accuracy of the submitted plans, with specific reference to Marrowbone Slipway. To clarify this, an additional drawing (ref: AWW-02-00-DR-A-01\_SK200\_Rev.1) has been submitted which includes an overlay of the topographical survey against the proposed layout plan to demonstrate that the slipway width is correct owing to the significant increase in width as a result of the temporary works/hoardings being removed.

16.5.2 The revised layout and extended width should help neighbouring residents access the garages on Marrowbone Slip, which was another point raised in submitted letters of representation.

### 16.6 Pedestrian Safety

16.6.1 Concerns relating to pedestrian safety, with specific reference to users of Marrowbone Slip were raised. The Highway Authority are satisfied that no increased issues of highway safety as a result of the additional trips created by the development.

### 16.7 Fire Risk

16.7.1 Local residents have raised questions about fire, with specific reference to potential risks associated with restaurants below residential accommodation. Officers are of the view that this is beyond the scope of the planning system, and will instead be the subject of detailed analysis as part of the requirement for building regulations approval once the applicant has appointed either the Council or an alternative Approved Inspector to complete this process. However the applicant has confirmed that the Sugar Quay development has been designed with input from an appointed specialist fire engineer. Their advice has been included within the design and spatial arrangement to ensure compliance with their fire engineered solution to the fire strategy of the building.

## **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, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to its size or nature, under our current charging schedule.

## **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.

Although the Natural Infrastructure Team, Highway Authority and Economic Development Teams sought planning obligations from the scheme, the applicant has submitted a detailed 'viability assessment' with the application to justify their request for the scheme to be considered acceptable without a full package of planning obligations. Viability Officers have concluded that the development cannot viably provide this high quality scheme and a maximum S106 contribution.

Given the above, Planning obligations have been negotiated in respect of the following matters

\* Affordable Housing: £3,150,000 towards the provision of affordable housing within the boundaries of Plymouth City Council to be paid in three equal instalments at the following trigger points:

- o £1,050,000 upon commencement of development
- o £1,050,000 upon disposal of 87th unit
- o £1,050,000 upon disposal of 154th unit

\* Education: £256,595 to be paid upon commencement of development towards provision of secondary pupil places within the boundaries of Plymouth City Council.

\* Flood Risk: £250,000 to be paid upon commencement of development towards the upgrading of the existing Sutton Harbour defences to provide protection against increasing sea levels and more intense coastal storms.

\* Health Care: £44,817 to be paid upon commencement of development towards health and capacity improvements at Beaumont Villa and/or Friary GP surgeries

The agreed infrastructure contributions total £3,701,412.

In addition to the above, the developer has submitted an 'Economic Benefits Summary Statement' (dated September 2018) which provides an analysis of the other economic benefits generated by the proposed development, concluding:

*'The construction of the proposed development will generate initial temporary direct benefits through employment and indirect benefits through supply chain spending, but its positive impacts will be experienced for long afterwards and will provide an important source of local economic and social benefit for communities.'*

*As the new homes are occupied, a range of local benefits will be generated, from the spending power of households to the generation of additional Council Tax revenues, both of which will help to sustain local shops and services as well as support investment in the built and natural environment.*

*The operation of the commercial floor space will support a range of employment opportunities on site, with this employment contributing to uplifts in economic productivity across both Plymouth and the wider Devon and Cornwall economies. This in turn will support a number of important policy objectives established within the revised NPPF and through sub-regional economic strategies being delivered by the Heart of the South West Local Enterprise Partnership (LEP).'*

Further direct benefits will be delivered including high quality enhancements to the public realm.

A management fee of £8004 has also been sought.

## **12. Equalities and Diversities**

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

The design has been developed, where feasible, with specific regard to disabled access for the following circumstances:

- Residents and visitors of the development at all levels
- People visiting the communal spaces at ground floor level.

The development will deliver 34 M4(2) (Adaptable and Accessible) compliant and 4 M4(3) (Adaptable and Accessible) compliant homes, as required by the recommended condition.

### **13. Conclusions and reasons for decision**

Although Policy PLY25 of the JLP is not yet adopted, this policy has been subject to examination. As part of these proceedings a Statement of Common Ground was progressed with the Council. The policy does offer a useful framework against which to undertake a summary review of the proposal. With brief commentary under each point, the full wording of the policy (as agreed to be amended through the statement of common ground) is as follows:

*PLY25: Land at Sugar House, Sutton Harbour is allocated for residential-led mixed use development. Provision is made for in the order of 160 homes.*

- The proposed uses are generally in line with the policy.
- 170 homes are proposed

*1. A development which respects the site's heritage assets and context, as informed by a detailed heritage character assessment to be undertaken for the proposal.*

Officers acknowledge that the scheme would give rise to some harm to the setting of heritage assets, but consider this is 'less than substantial' in respect of NPPF paragraph 195.

*2. High quality architecture that responds positively to the site's heritage and Sutton Harbour's historic character and distinctiveness.*

Officers consider the building design memorable and high quality and whilst there is some debate about how well it responds to the site's heritage, Officers agree that any harm is less than substantial.

*3. Active ground floor frontages to enliven all public streets and spaces – including on the quayside and Sutton Road.*

A publicly accessible ground floor/mezzanine (Use classes A1, A2, A3 and A4) is proposed with access on the quayside. The gym (located in the south east corner) and one commercial unit (located on the north east corner) fronting Sutton Road as well as the principle residential entrance and atrium which will enliven this space.

*4. Public access to and along the site's waterfront and a new pedestrian routes linking from Sutton Road to the quayside – providing a framed view from the waterfront to St John's Church.*

The scheme provides for a wide viewing corridor between Exeter Street, St John's Church, and Sutton Harbour and allow for the future delivery of regeneration in the Coxside area to the east of the site.

*5. High quality public realm including new quayside public open space and a proportionate contribution to the Sutton Harbour Heritage Trail, public art and heritage interpretation.*

The scheme delivers public realm improvements and will directly deliver heritage interpretation (to be agreed with the Local Planning Authority by restrictive condition).

*6. Opportunities for water access for leisure.*

Whilst this is not included within the proposals, Sutton Harbour Holdings intends to widen Marrowbone Slipway as part of their improvements and regeneration of the area. This will include reinstating the original width of the Marrowbone Slipway, which will achieve improved access to the water from the eastern side of Sutton Harbour. The intention is to proceed expediently with applications seeking the necessary consents for these works.

*7. Innovative car parking solutions to reduce the visual impact of vehicles on the public realm.*

Officers welcome the basement parking which releases space for high quality public realm.

Considering the scheme against the draft policy for the site, Officers are of the view that its requirements are met to an adequate level.

Furthermore, 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; the Local Development Framework Core Strategy 2007, the Planning Obligations and Affordable Housing Supplementary Planning Document (SDP) Second Review 2012; Development Guideline SDP First Review 2013; the Sustainable Design SPD 2009; the Sutton Harbour Area Action Plan 2007 and the emerging Joint Local Plan (2014-2034).

Overall the proposal is considered to be of a high quality, memorable design that will transform this undeveloped gateway site and enhance the built frontage of the Harbour. Third party concerns, and those of the Historic Environment Officer, have been considered on balance against the wider benefits of the scheme, in line with the relevant policy criteria as set out above. It is therefore recommended that the development be conditionally approved subject to a S106 agreement with delegated authority to the Service Director of Strategic Planning and Infrastructure to refuse if the application is not determined within agreed timescales

#### **14. Recommendation**

In respect of the application dated 20.07.2018 it is recommended to conditionally approve, delegated to Service Director of Strategic Planning and Infrastructure to refuse if the S106 agreement is not signed by the target date or an otherwise agreed date through an extension of time.

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

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

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

Existing Site Plan AWW-02-00-DR-A-01 1010 - received 16/07/18

Demolition Plan AWW-02-00-DR-A-01 1050 - received 16/07/18

First Floor GA Plan AWW-02-01-DR-A-01 2003 Rev G received 16/07/18

Second Floor GA Plan AWW-02-02-DR-A-01 2004 Rev H received 16/07/18

Site Location Plan AWW-02-00-DR-A-01 3554-1000 Rev C received 20/07/18

Block Plan AWW-02-00-DR-A-01 1001 Rev D received 24/10/18

Ground Floor Mezzanine GA Plan AWW-02-M1-DR-A-01 2002 Rev K received 24/10/18

Ground Floor GA Plan AWW-02-00-DR-A-01 2001 Rev L received 24/10/18

Basement GA Plan AWW-02-B1-DR-A-01 2000 Rev J received 01/10/18

Sixteenth Floor GA Plan AWW-02-16-DR-A-01 2018 Rev K received 01/10/18

Seventeenth Floor GA Plan AWW-02-17-DR-A-01 2019 Rev K received 01/10/18

Eighteenth Floor GA Plan AWW-02-18-DR-A-01 2020 Rev K received 01/10/18

Nineteenth Floor GA Plan AWW-02-19-DR-A-01 2021 Rev K received 01/10/18



South Elevation AWW-02-ZZ-DR-A-01 3001 Rev D received 01/10/18  
West Elevation AWW-02-ZZ-DR-A-01 3002 Rev D received 01/10/18  
North Elevation AWW-02-ZZ-DR-A-01 3003 Rev D received 01/10/18  
Roof Floor GA Plan AWW-02-RF-DR-A-01 2022 Rev B received 01/10/18  
East Elevation AWW-02-ZZ-DR-A-01 3000 Rev D received 01/10/18  
Context Elevations AWW-02-ZZ-DR-A-01 3006 Rev A received 01/10/18  
Section AA AWW-02-ZZ-DR-A-01 3100 Rev B received 01/10/18  
Section BB AWW-02-ZZ-DR-A-01 3101 Rev B received 01/10/18  
External Works General Arrangement M372 DRL.1001.P Rev 01 received 01/10/18  
Fifth Floor GA Plan AWW-02-05-DR-A-01-2007 Rev H received 16/07/18  
Third Floor GA Plan AWW-02-03-DR-A-01-2005 Rev H received 16/07/18  
Fourth Floor GA Plan AWW-02-04-DR-A-01-2006 Rev H received 16/07/18  
Sixth Floor GA Plan AWW-02-06-DR-A-01-2008 Rev H received 16/07/18  
Seventh Floor GA Plan AWW-02-07-DR-A-01-2009 Rev H received 16/07/18  
Eighth Floor GA Plan AWW-02-08-DR-A-01-2010 Rev H received 16/07/18  
Ninth Floor GA Plan AWW-02-09-DR-A-01-2011 Rev H received 16/07/18  
Tenth Floor GA Plan AWW-02-10-DR-A-01-2012 Rev H received 16/07/18  
Eleventh Floor GA Plan AWW-02-11-DR-A-01-2013 Rev H received 16/07/18  
Twelfth Floor GA Plan AWW-02-13-DR-A-01-2014 Rev H received 16/07/18  
Thirteenth Floor GA Plan AWW-02-13-DR-A-01-2015 Rev H received 16/07/18  
Fourteenth Floor GA Plan AWW-02-14-DR-A-01-2016 Rev H received 16/07/18  
Fifteenth Floor GA Plan AWW-02-15-DR-A-01-2017 Rev H received 16/07/18

Reason:

For the avoidance of doubt and in the interest of good planning, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the National Planning Policy Framework 2018.

**2 CONDITION: COMMENCE WITHIN 2 YEARS**

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004 and in accordance with Core Strategy Objective 10(8) (Delivering Adequate Housing Supply) and Policy SPT3 of the Plymouth and South West Devon Joint Local Plan

### **3 CONDITION: PROGRAMME OF ARCHAEOLOGICAL WORK**

#### PRE-COMMENCEMENT

No part of the development approved 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, emerging policies DEV21 and DEV22 of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 184-202 of the National Planning Policy Framework 2018.

#### Justification:

To ensure that important archaeological features are properly protected / recorded before construction commences.

### **4 CONDITION: PROVISION OF DRAINAGE WORKS**

#### PRE-COMMENCEMENT

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

a) The proposed drainage system, including attenuation, should provide a 1% AEP standard of protection plus a 40% allowance for climate change. Calculations and modelling data should be produced in support of any drainage design showing that the defences and drainage system are designed to the required standard.

Clarification should be submitted that shows how the site is protected against off- site surface water run off from Sutton Road.

b) Details of the outfall proposed for the surface water discharge should be submitted, including invert level, available capacity and existing catchment area.

c) The standing advice set out in the Environment Agency guidance for Sutton Harbour should be followed including signing up to the EA Floodline Warnings Direct service for all

residents and commercial managers and the safe protection of emergency access routes. An Emergency Flood Plan should be submitted for review prior to occupation

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

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

Reason:

To reduce the risk of flooding to and from the development, and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory surface water management and disposal during and after development. The drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure in accordance with policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, policy DEV37 emerging policies DEV21 and DEV22 of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 148-150 and 155-165 of the National Planning Policy Framework 2018.

Justification:

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

## **5 CONDITION: ACCESS (CONTRACTORS)**

### PRE-COMMENCEMENT

Before any other works are commenced, an adequate road access for contractors with a proper standard of visibility shall be formed to the satisfaction of the Local Planning Authority and connected to the adjacent highway in a position and a manner to be agreed with the Local Planning Authority.

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV31 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraph paragraphs 102, 108, 110 and 111 of the National Planning Policy Framework 2018.

Justification:

To ensure that the development can ensure the safety of road users and pedestrians can be maintained.

**6 CONDITION: PEDESTRIAN ACCESSIBILITY AUDIT**

PRE-COMMENCEMENT

No works shall commence on-site until the applicant has undertaken a Pedestrian Accessibility Audit (PAA). The audit shall identify any potential locations where additional pedestrian crossing points/infrastructure may be required to facilitate safe access to and from the site by pedestrians and any such infrastructure/improvements identified through the PAA shall then be delivered by the developer in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that an appropriate and safe access is provided for pedestrians in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and emerging policy DEV31 of the Plymouth and South West Devon Joint Local Plan (2014-2034).

Justification:

To ensure that the development can ensure the safety of road users and pedestrians can be maintained.

**7 CONDITION: CONSTRUCTION TRAFFIC MANAGEMENT PLAN**

PRE-COMMENCEMENT

No development works shall commence until there has been submitted to and approved in writing by the Local Planning Authority a Construction Traffic Management Plan (CTMP). The said CTMP shall include details relating to the detailed programme of works, details of construction vehicle movements including number, type and size of vehicles; construction operation hours; routes being used by construction vehicles and contractors parking arrangements. The construction works hereby proposed shall be carried out strictly in accordance with the approved CTMP.

Reason:

To ensure that the traffic impacts associated with the construction phase of the works does not lead to adverse impacts upon the operation of the Local Road Network in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV31 of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraph 32 of the National Planning Policy Framework 2012.

Justification:

To ensure that the construction phase of the development can ensure the safety of road users and pedestrians can be maintained.

## **8 CONDITION: LAND CONTAMINATION**

### PRE-COMMENCEMENT

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:

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

If required following the findings of the Stage 1 Site Investigation works required by Section 1 above, 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, emerging policy DEV2 of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 170,178-183 of the National Planning Policy Framework 2018.

Justification:

To ensure that risks to health through contamination are properly considered and addressed before building works commence.

## **9 CONDITION: CODE OF PRACTICE**

### PRE-COMMENCEMENT

Prior to the commencement of the development hereby approved, including any works of demolition and / or construction, 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 approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i. Noise and vibration from equipment and activities associated with construction including piling
- ii. Hours of work
- iii. Lighting
- iv. Measures to control the emission of dust and dirt during construction including wheel washing facilities
- v. A scheme for recycling / disposing of waste resulting from demolition and construction works
- vi. Pest control
- vii. Contamination where applicable

A copy of the Public Protection Service, Code of Practice for Construction & Demolition can be downloaded for use via [www.plymouth.gov.uk/construction\\_code\\_of\\_practice.pdf](http://www.plymouth.gov.uk/construction_code_of_practice.pdf)

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works in accordance with policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies DEV2, DEV28 and DEV37 of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 170,178-183 of the National Planning Policy Framework 2018.

Justification:

To ensure that the construction phase does not unduly impact on local amenity such as disturbance to local residents or disruption to traffic and parking.

## **10 CONDITION: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

### PRE-COMMENCEMENT

Notwithstanding the submitted Outline Construction Management Plan (dated June 2018), no development shall take place until a detailed Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Where appropriate, the CEMP shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of 'biodiversity protection zones'.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including measures to limit the dumping, spreading or discharge of any materials and chemicals on site, measures to ensure chemicals are securely stored at a safe distance away from the intertidal area; measures to minimize disturbance from works and machinery operating in the marine environment. And the management of any contaminated spoil.
- d) The location and timing of sensitive works to avoid harm to biodiversity features. This includes the use of protective fences, exclusion barriers and warning signs.
- e) The times during construction when specialist ecologists need to be present on site to monitor works to ensure compliance with the CEMP: Biodiversity, and the actions that will be undertaken.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) All permits, contingency plans and mitigation measures that shall be put in place to control the risk of pollution to air, soil and controlled waters, protect biodiversity and avoid, minimise and manage the productions of wastes with particular attention being paid to the constraints and risks of the site.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

#### Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest and to ensure that adequate measures are put in place to avoid or manage the risk of pollution or waste production during the course of the development works, in accordance with policies CS01, CS19 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies SPT11, STPI2, SPT13 and DEV28 of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 170-177, 180, and 181 of the National Planning Policy Framework 2018.



Justification:

To ensure the environment is adequately protected during the construction of this development

## **11 CONDITION: LIFETIME HOMES**

### PRE-DPC

Unless otherwise agreed in writing with the Local Planning Authority, the development hereby approved shall not proceed past the Damp Proof Course (DPC) level until the applicant has submitted a plan to demonstrate that 34 of the units hereby permitted shall be part M4(2) (Adaptable and Accessible) compliant and 4 of the units hereby permitted shall be part M4(3) (Adaptable and Accessible) compliant, and shall be fully implemented prior to completion of the development and thereafter so maintained and retained.

Reason:

To provide a range of accessible and adaptable dwellings for all members of the community in accordance with Policy CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV9 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraph 72 of the National Planning Policy Framework 2018.

## **12 CONDITION: EXTERNAL MATERIAL SAMPLES**

### PRE-DPC

Notwithstanding the submitted details, the development hereby approved shall not proceed past the Damp Proof Course (DPC) level until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Sample panels demonstrating the proposed materials together shall be erected on site for inspection by the Local Planning Authority, with an associated specification of materials submitted to the Local Planning Authority for approval.

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, emerging policy DEV20 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 124, 127, and 130 of the National Planning Policy Framework

### **I3 CONDITION: FURTHER DESIGN DETAILS**

#### PRE-DPC

Notwithstanding the submitted details, the development hereby approved shall not proceed past the Damp Proof Course (DPC) level until details (presented at appropriate scales) of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz:-

1. Details of the design of the proposed balconies (including the first floor commercial external seating area) including all balustrades and soffits;
2. Details of the blue feature frame;
3. Details of the tensile sail canopies;
4. Details of the proposed detailed design, materials and finishes to the windows/shopfront to the ground floor commercial units;
5. Details of the proposed siting, design and external materials of any roof plant, services or lift rooms and any wall or roof vents, ducts, pipes or other accretions to the roof or elevations.
6. Details of windows, including frames, depth of reveals, and relationship to surrounding cladding
7. Details of the boundary treatment serving the first floor residential roof gardens

The works shall conform to the approved details.

#### Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV20 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 124-132 of the National Planning Policy Framework 2018.

### **I4 CONDITION: LIGHTING DETAILS**

#### PRE-DPC

No development shall take place beyond Damp Proof Course (DPC) until details of any 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, emerging policies DEV2 and DEV20 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 170, 175, 180 of the National Planning Policy Framework 2018.

**15 CONDITION: DISTRICT HEATING CONNECTIVITY**

PRE-DPC

No development shall take place beyond Damp Proof Course (DPC) until a report identifying how the development has been designed to be compatible with and allow future connection to a local district heating network (in line with current best practice) has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason:

To reduce Carbon Dioxide emissions from the development as required by policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, the emerging policy DEV34 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 148, 150-154 of the National Planning Policy Framework 2018.

**16 CONDITION: FURTHER DETAILS PUBLIC REALM**

PRE-DPC

Notwithstanding the submitted details, the development hereby approved shall not proceed past the Damp Proof Course (DPC) level until the following details have been submitted to and approved in writing by the Local Planning Authority:

- i. the swirling sculptural feature (including 3D information illustrating its height and form),
- ii. public seating,
- iii. heritage interpretation relating to the Sutton Harbour Heritage Trail,
- iv. junction details between existing and proposed paving,
- v. planting scheme including details of all tree-pits and root infrastructure.

The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy PLY24 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 24-26, 130, 170, 180-183 of the National Planning Policy Framework 2018.

## **17 CONDITION: LANDSCAPE DESIGN PROPOSALS AND IMPLEMENTATION**

### PRE-DPC

No development shall take place beyond Damp Proof Course (DPC) until the details of the landscape works have been submitted to and approved in writing by the local planning authority. The landscape works shall accord with the approved Soft Landscape Strategy (drawing number DR.L.1002.P) and the approved Ecological Mitigation and Enhancement Strategy. The landscape works shall include:

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

All landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy PLY24 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 24-26, 130, 170, 180-183 of the National Planning Policy Framework 2018.

## **18 CONDITION: OBSCURE GLAZING**

### PRE-DPC

Notwithstanding the provisions of Article 3 and Class A of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the windows on the residential first to fourth floors in the side (south) elevation (at the outer edge of the 'T' shape only, immediately adjacent to Marrowbone Slip) of the proposed development, shall at all times be obscured. Samples of the proposed obscure manifestation/glazing shall be submitted to and approved in writing by the Local Planning Authority prior to the development hereby approved proceeding past Damp Proof Course (DPC) level. The approved obscure manifestation/glazing shall be fully implemented before any building is first occupied and henceforth permanently maintained.

#### Reason:

In order to protect the privacy enjoyed by the occupiers of the neighbouring dwellings in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEVI of the Plymouth and South West Devon Joint Local Plan (2014-2034).

## **19 CONDITION: FURTHER DETAILS - SCREENING**

### PRE-DPC

Notwithstanding the submitted details, the development hereby approved shall not proceed past the Damp Proof Course (DPC) level until details (presented at appropriate scales) of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz:-

1. Details/samples of obscure manifestation/glazing to be used in the south elevation (overlooking Marrowbone Slip) of the commercial units hereby approved.
2. Detail of screening to the south elevation of the proposed commercial roof terrace.
3. Details of the boundary treatment serving the first floor residential roof gardens

The works shall conform to the approved details and be fully implemented before the building is first occupied and henceforth permanently maintained.

#### Reason:

In order to protect the privacy enjoyed by the occupiers of neighbouring and proposed dwellings in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEVI of the Plymouth and South West Devon Joint Local Plan (2014-2034).

**20 CONDITION: CAR PARKING MANAGEMENT STRATEGY**

PRE-OCCUPATION

No part of the development hereby proposed shall be occupied until the applicant has submitted to the Local Planning Authority for approval a Car Parking Management Strategy. The said Strategy will provide details relating to the allocation of parking for each use on the site, measures relating to the control/use of all spaces to allow the sharing of spaces and the associated method of enforcement. From the date of the occupation of any unit within the development the applicant shall operate the approved Car Parking Management Strategy.

Reason:

To provide adequate visibility for drivers of vehicles at the road junction in the interests of public safety in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV31 of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 102, 108, 110 and 111 of the National Planning Policy Framework 2018.

**21 CONDITION: ACCESS/HIGHWAY IMPROVEMENTS (GRAMPIAN)**

PRE-OCCUPATION

No part of the development hereby permitted shall be occupied until the proposed alterations to the existing highway in order to create the new loading/unloading bay on Sutton Road and associated works as shown on the approved plans have been completed to the satisfaction of the Local Planning Authority.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV31 of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 102, 108, 110 and 111 of the National Planning Policy Framework 2018.

**22 CONDITION: CAR PARKING PROVISION**

PRE-OCCUPATION

No part of the development shall be occupied until the car parking area shown on the approved plans providing a total of 108 spaces (including 5 dedicated electric vehicle charging bays) has been drained and surfaced in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV31 of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 91, 102, 105, 108 and 110 of the National Planning Policy Framework 2018.

**23 CONDITION: CYCLE PROVISION**

PRE-OCCUPATION

No part of the development hereby permitted shall 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 a minimum of 88 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, emerging policy DEV31 of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 91, 102, 108 and 110 of the National Planning Policy Framework 2018.

**24 CONDITION: TRAVEL PLAN**

PRE-OCCUPATION

No part of the development hereby permitted shall 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 residents, staff and all site users to use modes of transport other than the private car to get to and from the development. It shall also include measures to control the use of the permitted car parking 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 occupation the developer 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, emerging policy DEV31 of the

Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 102, 105, 108 110 and 163 of the National Planning Policy Framework 2018.

The applicant should contact Plymouth Transport and Infrastructure for site- specific advice prior to preparing the Travel Plan.

## **25 CONDITION: USE OF UNITS**

### PRE-OCCUPATION - COMMERCIAL

The ground-floor commercial unit(s) shall only be used as a Shop (Class A1), a Financial or Professional Service (Class A2), a Cafe/Restaurant (Class A3) or a Drinking Establishment (Class A4) respectively of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or any re-enacting that Order).

Prior to the commercial or retail use of any of the ground floor units commencing, the specific use class proposed for each unit shall have been submitted to and agreed in writing by the Local Planning Authority. Unless otherwise previously agreed in writing with the Local Planning Authority, the approved use class for that unit shall thereafter be so maintained. For the avoidance of doubt, unless otherwise previously agreed in writing with the Local Planning Authority, a maximum of one A4 use will be permitted within the development.

Reason:

The Local Planning Authority wishes to control the type of use class proposed for the ground floor units in order to maintain a vibrant and active ground floor frontage, to ensure a positive, interactive relationship with the surrounding public realm is maintained and protect residential amenity in accordance with the provisions of Area Vision 5 and policies CS01, CS02, CS04, CS12, CS13 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, adopted Sutton Harbour Area Action Plan policy SH06, emerging policies DEVI and DEV2 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 170 and 180 of the National Planning Policy Framework 2018.

## **26 CONDITION: FLOOD RISK ASSESSMENT**

### PRE-OCCUPATION

The development permitted by this planning permission shall only be carried out in accordance with the flood risk management and mitigation recommendations set out in the approved Flood Risk Assessment (Ref. WE04821/FRA, 28 July 2018)



The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason:

To reduce the risk of flooding to the proposed development and future occupants in accordance with policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV37 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 148-150 and 155-165 of the National Planning Policy Framework 2018.

## **27 CONDITION: SIGNAGE DESIGN CODE**

### PRE-OCCUPATION - GROUND FLOOR COMMERCIAL UNITS

Notwithstanding the submitted information, the ground floor commercial units shall not be occupied until a design code for signage has been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that a consistent and high quality approach is taken with regard to any proposed signage to protect the visual amenity of the area in accordance with Policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy PLY24 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 124-132 of the National Planning Policy Framework 2018.

## **28 CONDITION: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN**

### PRE-OCCUPATION

A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development hereby permitted. The content of the LEMP shall include the following:

1. Description and evaluation of features to be managed.
2. Ecological trends and constraints on site that might influence management.
3. Aims and objectives of management for both the landscape elements and the biodiversity features.
4. Set out maintenance operations for the first year following implementation of the scheme and for a further 4 years following establishment for achieving aims and objectives.
5. Preparation of a work schedule.
6. Body or organisation responsible for implementation of the plan.

7. Monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest and to ensure that satisfactory landscaping works are carried out, in accordance with Policies CS01, CS18, CS19 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies SPT11, DEV10, DEV24, DEV28 and PLY25 of the Plymouth and South West Devon Joint Local Plan and paragraphs 130, 170, 180-183 of the National Planning Policy Framework 2018.

**29 CONDITION: ONSITE RENEWABLE ENERGY PRODUCTION**

PRE-OCCUPATION

The development shall be completed in accordance with the Energy Statement prepared by SDS, dated 11.06.2018. This proposes the use of Combined Heat and Power as the preferred method of incorporating onsite renewable energy production.

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

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the development in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, the emerging policy DEV34 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 148, 150-154 of the National Planning Policy Framework 2018.

### **30 CONDITION: INTERNAL SOUND LEVELS**

#### PRE-OCCUPATION - RESIDENTIAL

Prior to any occupation of the residential units hereby approved, the developer should submit, for written approval by the Local Planning Authority, a verification report proving that the dwellings have been constructed in accordance with BS8233:2014 so as to provide sound insulation against externally generated noise. The good room criteria shall be applied, meaning there must be no more than 35 dB LAeq for living rooms (0700 to 2300 daytime) and 30 dB LAeq for bedrooms (2300 to 0700 night- time), with windows shut and other means of ventilation provided.

#### Reason:

To ensure that the proposed dwellings hereby permitted achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies DEV2 and DEV10 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraph 170e of the National Planning Policy Framework 2018.

### **31 CONDITION: COMMERCIAL UNITS FIT OUT**

#### WITHIN TWELVE MONTHS OF FIRST RESIDENTIAL OCCUPATION

Within twelve months of the first residential unit, hereby permitted, being occupied, the ground floor commercial units shall be completed ready for fit out by a future occupier.

#### Reason:

In order to ensure the commercial units are delivered to a suitable standard to attract future occupiers adding to the vitality of the area in accordance with Policies CS02 and CS34 of the Local Development Framework Core Strategy (2006-2021) 2007, emerging policies PLY20 and PLY25 of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 127 of the National Planning Policy Framework 2018.

### **32 CONDITION: NOISE FROM KITCHEN EXTRACT VENTILATION SYSTEM - COMMERCIAL UNIT**

#### PRE-INSTALLATION

Noise from any kitchen extract ventilation system must not be audible above background levels in adjacent residential dwellings. Prior to the installation of such a system, details shall first be submitted and approved in writing by the Local Planning Authority. In addition, a BS4142:2014 compliant noise assessment to validate the plan must be submitted. Installation of the system

may not commence until the Local Planning Authority has given written authorisation following their assessment of the plans and noise data submitted.

Reason:

To protect the residential and general amenity of the area from noise emanating from the operation of any machinery and avoid conflict with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies DEV2 and DEV10 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraph 170e of the National Planning Policy Framework 2018.

### **33 CONDITION: MANAGEMENT PLAN - GYMNASIUM USE**

#### PRE-OPERATION - GYM

Prior to the first operation of the commercial gymnasium use hereby approved, a management plan for the operation of the use shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include contact details (including postal address, email address and telephone number) of the person to be contacted regarding any issues arising from the use of the gymnasium or any associated external areas under its control and a commitment to keep this information up to date. The management plan must also describe how the operator will control any impact to the residential and general amenity from the operation of the facilities, and how those controls will be implemented and monitored to verify their effectiveness. The management plan shall thereafter be adhered to strictly at all times.

Reason:

In the interests of neighbours' amenities and to provide a ready point of contact for any person who needs to address an issue in relation to the use of the premises, in accordance with policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Plymouth's adopted Development Guidelines Supplementary Planning Document 2010, emerging policy DEVI of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 123 of the National Planning Policy Framework 2018.

### **34 CONDITION: HOURS OF OPERATION - COMMERCIAL UNIT**

Unless otherwise agreed in writing with the Local Planning Authority, the commercial units (Classes A1, A2, A3, A4 and B1 as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended)) hereby permitted and any associated external seating area shall not operate or be open for business outside of the following hours:

Monday to Saturday 08.00 - 23.00 hrs

Sunday and Bank Holidays 10.00 - 22.30 hrs

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, emerging policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 170 and 180 of the National Planning Policy Framework 2018.

**35 CONDITION: REDUCTION OF SOUND TRANSMISSION AND VIBRATION FROM GYMNASIUM USE**

Noise from the gymnasium shall not be audible within the residential dwellings. Unless otherwise agreed in writing by the Local Planning Authority, the approved gymnasium shall be constructed in accordance with the following approved details:

The gym will have an isolated acoustic floating floor located above the floor slab topped with a 15mm thick impact absorbing underlay, with a potential 10mm thick rubber sports flooring finish. This may be extended to an isolated area anticipating heavy weights, or an area for classes having an isolated sprung floor.

A Class A absorptive suspended ceiling will be provided giving 100% coverage of the equivalent floor area to aid with controlling noise reverberation within the space, above which an acoustic isolated plasterboard soffit comprising of MF ceiling on resilient hangers, plasterboard finish and mineral wool insulation above aiding in preventing noise transfer from the gym to the residential apartments above. The residential apartments will also have an isolation underlay applied beneath their respective insulated and screed topping floors

Decorative artwork Class A absorptive wall panels are to be applied to a portion of the rear walls (opposite the curtain walling elevation on Sutton road) to aid with sound absorption reflecting from any curtain walling within the space. Surrounding walls to provide either dual and isolated studs plasterboard walls with double and triple plasterboard linings as necessary, or dual skin blockwork walls with an insulated cavity between and plasterboard finishes to mitigate noise transferral from the gym to the adjacent floor plan spaces.

Any elements of building structure located within the surrounding walls will be fully encased in either system to prevent transfer of noise through the structural elements between floor levels.

The gymnasium shall be maintained as such thereafter, unless alternative details are first submitted to and agreed in writing by the Local Planning Authority.

Reason:

To minimise the transmission of sound and vibration from the use of the gymnasium in the interests of neighbours' amenities, in accordance with policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV1 of the

Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 170 and 180 of the National Planning Policy Framework 2018.

### **36 CONDITION: DELIVERIES TO AND FROM THE PREMISES AND REFUSE COLLECTION - COMMERCIAL UNIT**

Deliveries and refuse collections are restricted to the following times: -

Monday to Saturday- between 08.00 hrs and 18.00 hrs

Sundays and Bank Holidays- No deliveries or refuse collection

Reason:

To protect the residential and general amenity of the area from noise emanating from delivery and waste collection activities and avoid conflict with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies DEVI and DEV2 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 170, 180-183 of the National Planning Policy Framework 2018.

### **37 CONDITION: ACTIVE FRONTAGE**

Notwithstanding Section 55(2)(a) of the Town and Country Planning Act 1990 (as amended), the windows relating to the commercial unit(s) hereby approved at ground floor level shall remain visually transparent - free from any applied vinyl advertisements, curtains, display stands or any other features that could restrict views in to or out of the premises at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

Due to the safety and security benefits brought by overlooking through these windows, in accordance with Policies CS32 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies PLY25 and DEV20 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 91, 124 and 130 of the National Planning Policy Framework 2018.

### **38 CONDITION: SPECIFIED USE RESTRICTION**

Notwithstanding the provision of section 55(2)(f) of the Town and Country Planning Act 1990 or any provision equivalent to that Act in any statutory instrument revoking and re-enacting that Act with or without modification, the gymnasium hereby permitted shall only be used as a gymnasium; and for no other purposes (including any other purpose in Class D2; of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies PLY25 and DEV1 of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 170 and 180 of the National Planning Policy Framework 2018.

### **39 CONDITION: TEMPORARY FLOOD PROTECTION**

The approved Block Plan (ref:AWW-02-00-DR-A-01 Rev.C) confirms that, as there is a minimum of 2.5m between the quay wall and the approved development, adequate space is available within the footprint of the site to accommodate suitable temporary flood protection measures, to the 4.81 mAOD standard of protection required by the Local Flood Risk Management Plan. This space shall be kept clear of fixed obstructions in order to be available for the installation of temporary flood protection measures in the event of a tidal flood warning being issued.

Reason:

To ensure that appropriate temporary flood protection can be accommodated within the site to protect the development in the event of a tidal flood warning in accordance with policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV37 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 148-150 and 155-165 of the National Planning Policy Framework 2018.

### **40 CONDITION: RESTRICTION ON RETAIL USE**

Notwithstanding the provisions of Part 3 (including Class V) of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no more than 500 sq m GIA of floorspace within this site shall be used for purposes within Use Class A1 (shops) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason:

The application has been assessed on this basis and the impact of additional retail floorspace would need further consideration to ensure that the development would not impact on vitality and viability of other designated centres in accordance with Policies CS06 and CS08 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV16 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraph 86 of the National Planning Policy Framework 2018.

#### **41 CONDITION: EXTERNAL MAINTENANCE MANAGEMENT PLAN**

##### PRE-OCCUPATION

No part of the development hereby proposed shall be occupied until the applicant has submitted to the Local Planning Authority for approval a management plan for the external maintenance of the building. The said management plan will provide details relating to how all external materials shall be maintained in a good, clean condition and appearance as long as the proposed buildings remain on the site and how any problems with corrosion, discolouration, weathering or other defects will be rectified promptly.

##### Reason:

To ensure that the appearance of the buildings remains satisfactory throughout their lifetime and that the buildings are in keeping with the standards of the vicinity in accordance with Policies CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies PLY25 and DEV20 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 63-64 of the National Planning Policy Framework 2018.

#### **42 CONDITION: PLANT, EQUIPMENT AND ACCRETIONS**

Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no plant, equipment or other accretions shall be added to the roof or elevations of any part of the building hereby permitted without the prior written consent of the Local Planning Authority (any application for which will be expected to demonstrate the visual impact of such equipment).

##### Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policies CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV20 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 24-26, 130, 170, 180-183 of the National Planning Policy Framework 2018.

#### **43 CONDITION: BIODIVERSITY**

The development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy (dated October 2018) for the site.

##### Reason

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Policies CS01, CS19 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies SPT11 and DEV28 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 109 and 118 of the National Planning Policy Framework 2018.



#### **44 CONDITION: CAR PARK DELIVERY**

##### GRAMPIAN CONDITION

No more than 70 of the residential units hereby permitted shall be occupied until the car park extension at Harbour Car Park (subject to planning application ref: 18/01246/FUL) is open and ready for use.

##### Reason:

In order to ensure the delivery of the car park to provide the additional parking provision required to serve the development to enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway and ensure that biodiversity net gain is achieved in accordance with Policies CS01, CS19, CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies SPT11, DEV28 and DEV31 of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 91, 102, 105, 108, 109, 110 and 118 of the National Planning Policy Framework 2018.

#### **45 CONDITION: MANAGEMENT PLAN - GROUND FLOOR COMMERCIAL UNITS**

##### PRE-OPERATION

Prior to the first operation of the ground floor commercial units hereby approved, a management plan in respect of the premises and associated external areas shall be submitted to and agreed in writing by the Local Planning Authority. The management plan must describe how any impact to the general amenity from the operation of the development will be controlled, and how those controls will be implemented and monitored to verify their effectiveness.

##### Reason:

To protect the general amenity of the area from litter, noise, pests and from disturbance or nuisance caused by the general operation of premises, including deliveries within the commercial aspect of the development and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 170, 180-183 of the National Planning Policy Framework 2018.

#### **46 CONDITION: FOUL DRAINAGE**

Foul drainage from the development (and no other drainage) shall be connected to the public foul or combined sewer.

Reason:

To ensure the discharge of drainage from the development shall not be prejudicial to the public sewerage system and ensure there are adequate public foul sewerage facilities to receive foul water flows, in order to safeguard the public and environment in accordance with policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, policy DEV37 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 148 and 155-165 of the National Planning Policy Framework 2018.

## **INFORMATIVES**

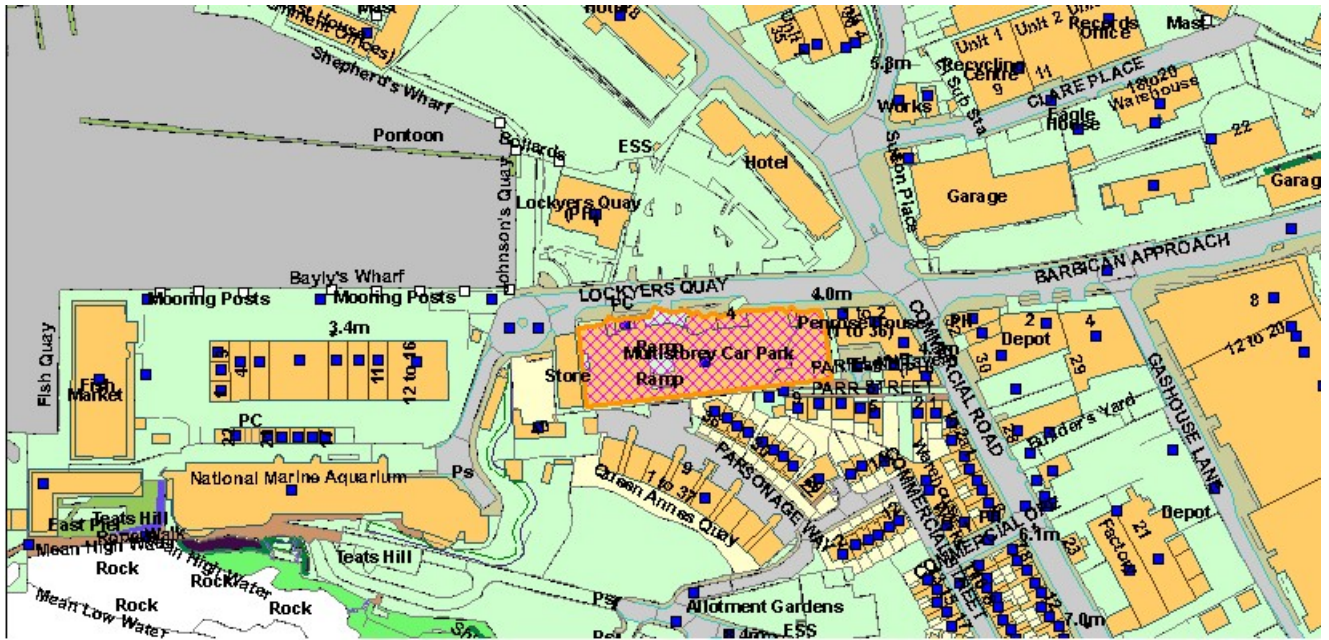
### **I INFORMATIVE: (£0 CIL LIABILITY) DEVELOPMENT DOES NOT ATTRACT A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION**

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

# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	18/01246/FUL	<b>Item</b>	<b>02</b>
<b>Date Valid</b>	20.07.2018	<b>Ward</b>	SUTTON AND MOUNT GOULD
<b>Site Address</b>	Harbour Car Park Lockyers Quay Plymouth PL4 0RA		
<b>Proposal</b>	Erection of two additional storeys to existing car park and change of use and external alterations to former toilets to form a commercial unit (Class A1 and A3)		
<b>Applicant</b>	Sutton Harbour Holdings PLC		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>19.10.2018</b>	<b>Committee Date</b>	<b>08.11.2018</b>
<b>Extended Target Date</b>	<b>08.11.2018</b>		
<b>Decision Category</b>	Member referral		
<b>Case Officer</b>	Mrs Janine Warne		
<b>Recommendation</b>	Grant Conditionally		



**This application is being presented before the Planning Committee as it is a Member Referral by Cllr Sue Dann and Cllr Mary Aspinall**

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

The application site is a large multi-storey car park located close to the junction of Lockyer's Quay, Commercial Road, Sutton Road and Barbican Approach. The car park is accessed via Lockyers Quay at the northern elevation.

The current structure was built in 1994 by Plymouth City Council and has capacity for 359 cars distributed over 10 half parking levels. A separate area of parking for 17 cars is located at ground floor at the eastern end of the car park, this is reserved for residents of the adjacent Penrose Yard development, accessed directly from Lockyers Quay.

To the north of the application site is the Lockyers Quay Public House/Restaurant and the Premier Inn hotel with associated surface car park. To the east, is Penrose House which comprises residential accommodation above commercial ground floor units. To the south, the application site is bound by residential properties on Parr Street and Parsonage Way (Queen Anne's Quay). To the west, the car park adjoins a commercial store/garage and a residential dwelling known as Teats Hill House, which is a Grade II listed building. Beyond this, is the entrance to the Fish Market and the National Marine Aquarium.

### **2. Proposal Description**

The application seeks planning consent for the erection of two additional storeys to the existing car park and change of use and external alterations to the former toilets to form a commercial unit – use class A1 (shops) and A3 (restaurants and cafes). The application has been amended so use classes A4 (drinking establishments) and A5 (and hot food takeaway) are no longer proposed.

The development will provide two additional storeys to the existing Harbour Car Park, which currently has 364 spaces. Amended plans have been submitted, stepping the proposed additional storeys back progressively from the existing rear elevation to provide greater distance between the proposed built form and adjacent properties.

The proposed works will expand the capacity of the car park by a total net increase of 114 spaces across four new half parking deck floors resulting in the creation of a total of 478 spaces across 14 levels. It is proposed that 62 of these spaces will be allocated for use by future residents of the proposed development at Sugar Quay (currently subject to consideration under application reference no. 18/01245/FUL), with a further 36 spaces to be made available for residents of Sugar Quay on an optional basis via the issue of permits. An additional 6 spaces will be allocated for use by Foot Anstey – this will offset the remainder of the existing parking lost as a result of the proposed Sugar Quay development (as part of that site is currently used as a temporary surface car park). The remaining 10 spaces would be for public use.

The additional two storeys will consist of a steel framed structure with a pre-cast concrete plank deck.

The existing feature staircase and lift shaft located centrally along the Lockyers Quay elevation and the two fire exit staircases will be extended up to service the proposed additional two storeys. These staircase core extensions will be enclosed in a lightweight aluminium cladding and part glazed screen.

A steel perimeter combined crash barrier and mesh infilled handrail system will be provided to the perimeter facade and all internal openings in the structure.

The existing WCs at ground floor will be removed and a new street facing retail/cafe facility will be provided.

The car parking structure will incorporate a planting solution that will allow vegetation to grow up the sides of the structure to create 'green walls'.

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

Pre-application discussions took place (ref: 18/00867/MAJ), commencing in May 2017. In summary, pre-application discussions explored the opportunity to introduce an active ground floor use within the former WC area, creating a 'feature' entrance via the historic archway and potentially introducing further activity within the Control Room which no longer appears to be used. In design terms, Officers supported the principle of extending/improving the existing buildings' green wall aesthetic, with the obvious visual amenity and biodiversity benefits this could bring. Officers also recommended that the application should be presented before a Design Review Panel. However this was not something that the applicant wanted to pursue. The potential impact on neighbouring amenity was identified and Officers recommended that the proposed extension should be set back from the existing rear elevation to minimise the visual impact from adjacent windows and garden spaces. A set back from the side (west) elevation was also recommended to reduce the impact on the Listed Teats Hill House. In Highways terms, amongst other things, Officers sought further information on current car park occupancy levels and expressed concerns that the car park is currently under-utilised and seldom at capacity. Other material planning considerations, including natural infrastructure, drainage, and security, were also discussed.

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

17/01385/ADV – Illuminated projecting sign – Permitted.

17/01408/ADV– Non-illuminated signs – Permitted.

05/00151/FUL – Formation of secure and dedicated parking area adjoining land, with new vehicular access – Permitted.

01/01112/FUL – Installation of external display comprising three stainless steel fish with fibre optic illumination – Permitted.

93/00501/OUT – Outline application to develop land by the erection of a multi-storey car park. Scheme B – Withdrawn.

93/00502/OUT – Outline application to develop land by erection of a multi-storey car park – Permitted.

93/00687/LBC – Dismantling of wall and archway prior to re-erection nearby – Permitted.

93/00954/30 – Erection of multi-storey car park (approval of reserved matters) – Permitted.

## **5. Consultation Responses**

**Highway Authority** (Amended response, dated 8/10/18) – No objections, subject to recommended conditions to secure the provision of parking spaces and ten electric charging points, a car parking management strategy, details of loading for the proposed café, and the submission of a construction traffic management plan.

**Historic Environment Officer** (Amended response, dated 5/10/18) – Based on the amended proposals, which minimise the impact on the listed building (Teats Hill House), the proposed increase in height is acceptable. The principle of the cafe/toilets is also acceptable, but it is felt that this is a missed opportunity to make more of this area and to enhance the Grade II listed archway by incorporating it sensitively into the scheme.

**Urban Design Officer** – Initial informal concerns were raised regarding the proposed materials and green finish which would potentially accent the extension. In addition, assurances were sought on the deliverability of the green walls to mitigate the visual impact, noting that if these could not be delivered and maintained this would trigger a need to review the additional parking piers and the design approach taken. Furthermore, it was recommended that the proposed extension should be pulled away from existing south and west elevations so it appears subservient and reduces the impact on neighbours.

Based upon the amended plans, no objections have been raised. Detailed comments have been received (as outlined in the Analysis section below) and conditions recommended, securing an active frontage for the commercial unit and assurances that the green wall planting and associated infrastructure can be delivered and maintained in good condition throughout the life of the development.

**Economic Development Department** – Fundamentally supportive of the proposals. However, there are Waterfront Masterplan delivery requirements which it would be appropriate to support through S106 contributions from a development of this nature and scale i.e. delivering significant additional footfall to/from the harbour area and to/from The Hoe/Hoe Foreshore – a proportionate contribution of £99,400 to delivery costs is considered appropriate. In addition, assuming the development has a construction cost in excess of £1m, there would be a requirement for submission, approval and delivery of an Employment and Skills Plan.

**Police Architectural Liaison** – The Devon and Cornwall Police are not opposed to the granting of planning permission for this application. The Police Architectural Liaison Officer has been fully consulted at the pre application stage and supports this application in its current design and layout.

**Public Protection Service (PPS)** – On the basis of the amended scheme, which no longer proposes A4 and A5 uses within the commercial unit, the PPS raise no objections (email dated 19/9/18). Furthermore, PPS confirm that details of kitchen extraction/ventilation systems will now not be required. However, restrictive conditions relating to deliveries/collections, opening hours, bin storage and pest management are recommended.

In terms of noise, the PPS noted that noise complaints have been received in relation to traffic noise from the car park including unauthorised racing around the site. As the proposal allows 24hr access for authorised residents only, the PPS confirmed that this limits the scope for additional unreasonable noise from the use of the proposed extension.

**Natural Infrastructure Team (NIT)** – Satisfied that the revised Ecological Mitigation Enhancement Strategy (EMES) sets out sufficient measures to ensure the scheme delivers a biodiversity net gain. These measures will also assist in providing a net gain for the proposed development at Sugar Quay (planning application 18/01245/FUL).

Furthermore, based upon amended plans, the NIT is satisfied that the scheme now includes additional planters ensuring the required level of visual mitigation can be delivered and the greening of the building can reach its required extent.

A Landscape Mitigation and Ecological Management Plan (LEMP) shall be sought by recommended condition.

**Queens Harbour Master** – No response received.

**Cattewater Harbour Commissioner** – No response received.

**Lead Local Drainage Authority** – No objections, subject to a recommended condition seeking a construction environment management plan.

**Devon Fire and Rescue** – No response received.

**Health and Safety Executive** – confirms that the site does not lie within the consultation distance of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site.

**Waterfront Partnership** – No response received.

**Public Health** – No response received.

## **6. Representations**

Twenty-one letters of objection have been received from the occupiers of Teats Hill House, Parsonage Way and Parr Street. The objections raised have been summarised below under key theme headings:

Historic Environment:

\* Detrimental to the adjacent Grade II listed building

Transport/Highway:

\* Existing car park is rarely full. Existing floors could be used to accommodate parking demand arising from the proposed Sugar Quay development - no need to add additional storeys.

Increase in traffic

- \* Increase in pollution. Cumulative impact due to Sugar Quay development and Premier Inn extension.
- \* Sufficient car parking should be included in the Sugar Quay development – the design of Sugar Quay and unit numbers should be reconsidered.
- \* No provision for electric charging points.

#### Neighbouring Amenity:

- \* Not supportive of proposed 24 hour use – not appropriate in a residential area and will make existing disturbance worse.
- \* Previously extended opening hours resulted in a significant increase in anti-social behaviour to the detriment to local residents.
- \* Loss of privacy to adjacent gardens and through windows.
- \* Overshadowing/loss of light. Obscure natural light due to height, massing and proximity to neighbours. The submitted shadow assessment should be questioned/is incorrect/misleading.
- \* Loss of outlook (loss of sky) from neighbouring gardens and houses.
- \* Air pollution – in an already over populated area due to additional car emissions plus predicted longer use of car park.
- \* An extra 2 storeys is too high.
- \* Construction phase will be very harmful (noise and pollution) to local residents – increase traffic, noise pollution, dust.

#### Design/Appearance

- \* The building is an eyesore. An extra two additional storeys is too high and exceeds existing building line.

#### Other observations/objections:

- \* Café is unlikely to be used given its setting and location.
- \* The toilets are the only public toilets in the vicinity and should be repaired and brought back into use.
- \* Lock bridge closure is an issue. Sutton Harbour should pay for the bridge repairs rather than such a costly development.
- \* Residents of Parsonage Way did not receive consultation letters from Sutton Harbour Holdings regarding pre-application consultation events.
- \* Safety and security issues and how anti-social behaviour would be dealt with.
- \* Inaccurate impressions - the submitted Planning Statement omits relevant information potentially giving readers a false impression.
- \* 'Pre-determination' – pre-application collaboration between the applicant and the Council, before the consultative period has started, appears to be contrary to guidelines on probity. This raises fears that premature commitments are being made.
- \* Reduction in view (not a material planning consideration).

Following the submission of additional/amended information, a further public consultation was carried out. At the time of writing this report, no letters of representation were received during the second public consultation period.

### **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) and the Sutton Harbour Area Action Plan (AAP).



The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the Core Strategy and other Plymouth Development Plan Documents as the statutory development plan for Plymouth once it is formally adopted.

Annex I of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For Plymouth's current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

- For the JLP which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at an advanced stage of preparation having been submitted to the Planning Inspectorate for Examination, pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations. The Council have received a Post Hearing Advice Note from the Planning Inspectors which has set out a number of modifications the Inspectors considered would make the JLP sound. The Council have prepared a schedule setting out the proposed Main Modifications and these are available for consultation until 3rd December 2018. It is therefore considered that the JLP's policies have the potential to carry significant weight within the planning decision, particularly if there are no substantive unresolved objections.

Other material considerations include the policies of the Framework itself, guidance in National Planning Practice Guidance (NPPG). Additionally, the following planning documents are also material considerations in the determination of the application:

- Sustainable Design SPD
- Development Guidelines SPD

## **8. Analysis**

### **I. Introduction**

I.2 This application has been considered in the context of the development plan, the submitted Joint Local Plan, the Framework and other material policy documents as set out in Section 7.

I.3 This report therefore has due regard to the following policies within the Local Development Framework Core Strategy:

- CS02 - Design
- CS03 - Historic Environment
- CS13 - Evening/Night-time Economy Uses
- CS19 - Wildlife
- CS20 - Resource Use
- CS22 - Pollution
- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration

1.4 With regard to the Sutton Harbour Area Action Plan, the main policy relating to this site is proposal SH08 (Coxside/Barbican Car Park).

1.5 Whilst the Core Strategy remains the current adopted Development Plan, the Plymouth and South West Devon Joint Local Plan (JLP) is at an advanced stage. The JLP Examination Hearings have now closed and we are awaiting an Interim Report, which will set out the Main Modifications that need to be made to the Plan. Appropriate weight is therefore afforded to the relevant policies from the JLP, which are:

PLY1 – Enhancing Plymouth’s strategic role

PLY2 – Unlocking Plymouth’s regional growth potential

PLY20 – Managing and enhancing Plymouth’s waterfront

PLY21 – Supporting the visitor economy

PLY37 – Strategic infrastructure measures for the City Centre and Waterfront Growth Area

DEVI – Protecting Health and Amenity

DEV2 – Air, water, soil, noise and land

DEV16 – Providing retail and town centre uses in appropriate locations

DEV19 – Provisions for local employment and skills

DEV20 – Place shaping and the quality of the built environment

DEV21 – Conserving the historic environment

DEV22 – Development affecting the historic environment

DEV24 – Landscape Character

DEV31 – Specific provisions relating to transport

DEV37 – Managing flood risk and water quality impacts

1.6 The National Planning Policy Framework (July 2018) is an important material consideration in relation to this planning application.

1.7 It should be noted that the applicant and the developers have entered into a Planning Performance Agreement (PPA). This is a voluntary agreement that an applicant and local planning authority can use to agree timescales, actions and resources for handling particular applications. In this case, the PPA was used as a joint commitment by the applicant and your Officers relating to the process and timetable for determining this application and the Sugar Quay application (18/01245/FUL).

1.8 The primary planning considerations are the principle of the proposed development, design considerations and the impact on the historic environment, transport issues, neighbouring amenity, security and impact on the natural environment. The consideration of these issues is explained in full below.

## **2 Principle of the proposed development**

2.1 Until it is superseded by the adoption of the Joint Local Plan, the relevant planning policy for the site is SH08 (Coxside/Barbican Car Park) in the adopted Sutton Harbour Area Action Plan (SHAAP). This policy seeks to remodel the existing car park to introduce a mixture of uses, including active ground floor uses to add street level vibrancy and natural surveillance over adjacent streets and spaces. The SHAAP says that this could include the addition of further floors, having regard to the need to ensure acceptable impact on neighbouring properties - the building having been engineered to be able to support this.

2.2 The SHAAP is likely to be replaced with the emerging Joint Local Plan (JLP) in 2019. Although there is no explicit Policy for the car park – as no development of it was anticipated during the plan period – JLP Policy PLY20 supports general enhancement of key assets and

opportunities in the waterfront area, to optimise its vibrancy and destination potential. JLP Policy PLY21 also supports proposals that enhance the waterfront as a visitor destination.

2.3 The proposed development will provide two additional storeys to the existing Harbour Car Park, providing a total net increase of 114 spaces across four new half parking deck floors. Ten of the proposed additional parking spaces will be available for public use (although this may be greater depending on the number of Sugar Quay residents taking up the 36 additional spaces available on an optional permit basis). It is accepted that this modest additional public parking provision will do little to support the aspirational growth of the Harbour and the tourist economy here. However third party representations, supported by the submitted Transport Statement, claim that the car park rarely operates at capacity. Therefore, there is no identified need, at present, for a significant increase in public parking provision here (only 10 additional public spaces are proposed). Having said this, policy SH08 seeks to retain the existing public car parking to support existing tourism and business needs of the area, including the National Marine Aquarium. Therefore, notwithstanding some third party representations, it would not be desirable to lose a significant number of existing parking spaces here. On this basis, Officers support the principle of extending the car park to support the delivery of the Sugar Quay residential development with no significant change to the existing public parking provision.

2.4 As outlined above, the proposed extension will facilitate the development of the nearby Sugar Quay site for a landmark residential-led scheme, providing additional housing on a derelict brownfield site, which has been stalled for many years. The Sugar Quay development will also provide, via S106 agreements, a commuted sum towards the delivery of much needed affordable housing within the City, as well as contributions towards improved flood protection measures for the Harbour, local health provision and secondary education within the City. The significant regeneration and economic benefits of the Sugar Quay scheme must therefore be duly considered when balancing the material planning considerations of this application.

2.5 With reference to the proposed commercial use; this has been proposed in response to the policy aspirations summarised above and the pre-application advice provided by Officers to create as much street-level activity (and therefore natural surveillance) as possible and is therefore supported in principle by Officers.

### **3 Urban Design**

3.1 It is considered that the car park's existing blank ground floor frontages create a poor first impression of Sutton Harbour and Plymouth for visitors. There are some particularly problematic areas, such as the space between the Grade II listed Plymouth limestone archway (which is understood to have belonged to an 18th Century prison gateway, in a different location nearby) and the disused toilets. The toilets are understood to have been closed for approximately ten years due to problems with antisocial behaviour. The space behind the archway and the ramps down to the former toilets, with their concrete balustrades, creates an unattractive and poorly overlooked space which would itself create opportunities for antisocial behaviour.

3.2 The pre-application version of the scheme proposed the additional tiers of car parking, but with no active ground floor frontage. Officers drew the architect's attention to the active ground floor frontage aspiration of the SHAAP. The architect agreed to investigate the opportunity to create active ground floor frontages and produced an initial concept sketch proposing the redevelopment of the defunct toilet area as a retail unit / café / kiosk, connecting this space to the Grade II listed archway, which he proposed could be used to create an attractive entrance, with lightweight glazed walls and a roof linking the old and new structures. Officers were supportive of this idea – as well as creating a much-needed active ground floor

use, it would remove the awkward antisocial space between the archway and the car park building. It is positive that this active ground floor use has made it into the planning application scheme and, whilst it is unfortunate that the historic archway has not been fully incorporated, it is positive that the architect proposes replacement of the concrete ramp balustrades with glass, as this will improve the openness of the space and natural surveillance into it. Furthermore, the glass canopy, green walls and outdoor seating relating to the unit is welcome. The unit's shopfront should remain transparent and free from obstruction; a restrictive condition is recommended accordingly.

3.3 With regard to the car park extension, the quality of scheme's architecture is overall considered reasonable. The additional structures are complex in form – and this is an obvious response to the existing car park's complicated set of parts.

3.4 The massing of the proposal is considered to be at the upper limit of what can be justified on the site, in terms of the relationship with the scale of adjacent buildings, streets and spaces. In response to concerns about the scheme's overbearing impact on Parr Street and Parsonage Way, officers have negotiated an amendment with the architect whereby the upper car parking tiers have been set back from the south building line, such that the bulk of the additional tiers as experienced at street level is reduced and more sky is visible. The architect also agreed to progressively set back the south west corner, to mitigate the impact on Parsonage Way and Teats Hill House. Officers consider that this change, coupled with the fact that the elevations of the new car parking tiers are of lighter-weight appearance than the existing car park structure (with railings through which light can be seen, rather than the heavy, exposed-aggregate concrete balustrades of the existing car park) mitigates this key visual impact to the point where the scheme's mass is considered acceptable on-balance.

3.5 Whilst officers support the use of climbing plants and green walls, officers were concerned about the green colour originally proposed for the application scheme's structure, on the basis that this accented the development and made it more prominent. Further to negotiation, the architect agreed to change the colour back to the grey proposed for the pre-application scheme. Officers consider that this assists in making the upper tiers less prominent and complements the colour of the existing building.

## **4 Green Wall**

4.1 The proposed extension to the car park will provide a green frontage that will soften the visual impact of the proposed two storey extension, and assist in dust suppression, pollution reduction and reduce noise.

4.2 A series of planter boxes will be installed at Level 13 and 14. These planters will house trailing plants appropriate to the aspect (light/shade) with evergreen plants throughout, supplemented with a variety of climbers to change over the seasons helping them to establish and survive longer. The same plants will be used to create the proposed living 'green' wall to the new ground floor cafe external seating area.

4.3 The Level 13 and 14 planter boxes will be accessible from the top deck of the car park for the purposes of maintenance of the foliage and the elements of the existing car park drip fed irrigation system that will be extended to service the new landscaping installation.

4.4 The proposed greening of the car park walls, using climbing plants, will further help to screen the visual impact of the structure (and builds upon the climbing plant concept of the original building design). However, concern has been raised regarding the deliverability of the green walls, for it is understood that Building Control have raised potential concerns about ventilation

and the fire risks associated with dead foliage. The Architect has provided further details and assurances in this regard confirming that ventilation of the newly proposed floors has been provided at the same level as the existing floors below. A Mechanical, Electrical and Plumbing consultant has been appointed to provide further information and studies on ventilation strategies. The building will be constructed in accordance with Building Regulations and relevant British Standards to ensure compliance with fire safety regulations.

4.5 A condition is recommended to ensure that the green wall planting and associated infrastructure is delivered and maintained in good condition throughout the life of the development to mitigate the visual impact of the proposed additional parking tiers.

### **5 Highways**

5.1 At present the car park provides 364 spaces which would be increased by a further 114 spaces resulting in 478 spaces in total.

5.2 It is proposed that 68 spaces are allocated to a combination of both residents of the proposed Sugar Quay development (62 spaces) and Foot Anstey (6 spaces). The latter addresses the loss of existing spaces serving Foot Anstey as a result of the Sugar Quay proposals. The applicant has confirmed that these 68 spaces will be marked-out and accessed through a further internal barrier system within the car park so that it is clear that the use of these spaces is independent from the use of the remaining pay and display spaces within the car park.

5.3 The remaining spaces created (46 in total) will be available for general use (pay and display) although those potential residents from Sugar Quay who do not have an allocated car parking space will be given the opportunity to purchase a parking permit for use within Harbour Car Park.

5.4 It should be noted that submitted survey data included in the Transport Statement relating to the use of the existing car park reveals that during the average week day the car park is no more than 30% full. This is a concern raised in third party representations (as outlined above). However, in view of the fact that much of the completed development around Sutton Harbour has been approved with minimal levels of car parking and the limited number of extra spaces proposed would potentially allow for further development in the Sutton Harbour area to come forward, the Highway Authority has not objected to this application on this basis.

5.5 Furthermore, it is acknowledged that further spaces are likely to be required when particular events are taking place within the Sutton Harbour/Barbican area, with such events likely to take place during evenings or weekends (outside the peak hours of operation on the local road network). The Highway Authority is therefore content that the extra car parking spaces proposed will have little impact in terms of extra trips on the local road network.

5.6 The applicant has confirmed that a total of 10 electric vehicle charging points will be provided within the car park which is welcomed and should be secured by the recommended planning condition.

5.7 With regard to the servicing of the ground floor commercial unit, the applicant has now confirmed that they would be seeking to work with the occupier of the Lockyers Quay site to use spaces within this car park which is directly opposite the proposed commercial unit and allow deliveries to be made to this unit without blocking the highway. Officers are content that there is now a solution to the loading/unloading problem and recommend a restrictive condition to seek further details.

5.8 To conclude, no objections are raised by the Highways Authority and, subject to recommended restrictive conditions, the development will accord with policies CS28 of the Core Strategy and DEV31 of the Joint Local Plan.

## **6 Historic Environment**

6.1 The Harbour car park is located in Coxside, and is therefore outside of the Barbican Conservation Area, although it is visible from within it. Immediately adjacent to the carpark on its north side it is the Grade II listed archway and to the southwest the Grade II listed Teats Hill House.

6.2 The proposals are to add an additional two storeys on to the existing car park, significantly increasing its height. The concern expressed during the pre-application was the potential for the proposed car park extension to unduly dominate the setting of the adjacent Grade II listed Teats Hill House. This has been addressed, to some degree, by the corner of the southwest elevation being stepped back on floors 11 (by 4.6, approx.) and 13 (by 8m approx.). This alteration is welcomed. Furthermore, it is noted that the construction of the proposed additional floors will be lighter in weight and appearance and will incorporate a great deal of planting to soften their appearance, which will help to lessen its visual impact. On balance, it is considered that the proposed amendments will reduce the impact on the Listed building and can be accepted.

6.3 With regard to the proposed café and associated works in the area behind the Grade II listed archway, no objections are raised. The arch is not in its original location having been moved a short distance in 1993 when the car park was originally built; therefore its current setting is not historic. Whilst it is unfortunate that the Grade II listed Archway could not be better incorporated into a more interesting scheme, any opportunity to improve the area around it is to be welcomed and it is considered that the proposal will not cause demonstrable harm to this heritage asset.

## **7 Impact on Neighbouring Amenity**

7.1 As noted above, third party representations raise concerns about the potential impact on neighbouring amenity.

7.2 The existing building has a very close relationship with the properties to the rear; particularly the houses at the end of Parr Street, which are already enclosed by the existing car park structure; the northwest corner of no.9 Parr Street lies within 5m (approx.) of the car park. In addition, the comparatively new development at Parsonage Way has a close relationship with the rear of the car park; there is a distance of approximately 2.8m between the closest (northwest) corner of 38 Parsonage Way and the car park. Further, there is a separation distance of approximately 13m between the car park and the northwest corner of the apartment block at 9 Parsonage Way. In addition, the closest corner of Teats Hill House to the west and the corner of the car park is approximately 10.6m apart.

### **7.3 Sunlight/daylight**

7.4 In terms of sunlight/daylight, the car park is sited to the north of Parr Street and Parsonage Way. Therefore, no significant loss of sunlight or overshadowing will occur to the residential properties here (as evidenced in the submitted Shadow Study – Proposed).

7.5 With regard to Teats House, which is sited to the southwest of the car park, with its curtilage extending to the north (west of the car park) – it is likely that there will be some additional loss of sunlight/daylight. However, this will only affect part of the external curtilage

and only for part of the day (early morning). Therefore the impact is not considered sufficiently harmful to local residents to warrant the refusal of this application.

### 7.6 Overlooking/Privacy

7.7 In terms of overlooking, Officers are mindful of the existing relationship, whereby users of the car park can look over the sides of the car park into neighbouring gardens and across into windows in the rear of Queen Anne's Quay. Given this very close existing relationship, and the design solutions proposed, Officers are satisfied that the proposed extension will not result in a significant loss of privacy to the neighbouring residential properties here.

7.8 As the additional storeys will now be set in from the rear elevation of the existing car park (by 2.9m and 6.1m approximately), it will not be possible for users of the proposed upper levels to look directly down into neighbouring garden spaces to the rear (as they would now look directly down to lower storeys of car parking). In addition, separation distances between the additional car park storeys and windows in the rear of 9 Parsonage Way will be greater than existing.

7.9 Whilst the Development Guidelines SPD does provide guidance on minimal separation distances to protect privacy, this refers to facing habitable room windows and therefore is not specifically relevant here, as a car park is not used in the same way as a principle residential room.

7.10 With regard to Teats Hill House to the west, the nearest corner of the car park has been 'cut' away from this property (by up to 8m), improving the relationship here. Notwithstanding this, it is acknowledged that some overlooking could occur (if users of the car park intentionally look over the edge of the additional storeys). However Officers are satisfied that any resultant impact will not be significantly worse than the existing relationship.

7.11 Further to the above, the application confirms that a wire mesh anti-climb fencing system will be installed to enclose Levels 9, 10, 11 and 12, and to a height of 1.85m above Levels 13 and 14. This will be complemented by the proposed 'green façade'. Such measures will obscure visibility from the car park and therefore further protect neighbouring privacy.

### 7.12 Outlook/Visual Prominence

7.13 As noted above, the relationship between the existing car park and the neighbouring residential properties is extremely close. Therefore the car park inevitably appears prominent when viewed from adjacent residential streets, windows and garden spaces to the rear.

7.14 As outlined previously, amended plans show the proposed top two storeys being stepped back progressively (levels 11-12 and 13-14) from the existing rear elevation and the southwest corner has been chamfered away from Teats Hill House. This reduces the visual prominence of the extension when viewed from the adjacent residential windows and curtilages to the rear. Furthermore, the proposed materials for the additional storeys are of a lighter weight appearance than the existing car park structure which further reduces the visual impact. Therefore, whilst the bulk and massing of the structure will increase its visual prominence, Officers are satisfied that the impact of the additional tiers as experienced at street level, from residential windows and gardens has been significantly improved and more sky is visible.

## 7.15 Disturbance/Opening Hours

7.16 It should be noted that the original planning consent for the construction of the car park does not have any hours of use restrictions. Therefore, in planning terms, the existing car park can technically be used 24 hours a day. However, the owner has chosen to restrict operation to between the hours of 6am and 11.30pm. The application confirms that general public use of the car park will continue to be during the hours of 6am-11:30pm only. Access control will be provided by close proximity fob readers limiting access to Sugar Quay residents parking areas 24 hours to those authorised only. This is deemed acceptable. However, Officers are mindful that the proposed additional parking could significantly increase the intensity of use by the general public (with up to 46 additional spaces, depending on the number of optional permits are purchased by future Sugar Quay residents). It is therefore deemed acceptable to restrict hours of operation for public access in this case. This will protect neighbouring amenity and enhance security and is supported by the Police Architectural Liaison Officer and the Public Protection Service.

7.17 The construction phase of the development has the potential to disturb nearby residential dwellings and as such it is recommended that a Code of Practice is submitted to deal with this. The Code of Practice should cover all potential aspects of nuisance with regards to the development and should acknowledge that the development has the potential to impact others.

7.18 Officers are mindful that the construction phase will have an impact on existing parking provision which could, in turn, have an impact on local businesses. The Applicant has confirmed that, whilst the precise details will not be known until a contractor is appointed, it is anticipated that the construction phase will take 4-5 months and will primarily affect floors 9 and 10, although floor 7 and 8 may be partially closed for health and safety reasons during certain works. Full details shall be sought by recommended restrictive condition.

## 8 Security

8.1 Third party representations have raised concerns about anti-social behaviour and crime and have made reference to crime statistics which are publically available. Officers have liaised with our Police Architectural Liaison Officer and received confirmation that the official police crime data revealed one recorded incident of anti-social behaviour in the past 12 months in the Harbour Car Park. However, this does not correspond with figures quoted in the submitted letters of representation that suggest more incidents have occurred. It is understood that there are two things which could explain the difference in the public perception presented in the submitted letters of representation and the official records held by the Police. The first is that the issues described by the public may not have been reported to the Authorities, and therefore would not be on their system. The second is the interpretation of the publically available crime data which is anonymised by gathering crimes and incidents to a centre point, which could include a car park. Therefore all crimes linked to the car park for recording purposes will not have occurred at the car park.

8.2 The Police Architectural Officer has not raised any objections in this case.

8.3 The submitted information confirms that access control will be provided by close proximity fob readers limiting access to Sugar Quay residents parking areas 24 hours to those authorised only. The access control system will operate the main entrance and exit roller shutters to the car park out of 'normal' operating hours and specific floor level entry barrier on presentation of a fob. The access control system will form part of a managed system installed by an SSAIB Accredited Specialist.



8.4 The existing lift will be operational 24 hours, with access to Levels 4 and 6 outside of public hours being via a swipe card entry system.

8.5 Robust low energy LED lighting will be utilised to the 24 hour accessible areas, controlled by motion sensors with reduced lighting levels at times of zero occupancy to provide a sense of security for anyone entering the carpark out of normal operating hours.

8.6 Closed Circuit Television (CCTV) is proposed to the main pedestrian entrance both internally and externally utilising vandal resistant dome cameras, additional cameras will be provided to the 24 accessible carpark levels only.

8.7 These security measures are deemed appropriate and will be secured by restrictive conditions as recommended.

## **9 Public Protection Service (PPS)**

9.1 As outlined in the 'Consultation Response' section above, the Council's PPS raised concerns about the appropriateness of an A4 (drinking establishment) or A5 (hot food takeaway) use being implemented in the small commercial unit proposed. These proposed uses have therefore been removed from the proposal.

9.2 The retained uses proposed (A1 – shops and A3 – restaurants and cafes) do not necessarily require extraction and ventilation, but should this be required, then a separate planning consent may be required. However, given that this is not a residential building, there are no concerns relating to noise sensitive residential receptors being affected within the building.

9.3 A restriction on opening hours is proposed, limiting operations of any commercial unit, in accordance with PPS recommendations, as well as a bin storage condition and further details on the management for any outdoor seating (including pest control). Delivery and collections have not been restricted as the potential impact is unlikely to be demonstrably harmful.

9.4 Notwithstanding third party objections regarding air quality, an air quality assessment has been submitted in support of the application which identifies that the impact on local air quality from the new development is negligible. The PPS has reviewed this assessment and agreed with its findings.

## **10 Drainage**

10.1 Further information was sought to explore any opportunities to improve the design standard of the sewer towards the 1 in 100 year return period (1% AEP) and a 40% allowance for climate change required by the Local Flood Risk Management Strategy, as well as reducing peak surface water discharge rates. On the basis of the additional information submitted (an option assessment contained in the updated drainage statement), the LLFA confirmed that all reasonable options had been considered and no further details were required in this regard.

## **11 Comments on Third Party representations not previously covered within the Report**

### **11.1 Light pollution**

11.1.1 Lighting to levels 13 & 14 will be by way of multi head lighting columns in the open space and low level perimeter lighting. The submitted information confirms that lighting will be high

performing, limiting optics with back reflectors to reduce any “overspill lighting” into the surrounding areas.

11.1.2 Lighting will be controlled by a time clock and photocell enabling the lighting when the ambient levels are reduced and switching the lighting off at the prescribed closing time of the carpark.

11.1.3 Further to the above, the submitted Design and Access Statement confirms that the proposed green façade is strategically positioned to mitigate headlight intrusion to neighbouring properties which should minimise the impact on adjacent neighbour.

## 11.2 Toilet Provision

11.2.1 Concerns have been expressed by members of the public and some internal consultees regarding the ‘loss’ of the public toilet facilities in this location. However, it is understood that these facilities were closed approximately 10 years ago following problems and complaints about anti-social behaviour and vandalism.

11.2.2 As discussed above, the relevant planning policy seeks an active ground floor use, which is proposed in the application to meet this policy objective.

11.2.3 The commercial unit does include a WC, so there will be a managed toilet facility, thereby an improvement on the existing situation where there have been no operational public toilets for several years.

## 11.3 Inaccurate Impressions

11.3.1 Third party concerns were raised regarding the perceived inaccurate impression portrayed by the submitted Planning Statement. This supporting statement should be read alongside the submitted plans and other supporting information. Officers are satisfied that this information is clear and no intentional misleading has occurred.

## 11.4 Public Consultation

11.4.1 Several third party representations from residents at Parsonage Way expressed discontent that they did not receive invitations to the consultation event held by Sutton Harbour Holdings prior to the submission of this planning application. The submitted Statement of Community Involvement confirms that ‘letters of invitation to the third exhibition on June 22nd were sent to all local households and businesses nearest the proposed development site at Harbour Car Park and were hand delivered to 222 addresses on June 15th. The area covered by the household invitation included residents and businesses in Commercial Place, Teats Hill Road, Lockyers Quay, Commercial Road, Commercial Open, Parsonage Way, Commercial Street, Victoria Wharf, Parr Street and Barbican Approach’.

11.4.2 Whilst Officers are therefore met with conflicting information, the pre-application consultation process was an informal and voluntary procedure carried out by the developer. Whilst it is unfortunate that some local residents may have not received notification of this event, they have been consulted as part of the formal planning application process in accordance with the Council’s Publicity Code and all representations have been considered accordingly.

## 11.5 'Pre-determination'

11.5.1 As outlined above in the summary of the letters of objection received, concerns have been raised about the pre-application process and the alleged pre-determination of the proposals. Officers have responded to this concern/complaint through other procedures. However, it may be worth clarifying that the Council's Development Enquiry Service provides informal pre-application planning advice to help developers understand how planning policies and other requirements affect a proposal and provide an assessment of whether there seems a reasonable chance of getting planning permission. Any advice provided is not binding to the Council. The pre-application advice given in this case (under reference no. 18/00867/MAJ) is outlined under the title 'Pre-application Enquiry' above.

11.5.2 In addition, as noted above, Officers and the developer entered into a voluntary Planning Performance Agreement. A planning performance agreement does not differ from other forms of pre-application engagement. It does not commit the local planning authority to a particular outcome. It is instead a commitment to a process and timetable for determining an application.

## **9. Human Rights**

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

## **10. Local Finance Considerations**

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

## **11. Planning Obligations**

As set out above, the Council's Economic Development Department sought a financial contribution of £99,400 towards the delivery of footway/cycleway links around/to and from Sutton Harbour and to/from The Hoe/Hoe Foreshore.

The costs associated with the works to Harbour Car Park are included in the viability appraisal submitted for the Sugar Quay development due to the relationship between the two developments. Accordingly, it has been demonstrated that additional financial contributions, above those set out under application no. 18/01245/FUL and agreed in principle with the developer, cannot be achieved in this case. Officers are therefore satisfied that no infrastructure contributions shall be sought in this case.

It should be noted that the Harbour Car Park extension will only be delivered for use (primarily) by future Sugar Quay residents; this has been secured by a recommended condition. It is therefore considered reasonable to consider the viability of the schemes together. If this was not the case and the car park extension were to be proposed for general public use (by way of a

further application) the Council would review this position and potentially seek the relevant financial contribution by S106.

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.

## **12. Equalities and Diversities**

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

The car park includes 11 accessible spaces on level 2 (street level); these will be retained. All levels of the existing car park are accessible by lift. The lift will be extended up to service the two new additional storeys housing levels 11, 12, 13 and 14.

## **13. Conclusions and reasons for decision**

Overall the proposal is considered to be of an acceptable design which will not be unduly harmful to the nearby heritage assets and will deliver a commercial unit providing activity and natural surveillance to an existing problematic and anti-social space at street level. Whilst the existing car park has a very close relationship with its residential neighbours, amendments have been negotiated and secured to reduce the potential harm caused by the proposed additional storeys. The proposed development will facilitate the re-development of the nearby Sugar Quay site for a residential-led scheme which (if granted) could bring significant benefits to the area and the City.

Officers conclude that the proposal is broadly in line with planning policy SH08 (Coxside/Barbican Car Park) in the adopted Sutton Harbour Area Action Plan (SHAAP) and the emerging thinking in policies PLY20 and PLY21 in the JLP which supports the general enhancement of key assets and opportunities in the waterfront area, to optimise its vibrancy and destination potential. Officers have also taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and is therefore recommended for conditional approval.

## **14. Recommendation**

In respect of the application dated 20.07.2018 it is recommended to Grant Conditionally.

## **15. Conditions / Reasons**

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

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

Location Plan 0100 Rev B received 17/07/18

Site Location Plan 0110 Rev A received 17/07/18

Proposed Ground Floor Cafe 0217 Rev A received 17/07/18  
Existing Elevations (North and East) 0300 Rev A received 17/07/18  
Existing Elevations (South and West) 0301 Rev A received 17/07/18  
Proposed Elevations (Cafe) 0304 Rev A received 17/07/18  
Block Plan 0120 Rev C received 01/10/18  
Proposed First and Second Floor Plan 0210 Rev F received 01/10/18  
Proposed Third and Fourth Floor Plan 0211 Rev F received 01/10/18  
Proposed Fifth and Sixth Floor Plan 0212 Rev F received 01/10/18  
Proposed Ninth and Tenth Floor Plan 0214 Rev E received 01/10/18  
Proposed Section A-A and B-B 0313 Rev E received 01/10/18  
Proposed Section C-C and D-D 0314 Rev D received 01/10/18  
Proposed Section E-E and F-F 0315 Rev C received 01/10/18  
Proposed 7th and 8th Floor Plans 0213 Rev G received 17/10/18  
Proposed 11th and 12th Floor Plans for Ecology 0227 Rev A received 23/10/18  
Proposed Eleventh and Twelfth Floor Plan 0215 Rev G received 23/10/18  
Proposed Thirteenth and Fourteenth Floor Plan 0216 Rev F received 23/10/18  
Ecology - Proposed Elevations (North and East) 0332 Rev C received 23/10/18  
Ecology - Proposed Elevations (South and West) 0333 Rev C received 23/10/18  
Ecology - Proposed 13th and 14th Floor Plan 0226 Rev A received 22/10/18

Reason:

For the avoidance of doubt and in the interest of good planning, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and the National Planning Policy Framework 2018.

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

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

Reason:

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

## **3 CONDITION: EMPLOYMENT AND SKILLS PLAN**

PRE-COMMENCEMENT

Prior to commencement of development an Employment and Skills Plan shall be submitted to and approved in writing by the Local Planning Authority. The Employment and Skills Plan 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 Plan should cover the construction phase of the development.

The development shall thereafter be carried out in accordance with the approved Employment and Skills Plan unless a variation to the strategy is agreed in writing in advance by the Local Planning Authority.

Reason:

To ensure employment and skills development in accordance with Strategic Objective 6 and Policy CS04 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and in accordance with emerging Policy DEV19 of the Plymouth and South West Devon Joint Local Plan (2014-2034).

Justification:

To ensure that opportunities for employment are incorporated into the development, including the construction/conversion period.

**4 CONDITION: CODE OF PRACTICE**

PRE-COMMENCEMENT

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 ensure that adequate parking provision is retained during the construction phase to support business operations within the area and avoid conflict with Policy CS22, CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies DEV2, DEV28 and DEV37 of the Joint Local Plan, and paragraphs 170, 178-183 of the National Planning Policy Framework 2018.

Justification:

To ensure that the construction phase does not unduly impact on local amenity such as disturbance to local residents or disruption to traffic and parking.

## **5 CONDITION: CONSTRUCTION TRAFFIC MANAGEMENT PLAN**

### PRE-COMMENCEMENT

The works hereby proposed shall not commence until there has been submitted to and approved in writing by the Local Planning Authority a Construction Traffic Management Plan (CTMP). The said CTMP shall include details relating to the detailed programme of works, details of construction vehicle movements including number, type and size of vehicles; construction operation hours; routes being used by construction vehicles and contractors parking arrangements. The works hereby approved shall be carried out strictly in accordance with the approved CTMP.

#### Reason:

To ensure that the traffic impacts associated with the construction phase of the works does not lead to adverse impacts upon the operation of the Local Road Network in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV31 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 102, 108 110 and 163 of the National Planning Policy Framework 2018.

#### Justification:

To ensure that the construction traffic does not unduly impact on traffic and parking.

## **6 CONDITION: GREEN WALL**

### PRE-CONSTRUCTION

Unless otherwise agreed in writing by the Local Planning Authority, prior to construction of the additional parking decks hereby approved, full details and specification for the 'Green Walls' and a management plan including a maintenance regime, for the duration of the development, with details for the replanting of any dead or defective plant stock and a programme for its implementation have been submitted to and approved in writing by the Local Planning Authority and these works, management plan and maintenance plan shall be carried out as approved.

#### Reason:

To ensure that satisfactory works are carried out in accordance with Policies CS02 , CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies DEV1, DEV20 and DEV28 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and the National Planning Policy Guidance 2018.

## **7 CONDITION: EXTERNAL MATERIALS**

### PRE-INSTALLATION

Prior to the installation of any external materials, details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

#### Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV20 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 124, 127, and 130 of the National Planning Policy Framework 2018.

## **8 CONDITION: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

### PRE-COMMENCEMENT

Notwithstanding the submitted Outline Construction Management Plan (dated June 2018), no development shall take place until a detailed Construction Environmental Management Plan (CEMP) incorporating method statements has been submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

#### Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19 and CS34, emerging policies SPT11 and DEV28 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 170-177, 180, and 181 of the National Planning Policy Framework 2018.

#### Justification:

To ensure the environment is adequately protected during the construction of this development

## **9 CONDITION: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN**

### PRE-CONSTRUCTION OF ADDITIONAL PARKING DECKS

A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority prior to the construction of the additional parking decks hereby approved. The content of the LEMP shall include the following:



1. Description and evaluation of features to be managed.
2. Ecological trends and constraints on site that might influence management.
3. Aims and objectives of management for both the landscape elements and the biodiversity features.
4. Set out maintenance operations for the first year following implementation of the scheme and for a further 4 years following establishment for achieving aims and objectives.
5. Preparation of a work schedule.
6. Body or organisation responsible for implementation of the plan.
7. Monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest and to ensure that satisfactory landscaping works are carried out, in accordance with Policies CS01, CS18, CS19 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies SPT11, DEV10, DEV24, DEV28 and PLY25 of the Plymouth and South West Devon Joint Local Plan and paragraphs 130, 170, 180-183 of the National Planning Policy Framework 2018.

## **10 CONDITION: LANDSCAPE DESIGN PROPOSALS AND IMPLEMENTATION**

### PRE-CONSTRUCTION OF ADDITIONAL PARKING DECKS

Unless otherwise agreed in writing by the Local Planning Authority, prior to construction of the additional parking decks hereby approved, details of the landscape works shall be submitted to and approved in writing by the Local Planning Authority. The landscape works shall accord with the following approved drawings and reports:

- 3904-0226\_A\_Ecology - Proposed 13th and 14th Floor Plan
- 3904-0227\_A\_Ecology - Proposed 11th and 12th Floor Plan
- 3904-0332\_C\_Ecology - Proposed Elevations (North & East)
- 3904-0333\_C\_Ecology - Proposed Elevations (South & West)
- 2462 Harbour Car Park EMES 221018

The landscape works shall include:

- Soft landscape details:

o Full soft landscape specification for the planters and green walls; plant species and size (to HTA standards), soil/roof build-up details, planting spec and establishment care.

o The arrangement of proposed soft landscape elements and soil layouts/elevations (min 1:200 scale). Plans should include a planting schedule for reference.

o Planting details (1:20 scale or as appropriate) including (but not limited to) slim-line planter details.

- Hard Landscape Details: to provide:

o Drawings identifying the arrangement of proposed hard landscape elements including (but not limited to) paving materials, planters, street furniture and boundary treatment materials (min 1:200 scale)

o Plans should include a specification of the hard landscape materials (e.g. paving materials), street furniture and any boundary treatments.

o Boundary treatment details (1:20 scale or as appropriate) e.g. mesh surrounding car park

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

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies DEV10 and DEV24 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 24-26, 130, 170, and 180-180 of the National Planning Policy Framework 2018.

## **11 CONDITION: LOADING AND UNLOADING PROVISION**

### PRE-OCCUPATION

Prior to the occupation of the ground floor commercial unit, a servicing strategy and management plan for the premises must be submitted to and approved in writing by the Local Planning Authority. Thereafter the commercial premises must be serviced in accordance with the agreed servicing strategy and management plan.

Reason:

To enable vehicles involved in the servicing of the commercial unit 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), emerging policy DEV31 of the Plymouth and South West Devon

Joint Local Plan (2014-2034), and paragraphs 102, 108 110 and 163 of the National Planning Policy Framework 2018.

## **12 CONDITION: FURTHER DETAILS - SECURITY SYSTEM**

### PRE-OCCUPATION

The car park extension hereby approved shall not be brought into use until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority;

Security measures, including access restrictions, lighting, CCTV and management.

The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policy DEV20 of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 91 and 95 of the National Planning Policy Framework 2018.

## **13 CONDITION: COMMERCIAL USE MANAGEMENT PLAN**

### PRE OCCUPATION

Prior to the first operation of the ground floor commercial unit hereby approved, a management plan in respect of the premises and associated external areas shall be submitted to and agreed in writing by the Local Planning Authority. The management plan must describe how any impact to the general amenity from the operation of the development will be controlled, and how those controls will be implemented and monitored to verify their effectiveness.

Reason:

To protect the general amenity of the area from litter, noise, pests and from disturbance or nuisance caused by the general operation of premises, including deliveries within the commercial aspect of the development and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies DEVI and DEV2 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 170, 180-183 of the National Planning Policy Framework 2018.

## **14 CONDITION: CAR PARKING MANAGEMENT STRATEGY**

## PRE-OCCUPATION

Prior to the commencement of the use of the additional car parking spaces hereby proposed, the applicant shall submit to the Local Planning Authority for approval details of the Car Parking Management Strategy. The said strategy shall include details relating to the allocation, control and management of the use of all car parking spaces within the Harbour Car Park; this must include at least 62 spaces to be allocated and maintained for use by residents of the 'Sugar Quay' development. Thereafter the car park must be controlled and managed in accordance with the agreed Car Parking Management Strategy, unless otherwise agreed in writing by the Local Planning Authority.

### Reason:

To ensure that all of the car parking spaces within the car park are allocated in accordance with the details as submitted and approved as part of this application and that those spaces are properly controlled/managed in the interests of highway safety and residential amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and emerging policy DEV31 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 102, 105, 108 110 and 163 of the National Planning Policy Framework 2018.

## **15 CONDITION: HOURS OF OPERATION - COMMERCIAL UNIT**

The commercial unit and any external seating area associated with it shall not operate or be open for business before 07:00 hours or after 21:00 hours 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, emerging policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 170, 180-183 of the National Planning Policy Framework 2018.

## **16 CONDITION: HOURS OF OPERATION - CAR PARK**

The car park shall not be open for use by members of the public before 06:00 hours or after 23:30 hours on any day. 24 hour access will be provided only to occupiers of the Sugar Quay development with allocated parking permits and business users of allocated spaces with permits from Salt Quay House.

### 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 potential anti-social behaviour, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 170, 180-183 of the National Planning Policy Framework 2018.

### **17 CONDITION: PROVISION OF PARKING SPACES**

Each of the parking spaces shown on the approved plans shall be constructed, drained, surfaced and marked out and thereafter those spaces shall not be used for any purpose other than the parking of vehicles. The car parking provision hereby approved shall also include provision of 10 dedicated electric vehicle charging points within the car park.

Reason:

To enable vehicles associated with residential development within the Sutton Harbour area or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and emerging policy DEV31 of the Plymouth and South West Devon Joint Local Plan (2014-2034) and paragraphs 102, 105, 108 110 and 163 of the National Planning Policy Framework 2018.

### **18 CONDITION: ACTIVE FRONTAGE**

Notwithstanding Section 55(2)(a) of the Town and Country Planning Act 1990 (as amended), the windows relating to the commercial unit hereby approved at ground floor level shall remain visually transparent - free from any applied vinyl advertisements, curtains, display stands or any other features that could restrict views in to or out of the premises at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

Due to the safety and security benefits brought by overlooking through these windows, in accordance with Policies CS32 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies PLY6 and DEV20 of the Submitted Plymouth and South West Devon Joint Local Plan July 2017, and paragraphs 91, 124 and 130 of the National Planning Policy Framework 2018.

### **19 CONDITION: SPECIFIED USE RESTRICTION**

Notwithstanding the submitted information, the commercial premises hereby approved shall be used for A1 (retail) and A3 (restaurant and cafe) use; and for no other purposes (including any other purpose in Class A; of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan (2014-2034), and paragraphs 80, 82, 85, 86, 89 and 102 of the National Planning Policy Framework 2018.

**20 CONDITION: BIN STORE- COMMERCIAL UNIT**

All waste generated by the commercial unit shall be stored in closed lidded and lockable refuse containers prior to collection. The waste storage areas will be maintained in a clean and tidy condition.

Reason:

To protect the local operators and visitors from odours and litter arising from storage of waste materials, and to reduce the potential for the attraction of pests such as rats, mice, ants, cockroaches and seagulls, and avoid conflict with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and emerging policies DEV1, DEV2 and DEV33 of the Plymouth and South West Devon Joint Local Plan (2014-2034).

**INFORMATIVES**

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

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

**2           INFORMATIVE: PARK MARK NATIONAL CAR PARKING DESIGN GUIDE**

The applicant should follow the design and security recommendations in the Park Mark national car parking design guide:

[http://www.britishparking.co.uk/write/Documents/safer%20parking/SPS\\_New\\_Build\\_Guidelines\\_2016.pdf](http://www.britishparking.co.uk/write/Documents/safer%20parking/SPS_New_Build_Guidelines_2016.pdf)

### **3 INFORMATIVE: CONDITIONAL APPROVAL (NEGOTIATION)**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and 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 a Planning Performance Agreement, and has negotiated amendments to the application to enable the grant of planning permission.

### **4 INFORMATIVE: ADVERTISING**

This permission does not give or imply any consent for the advertising material shown on the approved plans. Such advertising is controlled under the Town and Country Planning (Control of Advertisements) Regulations 2007 and the applicants should obtain any necessary consent separately.

### **5 INFORMATIVE: SUPPORTING DOCUMENTS**

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

- o Design and Access Statement, Coxside Harbour Multi-storey Car Park, Revision B, dated 4/10/18
- o Covering letter entitled: 'Amendments and Additional Information', ref: SUTA3005, dated 04/10/18
- o Heritage Assessment, ref: edp4910\_r002a, date: June 2018
- o Flood Risk and Drainage Statement Harbour Car Park, ref: P17247-F&D-V2
- o Ecological Mitigation and Enhancement Strategy Harbour Car Park, ref: SHH/2462/HCP/EMES, date: September 2018
- o Harbour Car Park Planning Statement, date: July 2018
- o Preliminary Ecological Appraisal - Harbour Car Park, date: 13 June 2018
- o Statement of Community Involvement Sugar Quay Site and Harbour Car Park
- o Harbourside Car Park, Plymouth: Air Quality Assessment, ref: AQ1358, date: June 2018
- o Outline Construction Environmental Management Plan for the Harbour Car Park Development, date: June 2018
- o Sutton Harbour Car Park Planning Noise Assessment, ref: Rep-25/011-SHCP-Plan-R2, date: 13/06/2018
- o Sugar Quay and Harbour Car Park Developments Transport Assessment, ref: W18193-TAR01\_E, date: July 2018
- o Jubb Clarification Briefing Note, dated September 2018

- o Parking Schedule entitled: 'Sutton Harbour - Harbour Car Park - Spaces', dated 25th September 2018
- o Shadow Study - Proposed, drg no. 0112 Rev. E
- o Supporting email from Phil Jones, Turley entitled: 'Car Park - capacity during construction', received 8th October 2018.

### **6 INFORMATIVE: ACTIVE FRONTAGE**

For the purposes of the relevant condition, an active window is one where the activities within the property can be seen through a substantial proportion of the glazed area. It may also incorporate a subservient changeable display area to showcase the goods sold or services provided at the property.

### **7 INFORMATIVE: MARINE GRADE MATERIALS**

You are advised that materials should be of an appropriate specification to withstand this exposed marine environment.

### **8 INFORMATIVE: SITE MANAGEMENT PLAN CONSIDERATION**

The site management plan that must be submitted to fulfil the conditions applied to the consent hereby approved must consider at least the following matters;

- An outdoor seating area management plan 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, litter, etc.
- A pest prevention plan (including seagulls, rats and mice) for the external seating area and any patrons smoking area, to identify measures that will be taken to reduce the potential for pest access to food sources, which should include at least table clearance and housekeeping, cleaning, information to patrons and preventative pest control plans.
- A smoking area management plan to control of noise, litter, smoke drift and odour associated with this area.
- A noise management plan to outline how restrictions placed on the premises by way of conditions applied to this consent will be implemented and managed, for example opening restrictions, amplified and live music restrictions, noise levels from fixed plant, etc.
- A deliveries management plan to control how deliveries will be managed to avoid disturbance including unloading area and transfer of goods to the premises.
- A refuse management plan, including an access statement of the location for refuse storage, arrangements for the management of refuse disposal, and the refuse collection arrangements.
- Details of the complaints handling procedure.
- Any other appropriate actions relating to the commercial operation as necessary.



**9 INFORMATIVE: VENTILATION**

Given the limited size and layout of the commercial unit hereby approved, it is only likely to be suitable for simple food production (primarily cold food). If hot food is to be prepared on the premises, an appropriate extract/ventilation system may be required and the relevant planning (and other) consents should be sought accordingly.

**10 INFORMATIVE: CLEAR FOOTWAY**

In view of the limited width of the existing footway along Lockyers Quay, the second row of folding tables and chairs shown within the footway at the western end of the Scheme is questioned. Any chairs and tables should be located clear of the footway area.

**11 INFORMATIVE: CODE OF PRACTICE**

The 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.
- d. How the car park will operate during the construction phase and details of how car parking capacity within the car park will be affected during construction.

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Plymouth City Council  
 Planning Compliance Summary - October 2018

Cases outstanding	299
Cases received this month	18
Cases closed this month	18
(No breach identified)	(8)
(Informal/formal action taken)	(10)
Planning Contravention Notices issued	1
Planning Enforcement Notices issued	2
Untidy Land Notices issued	8
Prosecutions initiated	0

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# Planning Applications Determined Since Last Committee

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
03/09/2018	Granted Conditionally	18/00972/FUL	Mr A Kalam	First floor side extension	5 Lockington Avenue Plymouth PL3 5QR	Mr Mike Stone
03/09/2018	Granted Conditionally	18/01096/FUL	Professor Rob Warner	Change of use of existing broadcasting studios (Class B1) to education (Class D1) at ground floor only	BBC Broadcasting House Seymour Road Mannamead Plymouth PL3 5BD	Mr Mike Stone
04/09/2018	Granted Conditionally	18/01207/FUL	Mr Lawson	Change of use to Use Class A2 (Offices)	163 Ridgeway Plymouth PL7 2HJ	Mr Sam Lewis
04/09/2018	Granted Conditionally	18/01233/ADV	Mitchells & Butlers Plc	Replacement signage due to re-brand	Chaddlewood Inn 100 Glen Road Plympton Plymouth PL7 2XS	Mr Sam Lewis
04/09/2018	Granted Conditionally	18/01241/FUL	Mr & Miss Binley & Gruitt	Demolition of existing garage and porch and erection of part side and part front extension	39 Hillsdunne Road Plymouth PL3 4PU	Mr Sam Lewis
04/09/2018	Granted Conditionally	18/01243/FUL	Dr M Macanovic	Single storey rear extension and roof alterations to create a front dormer and larger single dormer to rear.	14A Russell Avenue Plymouth PL3 5RB	Miss Carmell Thomas
04/09/2018	Granted Conditionally	18/01259/FUL	Mr Ian Coultas	Single storey rear extension and two storey side extension with integral garage	19 St Bridget Avenue Plymouth PL6 5BD	Mr Chris Cummings
06/09/2018	Agreed	18/00369/CDM	Mr Richard Spence	Condition Discharge: Condition 21 of application 17/00586/S73M	Derrys Department Store 88 Royal Parade Plymouth PL1 1HA	Mr Simon Osborne

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
06/09/2018	Granted Conditionally	18/00877/FUL	Mr & Mrs Moore	Rear extension and side dormers including clear glazed opening windows to dormers	7 Burrow Hill Plymouth PL9 9LF	Mrs Alumeci Tuima
06/09/2018	Granted Conditionally	18/00879/FUL	Mr Philip Croshaw	Extension/conservatory fronting Church Road	1 Peeks Avenue Plymouth PL9 9BZ	Mrs Alumeci Tuima
06/09/2018	Granted Conditionally	18/00890/S73	Mr Colley & Miss Ali	Variation of Condition 1 of planning permission 17/00009/FUL to allow additional small extension to the second floor	Dudding Court 8 Craigie Drive Plymouth PL1 3JB	Mr Chris King
06/09/2018	Granted Conditionally	18/01080/FUL	Mr Michael Bellingham	Two storey side extension with single storey rear extension	50 St Edward Gardens Plymouth PL6 5PD	Mr Chris Cummings
06/09/2018	Granted Conditionally	18/01081/FUL	Miss Fiona Johnston	Hardstanding	147 Blandford Road Plymouth PL3 6JX	Mr Sam Lewis
06/09/2018	Granted Conditionally	18/01231/TCO	Mr Rob Scholefield	Lime (03) - crown lift to 3m above pavement and 3 low branches over bench.Ash (06) - crown lift to 5m above ground level over car park and 5m over entrance drive.Alder (08) - crown lift to 5m above ground level over car park.Lime (09) - crown lift to 5m above ground level over car park and 1m from sub stationAsh (10) - crown lift to 5m above ground level over car park.Wild Cherry (17) - tip prune to clear building.G1 - pruning of overhanging branches of Eucalyptus, Apple and Bay back to boundary to natural growth points.	Paviland Grange 44 Valletort Road Plymouth PL1 5PN	Mrs Jane Turner
06/09/2018	Granted Conditionally	18/01253/FUL	Mr J Orr	Single storey side extension and porch	99 Speedwell Crescent Plymouth PL6 5SZ	Mr Chris Cummings

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
06/09/2018	Granted Conditionally	18/01254/TCO	Mr Mark Phillips	T1 - Alder: Fell due to hollow at base.	Kings Arms Tamerton Foliot Road Plymouth PL5 4NH	Mrs Jane Turner
06/09/2018	Granted Conditionally	18/01270/TCO	Richard Prowse	Beech - Fell	Lelant Nursing Home Glen Road Mannamead Plymouth PL3 5AP	Mrs Jane Turner
06/09/2018	Granted Conditionally	18/01307/FUL	Carnell	Replacement windows	100 Raglan Road Plymouth PL1 4TA	Mr Macauley Potter
06/09/2018	Granted Conditionally	18/01375/FUL	Mike Nally	Rear extension (resubmission of 18/00406/FUL).	5 Queens Gate Mews Plymouth PL4 7PH	Mr Macauley Potter
07/09/2018	Granted Conditionally	18/00875/ADV	Mr Kevin Mills	Installation of a frame to display banners.	Fire Station, Crownhill Road Plymouth PL5 3AN	Mr Mike Stone
07/09/2018	Refused	18/01392/AMD	Sherford New Community Consortium	Non-material Amendment: Change to roof design on Plots 155 to 158 (AFF 1 & 2), and minor changes to parking/garages of application 15/00517/REM	"Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Haye Road Elburton Plymouth PL9 8DD	Mr Tom French
07/09/2018	Agreed	18/01530/CDM	Ms Kate Pickstock	Condition Discharge: Condition 22 of application 14/01264/FUL	Crescent Point The Crescent Plymouth	Mrs Karen Gallacher
10/09/2018	Agreed	18/01328/CDMLB	Mr Andrew Joyce	Condition Discharge: Condition 11 of application 17/02184/LBC	The Bank Old George Street Plymouth PL1 2TG	Miss Amy Thompson

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
10/09/2018	Refused	18/01376/AMD	Ms Kate Pickstock	Non-material Amendment: New ramped access to commercial unit for application 14/01264/FUL	Crescent Point The Crescent Plymouth	Mrs Karen Gallacher
11/09/2018	Granted Conditionally	18/01214/FUL	Mr Steve Asplin	2no. single storey temporary Portakabins (temporary for 3 years)	University Of St Mark And St John Plymbridge Lane Plymouth PL6 8BH	Mr Sam Lewis
11/09/2018	Granted Conditionally	18/01258/TPO	Mr Ben Symes-Taylor	T1 - London Plane (r/o 2 Wantage Gdns) - reduce whole crown to previous pruning points.T2 - Sycamore (r/o 17 Wantage Gdns) - Section fell to ground level and treat	2 Wantage Gardens Plymouth PL1 5DN	Mrs Jane Turner
11/09/2018	Granted Conditionally	18/01272/TPO	Mrs Mandy Tremblett	T1 Monterey Pine - 4 lowest branches over garden:Reduce two lowest overlapping branches back to dog leg.Branch above reduce back to just above small green shoot located above old tear out wound.Reduce tertiary branch (remaining one of three that have broken in past) to secondary limb.	59 Southway Lane Widewell Plymouth PL6 7DL	Mrs Jane Turner
11/09/2018	Granted Conditionally	18/01280/TPO	Mr Nathan Soper	T1- Scots pine - fellT2- Maritime pine - reduction to lateral limb overhanging neighbouring garden by 2-3m to side shoot.T3- Scots pine - reduce lowest branches over garden by 2-3m.T4- Scots pine - crown raise by removing lowest eastern limb.	80 Looseleigh Lane Plymouth PL6 5HH	Mrs Jane Turner
11/09/2018	Agreed	18/01329/CDM	Mr Aandrew Joyce	Condition Discharge: Condition 3 of application 17/02183/FUL	The Bank Old George Street Plymouth PL1 2TG	Miss Amy Thompson
12/09/2018	Granted Conditionally	18/00190/FUL	Beverley Bell	Construction of single storey teaching block (6no classrooms) and associated works	Devonport High School For Girls Lyndhurst Road Plymouth PL2 3DL	Mr Chris King



Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
12/09/2018	Granted Conditionally	18/01236/FUL	Mr Mark Akerman	2 no. Juliet balconies to rear elevation.	4 Leatfield Drive Plymouth PL6 5HP	Mr Mike Stone
12/09/2018	Granted Conditionally	18/01342/FUL	Miss Sarah Pulley	Rear extension	10 Thornbury Park Avenue Plymouth PL3 4NJ	Miss Carmell Thomas
12/09/2018	Granted Conditionally	18/01378/FUL	Mr Gregory Sills	Fire water tank and pump house building (Resubmission of 17/02257/FUL with reduction in height of water tank).	Finnigan Road Plymouth	Mr Mike Stone
13/09/2018	Agreed	17/01404/CDMLB	Christina Kusytsch	Condition Discharge: Conditions 3 & 4 of application 16/02343/LBC	Pearn House Egguckland Road Plymouth PL3 5JP	Mr Chris King
13/09/2018	Agreed	17/01769/CDM	Mr Colin Morris	Condition Discharge: Conditions 8 & 9 of application 17/00586/S73	Derrys Department Store 88 Royal Parade Plymouth PL1 1HA	Mr Simon Osborne
13/09/2018	Granted Conditionally	18/00644/OUT	Mr Sam Harris	Proposed new dwelling on an infill site	Land At Kensington Place Plymouth PL4 7LX	Mr Oliver Gibbins
13/09/2018	Granted Conditionally	18/00973/FUL	Mr Nick Manik	First floor rear extension	2 Lockington Avenue Plymouth PL3 5QP	Miss Amy Thompson
13/09/2018	Granted Conditionally	18/01029/FUL	Mr Wise	Two storey front and side extension and detached garage (demolition of existing garage)	16 Powisland Drive Plymouth PL6 6AA	Mr Chris Cummings
13/09/2018	Granted Conditionally	18/01271/FUL	The Group	Proposed replacement plant	27-29A Morshead Road Plymouth PL6 5AD	Mrs Alumeci Tuima

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
13/09/2018	Granted Conditionally	18/01367/FUL	Mr Luke Green	Rear extension	24 Tor Road Plymouth PL3 5TE	Mr Chris Cummings
13/09/2018	Granted Conditionally	18/01397/FUL	Mr Christopher Cooper	Change of use of part of the first floor from office accommodation (Use Class B1) to a specialist Sexual Assault Referral Centre (Use Class D1).	1st Floor, Hawthorn House 25 Darklake View Plymouth PL6 7TL	Mr Mike Stone
13/09/2018	Agreed	18/01469/CDM	D.U.K.E Properties (Marsh Mills) Limited And Next Plc	Condition Discharge: Conditon 7 (Part 3) of application 15/01831/FUL	Land At Former Unit J, St Modwen Road, Marsh Mills Plymouth PL6 8LJ	Mr Alistair Wagstaff
14/09/2018	Granted Conditionally	18/00316/OUT	Neil Burtenshaw	Outline application with details of access, appearence and scale for construction of new 5000 sqft storage facility and associated infrastructure (details of landscaping, and layout reserved for future consideration)	10 Darklake View Plymouth PL6 7TL	Mr Simon Osborne
14/09/2018	Granted Subject to S106	18/00432/FUL	Mr Gary Stirling	Erection of 99 dwellings and 2 office units, provision of public open space, community gardens and associated works	Allotment Gardens Prince Maurice Road Plymouth PL4 7LL	Mrs Katie Saunders
14/09/2018	Granted Conditionally	18/01054/FUL	Mr Roger Greenaway	Hip to gable roof with rear dormer (resubmission of 17/00902/FUL)	1 Fortescue Place Plymouth PL3 5HT	Mr Mike Stone
14/09/2018	Granted Conditionally	18/01340/TPO	Mrs Barbara Theobold	Turkey Oak (T1): Fell due to decay/dieback	14 Harwood Avenue Plymouth PL5 4NX	Mrs Jane Turner
14/09/2018	Agreed	18/01396/CDM	EOP II PROP CO I S.A.R.L	Condition Discharge: Condition 14 & 15 of application 16/01100/FUL	Plymouth Gateway Retail Park 270 Plymouth Road Plymouth PL6 8LN	Mr Alistair Wagstaff

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
14/09/2018	Refused	18/01417/AMD	Mr Zak Morgan	Non-material Amendment: Marley Eternit composite cladding system to exterior walls of proposed extension instead of render for application 18/00423/FUL	22 Dunstone Road Plymstock Plymouth PL9 8RQ	Mr Macauley Potter
14/09/2018	Refused	18/01486/AMD	Miss Susan Kaweesa	Non-material Amendment: Addition of off-street parking onto 13 units for application 16/00150/FUL	Land At Redwood Drive And Poplar Close Plymouth PL7 2FS	Mr Simon Osborne
17/09/2018	Granted Conditionally	18/01226/FUL	Mrs Connick And Mr Cox	Rear and side extensions, and loft conversion with hip to gable and rear dormer	22 Langhill Road Plymouth PL3 4JH	Mr Macauley Potter
17/09/2018	Agreed	18/01533/CDM	Mr Nathan Miles	Condition Discharge: Conditions 2, 3 and 4 of appeal decision APP/N1160/W/18/3196472 (relating to application 17/02278/FUL)	20 Wolsdon Street Plymouth PL1 5EH	Mr Chris Cummings
18/09/2018	Granted Conditionally	18/01304/FUL	Mr Russell Moore	Erection of detached dwelling with integral garage (resubmission of 18/00330/FUL)	24 The Spinney Plymouth PL7 1AG	Mr Jon Fox
18/09/2018	Granted Conditionally	18/01325/FUL	Ms Sharon Lloyd	Two-storey side and single storey rear extension	322 Hemerdon Heights Plymouth PL7 2EY	Mr Chris Cummings
18/09/2018	Granted Conditionally	18/01337/S73	Patrick Investment	Variation of Conditions 1 and 9 of application 18/00203/FUL for minor amendments to proposed elevations and variation of approved cladding colour	Plymbridge House 10 Estover Road Plymouth PL6 7PY	Mr Chris Cummings
18/09/2018	Granted Conditionally	18/01344/FUL	Mr & Mrs Samson	Construction of first floor side extension over existing garage. Conversion of ground floor garage to enlarge existing lounge.	24 Roborough Avenue Plymouth PL6 6AQ	Mr Macauley Potter

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
18/09/2018	Granted Conditionally	18/01368/FUL	Mr Christopher Gage	Single garage with garden store over	830 Wolseley Road Plymouth PL5 1JR	Mr Mike Stone
18/09/2018	Agreed	18/01507/CDM	Ms Rosalind Chad	Condition Discharge: Condition 3 of application 17/01644/FUL	92 Church Road Plymstock Plymouth PL9 9BD	Miss Amy Thompson
18/09/2018	Agreed	18/01523/CDM	Ms Kate Pickstock	Condition Discharge: Condition 19 of application 14/01264/FUL	Crescent Point The Crescent Plymouth	Mrs Karen Gallacher
19/09/2018	Granted Conditionally	18/00664/FUL	Mr Dave Rowe	Installation of Liquid Nitrogen Tank and associated control equipment to include steel fencing enclosure.	UTC Aerospace Clittaford Road Plymouth Devon	Mrs Alumeci Tuima
19/09/2018	Granted Conditionally	18/01291/TCO	Mr James Tasker	Prunus Kanzan (Cherry) - fell due to damage to drains and health and safety issues.	10A Looe Street Plymouth PL4 0DY	Ms Joanne Gilvear
19/09/2018	Granted Conditionally	18/01349/TPO	Tom Reilly	T1 Monterey Cypress - To crown lift to just above gutter height on construction site side and remove all large dead wood T2 Lime - Re-pollard to approx half present height.	Pearn House Egguckland Road Plymouth PL3 5JP	Ms Joanne Gilvear
19/09/2018	Granted Conditionally	18/01360/TPO	Mr Steve Watts	T1 Sycamore tree on shared drive way - reduce lateral branches overhanging the driveway by 3 to 3.5 meters to natural growth points.	11 Rorkes Close Plymouth PL5 2AG	Mrs Jane Turner
19/09/2018	Granted Conditionally	18/01381/TCO	Miss Emma Rowe	1x Hazel - fell 1x Sycamore - fell 1x Ash - fell	18B Wilderness Road Plymouth PL3 4RN	Mrs Jane Turner

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
19/09/2018	Agreed	18/01542/CDM	Mr Tim Coles	Condition Discharge: Condition 12 of application 13/00048/FUL	Land East And West Of Pennycross Close Plymouth PL2 3NX	Mr Chris King
20/09/2018	Granted Conditionally	18/01240/LBC	Ms Sheila Nethercott	Replacement of LP Air Main which will connect to existing in building N174 (Main factory)	Devonport Dockyard Saltash Road Keyham Plymouth PL1 4SG	Mrs Alexandra Pickstone
20/09/2018	Granted Conditionally	18/01275/FUL	Plymouth Community Homes	Removal of existing cladding (including supporting structure and windows) and installation of new External Wall Insulation (EWI) and windows. Removal of existing pitched roof, re-roofing existing flat roof and installation of new parapet	Tavy House, Tamar House, Lynher House, Duke Street, James Street, And Curtis Street Mount Wise Plymouth	Mr Oliver Gibbins
20/09/2018	Granted	18/01292/16	Mr Nathan Still	Installation of an electronic communications apparatus comprising a telephone kiosk	Land Adj. 6 Derrys Cross Plymouth	Mr Chris Cummings
20/09/2018	Granted	18/01293/16	Mr Nathan Still	Installation of an electronic communications apparatus comprising a telephone kiosk	11-13 Cornwall Street City Centre Plymouth PL1 1NL	Mr Chris Cummings
20/09/2018	Granted	18/01294/16	Mr Nathan Still	Installation of an electronic communications apparatus comprising a telephone kiosk	30-32 Cornwall Street City Centre Plymouth PL1 1LP	Mr Chris Cummings
20/09/2018	Granted	18/01295/16	Mr Nathan Still	Installation of an electronic communications apparatus comprising a telephone kiosk	Mayflower Street Plymouth	Mr Chris Cummings
20/09/2018	Granted	18/01296/16	Mr Nathan Still	Installation of an electronic communications apparatus comprising a telephone kiosk	Armada Way Plymouth	Mr Chris Cummings

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20/09/2018	Granted	18/01297/16	Mr Nathan Still	Installation of an electronic communications apparatus comprising a telephone kiosk	19 New George Street Plymouth PL1 1QZ	Mr Chris Cummings
20/09/2018	Granted	18/01298/16	Mr Nathan Still	Installation of an electronic communications apparatus comprising a telephone kiosk	10 New George Street Plymouth PL1 1RL	Mr Chris Cummings
20/09/2018	Granted	18/01299/16	Mr Nathan Still	Installation of an electronic communications apparatus comprising a telephone kiosk	St Andrews Cross Plymouth	Mr Chris Cummings
20/09/2018	Granted	18/01300/16	Mr Nathan Still	Installation of an electronic communications apparatus comprising a telephone kiosk	5 St Andrews Cross Plymouth PL1 1DN	Mr Chris Cummings
20/09/2018	Granted	18/01301/16	Mr Nathan Still	Installation of an electronic communications apparatus comprising a telephone kiosk	Old Town Street Plymouth	Mr Chris Cummings
20/09/2018	Granted Conditionally	18/01350/FUL	Mr And Mrs C Elliott	Demolition of existing garage construction of two-storey side extension	24 Bromhead Court Plymouth PL6 5NJ	Mr Sam Lewis
20/09/2018	Agreed	18/01385/CDM	Mr Will Kennedy	Condition Discharge: Conditions 4 & 5 of application 17/02471/FUL	51 Newnham Road Plymouth PL7 4AW	Mr Chris King
21/09/2018	Granted Conditionally	17/01967/FUL	Mr Jason Ellicott	Construction of new detached dwelling (self build)	Great Woodford Cottages Great Woodford Drive Plymouth PL7 4RP	Miss Amy Thompson

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21/09/2018	Granted Conditionally	18/00885/FUL	BT Developments Ltd	Change of use of 6 bedroom HMO (Class C4) to 2 no. student flats within Use Class C3 and 1 student flat within Use Class C4 (total 7 bedrooms)	19 Amity Place Plymouth PL4 8LX	Miss Amy Thompson
21/09/2018	Granted Conditionally	18/01200/FUL	Mr Matt Harmer	Rear extension	80 Underlane Plympton Plymouth PL7 1QY	Mrs Alumecci Tuima
21/09/2018	Granted Conditionally	18/01263/FUL	Mr Jamie Rail	Change of use of building and addition of mezzanine floor to allow Training Facilities (Class D1) in addition to existing Industrial (Class B2) and Warehousing and Storage (Class B8) with ancillary Office Use.	63-65 & 67-69 St Modwen Road Plymouth PL6 8LH	Mr Chris King
21/09/2018	Granted Conditionally	18/01286/FUL	Ms Natalie Tandy	Change of use of first floor from office (Class B1) to non-residential institution (Class D1)	4 The Crescent Plymouth PL1 3AB	Mr Chris Cummings
21/09/2018	Granted Conditionally	18/01287/LBC	Ms Natalie Tandy	Change of use from Office (Class B1) to non-residential institution (Class D1) and associated internal alterations	4 The Crescent Plymouth PL1 3AB	Mr Chris Cummings
21/09/2018	Granted Conditionally	18/01408/LBC	Mr K Kothand	Reduction in height of part of boundary wall.	Surgery Ground Floor 14 Lockyer Street Plymouth PL1 2QJ	Mr Mike Stone
24/09/2018	Granted Conditionally	18/01015/FUL	Dr M Redmond	Rear and side extension for studio/workshop and front entrance porch	149 Holmwood Avenue Plymouth PL9 9EZ	Mr Mike Stone
24/09/2018	Granted Conditionally	18/01255/FUL	Mr Samuel Armstrong	Installation of new trash screen to Chaddlewood Stream with new offline trash screen and overflow culvert	Land Between Glen Road And Moorland Avenue Plymouth	Mr Chris Cummings

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24/09/2018	Granted Conditionally	18/01278/FUL	Mr Shane Eaton	Two storey extension at lower ground and ground floor	180 Vicarage Gardens Plymouth PL5 1LJ	Mr Macauley Potter
24/09/2018	Agreed	18/01345/CDM	Mr John Henley	Condition Discharge: Conditions 3 & 22 (partial) of application 18/00234/S73	Former Quality Hotel Cliff Road Plymouth PL1 3BE	Mr Tim Midwood
24/09/2018	Granted Conditionally	18/01353/FUL	Mr Gould	Single storey rear/side extension	14 Copse Road Plymouth PL7 1PZ	Mr Sam Lewis
25/09/2018	Granted Conditionally	18/00360/FUL	Mr David Young	Change of use and formation of open storage yard area (Class B8)	Land At Eaton Business Park North Side Of Thornbury Road Plymouth PL6 7PP	Mr Mike Stone
25/09/2018	Granted Conditionally	18/01338/FUL	Mr Keith Bailey	Front porch	25 Plaistow Crescent Plymouth PL5 2EA	Mr Sam Lewis
25/09/2018	Granted Conditionally	18/01439/ADV	Mr K. Kothand	Fascia sign and post and panel sign	Surgery Ground Floor 14 Lockyer Street Plymouth PL1 2QJ	Mr Mike Stone
26/09/2018	Granted Conditionally	18/00994/FUL	Mr Roger Skelton	Erection of a new single storey Staff Canteen and Office building	Edinburgh Street Plymouth Devon PL1 4HL	Mrs Karen Gallacher
26/09/2018	Granted Conditionally	18/01217/TPO	Mrs Dawn Frazackerley	T1 Beech tree: reduce overhanging branches back to boundary line approximately 2 to 2.5 meters of growth T2 Oak: reduce overhanging branches back to boundary line approximately 2 to 2.5 meters of growth T3 Laurel: reduce overhanging branches back to boundary line approximately 2 meters of growth	11 Treverbyn Close Plymouth PL7 4RJ	Ms Joanne Gilvear



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26/09/2018	Granted Conditionally	18/01347/FUL	Ms Denise White	Single storey rear extension	3 Elaine Close Plymouth PL7 1SP	Mr Macauley Potter
26/09/2018	Granted Conditionally	18/01372/S73	Mrs Caroline Francis	Variation of Condition 1 (Approved Plans) of application 17/01062/FUL to allow revised design and position	10 Springfield Drive Plymouth PL3 4DU	Mr Jon Fox
26/09/2018	Granted Conditionally	18/01430/FUL	Mr Brown	Loft conversion, with rear dormer and gable end conversion	155 Alma Road Plymouth PL3 4HQ	Miss Carmell Thomas
26/09/2018	Granted Conditionally	18/01460/FUL	Mr & Mrs Martin Jarvis	Single storey rear extension to form annex	3 Greatlands Place Plymouth PL2 3JF	Mr Chris Cummings
26/09/2018	Granted Conditionally	18/01512/ADV	Sutton Harbour Holdings Ltd	Freestanding billboard sign, 6.1 metres x 3 metres, for commercial advertising.	Land At Brunswick House Car Park, Adjacent To Exeter Street Plymouth	Mr Mike Stone
27/09/2018	Granted Conditionally	18/01073/FUL	Mr Graham Witt-Davies	New dwelling and replacement garage (resubmission of 18/00325/FUL)	2 Conqueror Drive Plymouth PL5 3UT	Mr Jon Fox
27/09/2018	Granted Conditionally	18/01572/ADV	Mr David Rose	2 no. fascia signs, 1 no. projecting sign and 1 no. wall mounted signs	36 Mutley Plain Plymouth PL4 6LD	Mr Mike Stone
28/09/2018	Granted Conditionally	18/00286/FUL	Plymouth City Council	Erection of hoardings to form temporary site compound.	Land Near The Strand Tea Room Barbican Plymouth	Mr Mike Stone
28/09/2018	Granted Conditionally	18/00913/FUL	Mr And Mrs Scott	Construction of detached house and parking space and provision of separate parking space for No.13 Meadow Park	13 Meadow Park Plymouth PL9 9NX	Mr Jon Fox

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28/09/2018	Granted Conditionally	18/01305/FUL	Robins & Moore	Installation of new shopfronts and internal alterations	131-133 Cornwall Street City Centre Plymouth PL1 1PA	Mrs Alumeci Tuima
28/09/2018	Granted Conditionally	18/01306/LBC	Robins & Moore	Installation of new shopfronts and internal alterations	131-133 Cornwall Street City Centre Plymouth PL1 1PA	Mrs Alumeci Tuima
28/09/2018	Refused	18/01371/FUL	Mrs Hipkiss	First floor extension to detached garage at rear to create new 2-bed dwelling	64 Beaumont Road Plymouth PL4 9BP	Mr Chris Cummings
28/09/2018	Granted Conditionally	18/01401/LBC	Mrs Maria Pennington	Internal and external alterations including layout changes and refurbishment of fireplace, windows and gutters	9 Penlee Gardens Plymouth PL3 4AN	Mr Chris Cummings
28/09/2018	Granted Conditionally	18/01407/FUL	Ms Natalie Emery	Construction of front raised decking and retractable awning	90 Wilton Street Plymouth PL1 5LT	Mr Mike Stone
28/09/2018	Granted Conditionally	18/01415/FUL	Mr Michael Stanbury	First floor extension to existing bungalow to provide additional storey within roof space	34 Widewell Road Plymouth PL6 7DW	Miss Carmell Thomas
28/09/2018	Granted Conditionally	18/01461/FUL	Mr Justin Agouzoul	Conversion of building to provide ground floor Financial and Professional Services (Class A2) unit and 2x maisonettes with associated alterations (re-submission of 18/00272/FUL)	42 Mannamead Road Plymouth PL4 7AF	Mr Mike Stone
29/09/2018	Granted Conditionally	18/01351/FUL	Mr Brian White	Removal of smoking shelter and installation of raised decking area	Chaddlewood Inn 100 Glen Road Plympton Plymouth PL7 2XS	Mr Sam Lewis

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01/10/2018	Granted Conditionally	18/01274/FUL	Mr James Whybrow	Temporary installation of portable toilet block (3 years)	Saltram House Saltram Merafield Road Plymouth PL7 1UH	Mr Chris Cummings
01/10/2018	Agreed	18/01532/CDM	Christina Kusytsch	Condition Discharge: Condition 3, 4, 5, 6 & 7 of application 16/02342/FUL	Pearn House, Egguckland Road Plymouth Plymouth PL3 5JP	Mr Chris King
02/10/2018	Granted Conditionally	18/01364/FUL	Sanctuary Care c/o Agent Sheward	Change of front elevation of ground floor flat 1 to accommodate a new external access to new maintenance / staff W.C.	1 Compton Leigh Plymouth PL3 5JW	Mr Macauley Potter
02/10/2018	Granted Conditionally	18/01393/ADV	WM Morrison Supermarket Plc	Rebranding various internally illuminated signs	15 Pomphlett Road Plymouth PL9 7BH	Mrs Alumeci Tuima
02/10/2018	Granted Conditionally	18/01395/LBC	Mr John Cook	Conversion of the ground floor flat and the 1st and 2nd floor maisonette to a single dwelling	2, 2A, 2B Athenaeum Street Plymouth PL1 2RQ	Mrs Alexandra Pickstone
02/10/2018	Granted Conditionally	18/01412/FUL	Mr Tom Hayes	Single storey rear extension.	97 Fountains Crescent Plymouth PL2 3RD	Mr Macauley Potter
02/10/2018	Granted Conditionally	18/01447/FUL	Mr & Mrs Eadie	Replacement of existing front door and 2x flag windows	16 Shackleton Court Plymouth PL5 3UL	Mr Macauley Potter
02/10/2018	Agreed	18/01555/CDM	EOP II PROP CO I S.A.R.L	Condition Discharge: Condition 17 of application 17/01439/S73M	Legacy Plymouth International Hotel 270 Plymouth Road Plymouth PL6 8NH	Mr Alistair Wagstaff
03/10/2018	Granted Conditionally	18/00935/FUL	Mr & Mrs Haxby	Single storey side extension	79 The Knoll Plymouth PL7 4SJ	Mrs Alumeci Tuima

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03/10/2018	Granted Conditionally	18/01369/ADV	Co-operative Food	1x internally illuminated fascia, 1x internally illuminated CO-OP projector, 1x internally illuminated CO-OP Logo and 2x non-illuminated wall mounted flat aluminium panels	27 - 29A Morshead Road Plymouth PL6 5AD	Mrs Alumeci Tuima
04/10/2018	Granted Conditionally	18/01055/FUL	Mr Rowe	Demolition of existing office building and construction of 2 dwellings, parking and amenity areas	82 - 84 Higher Compton Road Plymouth PL3 5JD	Miss Amy Thompson
04/10/2018	Granted Conditionally	18/01279/FUL	Mr Paul Simpson	Single storey side/rear extensions (part-retrospective)	63 Scott Road Plymouth PL2 3DX	Mrs Alumeci Tuima
05/10/2018	Granted Conditionally	18/01289/LBC	Mr Peter Grills	Conservation and repair of the Mayflower Commemorative Portico	Mayflower Commemorative Portico West Pier The Barbican Plymouth PL4 0LB	Mrs Alexandra Pickstone
05/10/2018	Granted Conditionally	18/01312/FUL	Mr S Austin	Front porch (Retrospective)	10 Chilton Close Egguckland Plymouth PL6 5SP	Mrs Alumeci Tuima
05/10/2018	Granted Conditionally	18/01313/FUL	Mr & Mrs Giffard	Single storey rear extension and terrace	Pemberley Haye Road South Plymouth PL9 8HL	Miss Carmell Thomas
05/10/2018	Granted Conditionally	18/01319/FUL	The Ship (Derriford) Ltd	Proposed bin storage across site	17 Brest Road Plymouth PL6 5XN	Mr Mike Stone
05/10/2018	Granted Conditionally	18/01348/FUL	Ross Sadler	Loft conversion and rear dormer and 2 no. front rooflights.	6 Tavy Place Plymouth PL4 7DJ	Mr Mike Stone

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05/10/2018	Granted Conditionally	18/01424/FUL	Mr Darius Ragelskis	Front and rear extensions to second storey/roof and side extension with covered walkway.	60 Frensham Avenue Plymouth PL6 7JN	Mr Mike Stone
05/10/2018	Granted Conditionally	18/01427/FUL	Mr & Mrs P Bettey	Demolition of existing conservatory and erection of single storey extension	40 Compton Avenue Plymouth PL3 5DA	Miss Carmell Thomas
05/10/2018	Granted Conditionally	18/01428/ADV	Mr Andrew Chapman	Illuminated fascia sign.	99 Mutley Plain Plymouth PL4 6JJ	Mr Macauley Potter
05/10/2018	Granted Conditionally	18/01454/FUL	Mr Luke Reed	Single storey rear extension	34 West Down Road Plymouth PL2 3HF	Miss Carmell Thomas
05/10/2018	Granted Conditionally	18/01501/FUL	Mr Bishop	Demolition of The Laurels to create staff car parking area and installation of fencing	The Laurels Ford Park Road Plymouth PL4 6RB	Mr Mike Stone
05/10/2018	Granted Conditionally	18/01554/FUL	Great End Properties Limited	Replacement shop front	7 The Broadway Plymouth PL9 7AA	Mr Sam Lewis
08/10/2018	Granted Conditionally	18/01356/FUL	Mr Elliott Plumb	Loft conversion with ridge height increase and rear extension.	31 Weston Mill Hill Plymouth PL5 2AR	Mr Macauley Potter

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08/10/2018	Granted Conditionally	18/01361/TPO	Mr Simon Rowe	Sycamore Tree (T3) - to reduce approx 10 x overhanging branches back to natural growth points upto boundary. Sever ivy for future inspection. Beech Tree ( T4) - to remove one overhanging limb back to trunk. Ash ( T5) - To reduce crown to previous pruning points approx. 3 - 4 metres. Ash ( T6 ) - To reduce crown to previous pruning points approx. 3 - 4 metres.	18 Trewithy Court Plymouth PL6 5UA	Mrs Jane Turner
08/10/2018	Granted Conditionally	18/01363/TCO		T4 multi-stemmed cypress - fell tree in decline.T5 Yew - prune back from telecomms mast by 1m.	BBC Broadcasting House Seymour Road Mannamead Plymouth PL3 5BD	Ms Joanne Gilvear
08/10/2018	Granted Conditionally	18/01403/TPO	Mrs Sandra Kelley	Oak T1 - reduce by approximately one third in height due to significant die back in crown.	18 Bromhead Court Plymouth PL6 5NJ	Mrs Jane Turner
09/10/2018	Granted Conditionally	18/01382/ADV	Mrs Lara Wintle	Replacement fascia signage and replacement floor tiles in entrance	52 Ebrington Street Plymouth PL4 9AF	Mr Macauley Potter
09/10/2018	Granted Conditionally	18/01384/FUL	Mr Mark Jordan	First floor extension to existing units for continued employment use (Class B1 & B2)	36 Saltash Road Keyham Plymouth PL2 1QS	Mr Macauley Potter
09/10/2018	Agreed	18/01435/CDMLB	Mr Andrew Joyce	Condition Discharge: Conditions 5, 6 & 9 of application 17/02184/LBC	The Bank Old George Street Plymouth PL1 2TG	Miss Amy Thompson
09/10/2018	Agreed	18/01679/CDM	EOP II PROP CO I S.A.R.L	Condition Discharge: Condition 3 of application 17/01439/S73M	Legacy Plymouth International Hotel 270 Plymouth Road Plymouth PL6 8NH	Mr Alistair Wagstaff

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09/10/2018	Agreed	18/01695/CDM	Mr Proffitt	Condition Discharge: Conditions 13 & 17 of application 16/01100/FUL	Unit 6, Plymouth Gateway Retail Park Marsh Mills Plymouth PL6 8NH	Mr Alistair Wagstaff
10/10/2018	Agreed	18/01056/CDM	Mr Chris Gait	Conditional Discharge: Conditions 1, 2, 3, 4, 5, 6, 7 & 8 of application 17/01508/S73M	The Old Dispensary 36 Craigie Drive Plymouth PL1 3JB	Mr Chris King
10/10/2018	Agreed	18/01552/CDM	Mr Tim Coles	Condition Discharge: Condition 11 of application 15/02359/FUL	Land Off Ham Drive Pennycross Plymouth	Mr Chris King
11/10/2018	Refused	18/01088/FUL	Mr Nathan Austin	Front double garage	95 Wembury Road Plymouth PL9 8HE	Mrs Alumeci Tuima
11/10/2018	Granted Conditionally	18/01227/FUL	Jim Stein	Insertion of first floor window on west elevation (retrospective)	85 Windermere Crescent Plymouth PL6 5HX	Miss Josephine Maddick
11/10/2018	Granted Conditionally	18/01247/TPO	Mr Dave	T1 multi stemmed Oak: reduce 4 stems as a group by approximately one third to match in with Oak behind (amendment agreed 10/10/2018)	20 The Birches Plymouth PL6 7LP	Mrs Jane Turner
11/10/2018	Granted Conditionally	18/01290/FUL	Mrs Susan Tossell	Alteration of front window to window and door, disabled access ramp and raised hard surface (retrospective)	4 Vicarage Gardens Plymouth PL5 1LG	Mr Chris Cummings
11/10/2018	Granted Conditionally	18/01389/FUL	Mr & Mrs Thomson	Installation of domestic vehicle crossing and hardstanding	87 Bampfylde Way Plymouth PL6 6SS	Mrs Alumeci Tuima

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11/10/2018	Granted Conditionally	18/01434/FUL	Mr Ian Lonsdale	Single storey rear extension	9 Bircham View Plymouth PL6 5PY	Mrs Alumeci Tuima
11/10/2018	Granted Conditionally	18/01445/FUL	Mr Aleks Shaw	Demolition of existing garage and erection of side extension including a new garage and annexe accommodation in the roofspace	61 Glentor Road Plymouth PL3 5TR	Mr Sam Lewis
11/10/2018	Granted Conditionally	18/01451/FUL	Mr & Mrs Radcliffe	Demolition of existing conservatory and erection of extension on identical footprint together with extension of existing decking	70 Dunraven Drive Plymouth PL6 6AT	Mrs Alumeci Tuima
11/10/2018	Granted Conditionally	18/01463/TPO	Mrs Niki Wagstaff	Oak - crown lift to 6m above ground level to clear parking area and roof of no.50. All pruning to natural growth points.	50 Triumphal Crescent Plymouth PL7 4RW	Mrs Jane Turner
11/10/2018	Granted Conditionally	18/01484/FUL	Mr Wayne Child	Change of use to Gymnastics Club (Class D2)	Units 7-8, 12 Newnham Road Plymouth PL7 4AW	Mr Chris Cummings
11/10/2018	Granted Conditionally	18/01546/FUL	Mrs Patrica Keene	Proposed awning over balcony	Flat 40, 169 Durnford Street Plymouth PL1 3QR	Mr Mike Stone
11/10/2018	Granted Conditionally	18/01564/FUL	D Brown And L Fuge	Rear extension and detached annexe and store.	4 Dunstone Road Plymstock Plymouth PL9 8RQ	Mr Mike Stone
11/10/2018	Refused	18/01728/AMD	Plymouth Community Homes	Non-material Amendment: Minor amendment to fenestration details for application 18/00841/FUL	2-96 (evens) Keat Street Plymouth PL2 1SB	Mr Chris Cummings
12/10/2018	Granted Conditionally	18/01452/FUL	Mr Lee Bailey	Single storey rear extension	35 Leighton Road Plymouth PL3 5RT	Miss Carmell Thomas



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12/10/2018	Granted Conditionally	18/01456/FUL	Mr Mark Davies	Single storey front and side extension	2 Chepstow Avenue Plymouth PL6 7EW	Mrs Alumecci Tuima
12/10/2018	Granted Conditionally	18/01458/S73	Mr Russell Young	Variation of condition 1 (approved plans) of application 18/00536/FUL to amend the fenestration of the east elevation	Kirkby Lodge Portland Square Lane North Plymouth PL4 6RU	Mr Tim Midwood
12/10/2018	Granted	18/01553/16	CTIL Vodafone	Installation of 17.5m HE dual stack monopole and ancillary works including removal of existing pole.	Land On Ham Drive Plymouth PL2 3RR	Mr Chris Cummings
12/10/2018	Agreed	18/01710/CDM	EOP II PROP CO I S.A.R.L	Condition Discharge: Condition 6 of application 16/01100/FUL	Legacy Plymouth International Hotel 270 Plymouth Road Plymouth PL6 8NH	Mr Alistair Wagstaff
16/10/2018	Granted Conditionally	18/00409/FUL	Mr R Woodall	Proposed Driveway	99 Pemros Road Plymouth PL5 1LU	Mrs Alumecci Tuima
16/10/2018	Granted Conditionally	18/00743/FUL	Ms Esther Clarke	Change of use from vacant gym and 3-flats to cafe (Class A3) on ground and basement floors and five-bed HMO (Class C4)	11 Cumberland Street Plymouth PL1 4DX	Mr Chris Cummings
16/10/2018	Granted Conditionally	18/00744/LBC	Ms Esther Clarke	Change of use from vacant gym and 3-flats to cafe (Class A3) on ground and basement floors and five-bed HMO (Class C4)	11 Cumberland Street Plymouth PL1 4DX	Mr Chris Cummings
16/10/2018	Granted Conditionally	18/01426/FUL	Mrs Margaret Harris	Demolition of existing garage and replacement side extension	49 Fletcher Crescent Plymouth PL9 8LH	Mrs Alumecci Tuima

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16/10/2018	Refused	18/01472/FUL	Mr Mo Fawzi	Converting motorcycle repair workshop to 4x one bedroom flats and 1x A1/A2 commercial unit on the ground floor and an additional storey to form a third floor (re-submission of 17/01959/FUL)	1 Bath Place Plymouth PL1 3NH	Miss Amy Thompson
16/10/2018	Granted Conditionally	18/01490/FUL	Ms Kim Grimstone	Change of use from single dwelling (Class C3) to no.2 1-bed flats (Class C3)	29 Holdsworth Street Plymouth PL4 6NN	Mr Chris Cummings
16/10/2018	Granted Conditionally	18/01509/S73	EOP II Prop Co I Sarl	Variation of condition 3 (Flood Risk) of application 16/01100/FUL	Plymouth Gateway Retail Park 270 Plymouth Road Plymouth PL6 8LN	Mr Alistair Wagstaff
16/10/2018	Granted Conditionally	18/01557/S73	Mr Jim Woodley	Variation of approved plans (Condition 1) of 18/00570/FUL	28 George Place Plymouth PL1 3NY	Mr Chris King
16/10/2018	Granted Conditionally	18/01579/FUL	Mr Colin Washburn	Two storey side extension, two storey front extension and detached garage (Amendment to approved application 17/00679/FUL to raise roof ridge height by 600mm, remove rear dormer, increase size of roof lights and add additional rear roof light, increase size of front porch entrance and remove side screens from rear Juliet balconies)	322 Tavistock Road Plymouth PL6 8AL	Mr Mike Stone
16/10/2018	Refused	18/01726/AMD	Mr Richard Selwyn	Non-material Amendment application for 16/01100/FUL	Legacy Plymouth International Hotel 270 Plymouth Road Plymouth	Mr Alistair Wagstaff
17/10/2018	Granted Conditionally	18/01004/FUL	Star Pubs & Bars	3x awnings	Crown & Anchor 10 - 11 The Barbican Plymouth PL1 2LS	Mr Chris Cummings

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17/10/2018	Granted Conditionally	18/01438/FUL	Mr K. Kothand	Landscape front terrace, front elevation and internal alterations, front railings and wall mounted air-conditioning units.	Surgery Ground Floor 14 Lockyer Street Plymouth PL1 2QJ	Mr Mike Stone
17/10/2018	Granted Conditionally	18/01449/TPO	Mr Beatty	T1 Horse Chestnut - crown lift by 1m and reduce remaining crown by 1.5 meters.	117 Grantley Gardens Plymouth PL3 5BP	Ms Joanne Gilvear
17/10/2018	Granted Conditionally	18/01464/FUL	Ms Joanna Thyssen	Change of use from public house (Class A4) to yoga studio (Class D2)	89 - 91 Union Street Plymouth PL1 3NB	Mr Chris Cummings
17/10/2018	Granted Conditionally	18/01510/TCO	Mr Ross Williams	T1- Beech - Reduce overhanging branches by 2m. T2 - Macaracarpa - Reduce by 2m in height. to reshape reduce low lateral over neighbours by 2m. T3 - Remove/fell dead cherry	43 Thorn Park Plymouth PL3 4TF	Ms Joanne Gilvear
17/10/2018	Agreed	18/01700/CDM	Mr Allan Wien	Condition Discharge: Conditions 4, 5 & 6 of application 15/00667/FUL	Co-Operative Bank Plc, 160 Armada Way Plymouth PL1 1LF	Miss Amy Thompson
18/10/2018	Granted Conditionally	18/01365/FUL	Mr Neal Stoneman	Erection of additional fencing and stable, duck and hen houses	St Annes House Jennycliff Lane Plymouth PL9 9SN	Mr Chris Cummings
18/10/2018	Granted Conditionally	18/01380/FUL	Mr Philip Geary	Detached dwelling with associated parking	Land Adj. Lelant Nursing Home Glen Road Mannamead Plymouth PL3 5AP	Mr Simon Osborne
18/10/2018	Granted Conditionally	18/01475/FUL	Alexander Taylor & Katherine Denham	Single storey rear extension	6 Whiteford Road Plymouth PL3 5LX	Mr Mike Stone

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18/10/2018	Granted Conditionally	18/01594/FUL	Mr John Orr	Single storey side extension to create annex and front porch	99 Speedwell Crescent Plymouth PL6 5SZ	Mr Chris Cummings
18/10/2018	Granted Conditionally	18/01623/TCO	Mr Derek Hopwood	8 X Conifers: top by 2 - 2.5 metres	Whitson House Whitsoncross Lane Plymouth PL5 4NT	Ms Joanne Gilvear
19/10/2018	Granted Conditionally	18/00741/FUL	Mr Daniel Langton	Rear conservatory	48 Dark Street Lane Plymouth PL7 1PW	Mrs Alumecci Tuima
19/10/2018	Granted Conditionally	18/00987/FUL	Mr Robert Fenton	Part two/part three storey rear extension and patio. (Part retrospective).	861A Wolseley Road Plymouth PL5 1JX	Mr Mike Stone
19/10/2018	Granted Subject to S106	18/01094/S73	EOP II Prop Co I Sarl	Deletion of Condition 16 (MOVA) of 17/01439/S73M	Plymouth Gateway Retail Park 270 Plymouth Road Plymouth PL6 8LN	Mr Alistair Wagstaff
19/10/2018	Granted Conditionally	18/01333/FUL	Miss Stephanie Chapman	Erection of a decking structure on front elevation (retrospective)	48 Peters Park Close Plymouth PL5 1PP	Miss Josephine Maddick
19/10/2018	Refused	18/01370/FUL	Mr & Mrs West	Part garage conversion, two-storey side extension, alterations to rear conservatory	18 Lalebrick Road Plymouth PL9 9RU	Mrs Alumecci Tuima
19/10/2018	Granted Conditionally	18/01388/LBC	Mrs Allison Trott	Internal alterations to ground floor therapy room	40 New Street Plymouth PL1 2NA	Mrs Alexandra Pickstone
19/10/2018	Granted Conditionally	18/01406/FUL	Mr & Mrs Bennett	Single storey rear extension and detached garage	42 Priory Road Plymouth PL3 5EP	Mrs Alumecci Tuima

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
19/10/2018	Granted Conditionally	18/01480/REM	Mr Murray Liesching	Application for reserved matters with details of appearance, layout, landscaping, and scale following grant of application 15/01193/OUT for a bungalow.	505 Tavistock Road Plymouth PL6 7AA	Mr Jon Fox
19/10/2018	Granted Conditionally	18/01482/FUL	Mr Wayne Salter	Front porch, bay window and hardstand at side	38 Conrad Road Plymouth PL5 3HJ	Miss Carmell Thomas
19/10/2018	Granted Conditionally	18/01517/FUL	Mr Andrew Mudge	Single storey rear extension	5 Staddon Park Road Plymouth PL9 9HL	Mr Macauley Potter
19/10/2018	Granted Conditionally	18/01577/FUL	Mr Sefdeen	Change of use from dwelling (Class C3) to guest house (Class C1)	1 Caprera Place St Michaels Terrace Lane Plymouth PL4 6AG	Mr Chris Cummings
19/10/2018	Agreed	18/01782/CDMLB	Mr Chris Coldrick	Condition Dischage: Condition 4 of application 18/00300/LBC	120 Durnford Street Plymouth PL1 3QP	Mr Mike Stone
22/10/2018	Agreed	16/00853/CDM	Mr Stephen Vitali	Condition Discharge: Conditions 3, 4, 7, 8 and 10 of application 15/02112/LBC	26 Longbrook Street Plymouth PL7 1NJ	Mr Ben Wilcox
23/10/2018	Granted Conditionally	18/01256/FUL	Mr Curtis	Erection of new dwelling and associated works	Land At Thorn Park Lodge Thorn Park Plymouth PL3 4TF	Mrs Karen Gallacher
23/10/2018	Granted Conditionally	18/01303/FUL	Mr David Renwick	Loft conversion with rear dormer	16 Philip Close Plymouth PL9 8QZ	Mr Macauley Potter

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
23/10/2018	Granted Conditionally	18/01441/FUL	Mr G Dawe	A single storey timber framed building to accommodate car parking, storage and an indoor sport recreation facility.	1 Foresters Road Plymouth PL9 7QS	Mrs Alumeci Tuima
23/10/2018	Granted Conditionally	18/01477/FUL	Mr Keith Heppell	Rear extension	22 Manor Park Drive Plymouth PL7 2HT	Mrs Alumeci Tuima
23/10/2018	Granted Conditionally	18/01487/FUL	Mrs Annette Macpherson	Single storey rear extension	59 Cockington Close Plymouth PL6 8RQ	Mrs Alumeci Tuima
23/10/2018	Granted Conditionally	18/01489/FUL	Great End Properties Limited	Replacement shop front.	34 The Broadway Plymouth PL9 7AS	Mr Macauley Potter
23/10/2018	Granted Conditionally	18/01508/FUL	Mr Ian Johnson	Single storey front extension	21 Edwards Close Plymouth PL7 2ST	Mr Mike Stone
23/10/2018	Granted Conditionally	18/01515/FUL	Mr & Mrs N Frost	Demolition of garage and erection of single storey side and rear extension	66 Merafield Drive Plymouth PL7 1TR	Mrs Alumeci Tuima
23/10/2018	Granted Conditionally	18/01541/TCO	Gillian Broaders	T1 Monterey Cypress Reduce overall by 7 meters and crown lift over road to give 5.2m clearance.	10 Albert Road Plymouth PL2 1AD	Mrs Jane Turner
23/10/2018	Granted Conditionally	18/01569/TCO	Mr John Dean	T1 - Thuja Remove Tree	61 Mannamead Road Plymouth PL3 4SS	Mrs Jane Turner
23/10/2018	Granted Conditionally	18/01609/FUL	Mr Brett Storry	Change of use from offices (Class A2) to support training centre (Class D1).	91 - 93 North Prospect Road Plymouth PL2 2NA	Mr Mike Stone

Decision Date	Decision	Application No:	Applicant	Proposal	Address	Case Officer
24/10/2018	Granted Conditionally	18/01418/FUL	Mr & Mrs Green	Two storey rear extension and balcony	17 Staddon Park Road Plymouth PL9 9HL	Mr Chris Cummings
24/10/2018	Granted Conditionally	18/01581/FUL	Mr Joe Chisholm	Single storey rear extension and garage conversion	89 Hemerdon Heights Plymouth PL7 2EZ	Miss Carmell Thomas
24/10/2018	Granted Conditionally	18/01678/FUL	Vodafone Ltd	Replacement of existing telephone antennas with 9 antennas. 3 additional communications dishes, additional cabinets and ancillary development works	1 The Moneycentre 1 Drake Circus Plymouth PL1 1QH	Mr Chris Cummings
25/10/2018	Granted Conditionally	18/00772/FUL	Mr Ian Frazer	Demolition of building, retain part adjoining walls as buttressing to boundary wall and section of low wall as historic record.	Coachmans Cottage Higher Chapel Street Plymouth PL1 3QZ	Mr Mike Stone
25/10/2018	Granted Conditionally	18/00919/FUL	Mr Sue Mudge	Two-storey side extension and front porch	25 Longwood Close Plymouth PL7 2HD	Mrs Alumeci Tuima
25/10/2018	Granted Subject to S106	18/01332/S73	Mr R Pillar	Variation of Condition 2 (Approved Plans) for application 14/02336/FUL	Mannamead Centre 15 Eggbuckland Road Plymouth PL3 5HF	Mr Thomas Westrope
25/10/2018	Granted Conditionally	18/01476/TPO	Mr Steve Scarpenter	T2 Willow - reduce to fence height or coppice.T3 Oak - no work required (amendment agreed 24/10/18 with agent Nigel Coles)T1 Silver Birch - no work required (amendment agreed with agent 24/10/18)	Touchwood 64B Glenfield Road Glenholt Plymouth PL6 7LN	Mrs Jane Turner
25/10/2018	Granted Conditionally	18/01520/FUL	Mr Folaji	Partial demolition of existing side utility room and construction of single storey side extension	46 Hemerdon Heights Plymouth PL7 2EY	Mrs Alumeci Tuima

Decision Date	Decision	Applicaition No:	Applicant	Proposal	Address	Case Officer
25/10/2018	Granted Conditionally	18/01593/FUL	Mr Matthew Conyers	Front and rear dormers and rear roof pitch alteration	18 Cheltenham Place Greenbank Road Plymouth PL4 7DZ	Mr Chris Cummings
25/10/2018	Granted Conditionally	18/01627/FUL	Mr Jonathan Crowder	Garage conversion, rear extension and front access ramp	43 Frensham Avenue Plymouth PL6 7JN	Mr Mike Stone
25/10/2018	Refused	18/01787/AMD	Mr Steve Holcombe	Non-material Amendment: Addition of Velux rooflight to application 18/00155/FUL	17 Cross Park Avenue Plymouth PL6 5AR	Mrs Alumeci Tuima



# Appeal Decisions between 04/09/2018 and 29/10/2018

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
05/10/2018	18/00508/FUL	2018/0016	Appeal Allowed with Conditions	APP/N1160/D/18/3208012
<b>Ward</b>				
Peverell				
<b>Address</b>				
16 Torland Road Plymouth PL3 5TS				
<b>Application Description</b>				
Outbuilding with balcony to existing treehouse above (part retrospective)				
<b>Appeal Process</b>		<b>Officers Name</b>		
Hearing		Mr Chris Cummings		
<b>Synopsis</b>				
<p>Planning permission was refused at Planning Committee for a part-retrospective outbuilding and balcony serving an existing tree house. The Officer Report recommended approval, however this recommendation was overturned by Members, following a site visit, due to concerns regarding an unacceptable level of amenity and privacy impacts to neighbouring properties, specifically no.14 Torland Road, contrary to Policy CS34 of the Local Development Framework Policy CS34 and Paragraph 17 of the National Planning Policy Framework (2012). Having reviewed the application and visited the site and the neighbour's property the Inspector disagreed with the Committee's refusal, with the Inspector considering that the development would not harm the living conditions of adjoining occupiers, overturning the Planning Committee's decision. The Inspector advised that the outbuilding, due to the door and use as a garden store, would not result in significant overlooking and the positioning would not result in a significant loss of daylight/sunlight to neighbouring properties. The Inspector also advised that, subject to conditions, the balcony's location and modest size was not considered to generate significant overlooking issues and that the installation of a privacy screen would significantly reduce the overlooking impacts to no.14 Torland Road. The Inspector considered that conditions were appropriate on the decision to protect neighbour amenity, requiring the development to be built in accordance with the approved plans; the installation of a 1.7 metre privacy screen on the south-east elevation; materials to match the existing tree house close board timber; restriction of the balcony to the area identified on the plans only; and no installation of windows on the south-east elevation of the outbuilding. No applications were made for costs by either side and no costs were awarded by the Inspector.</p>				

Decision Date	Original Planning Application	Appeal Reference	Inspectors Decision	Inspectors Reference Number
17/10/2018	18/00061/FUL	2018/0009	Appeal Dismissed	APP/N1160/D/18/3201994
<b>Ward</b>				
Budshead				
<b>Address</b>				
706 Budshead Road Plymouth PL6 5DY				
<b>Application Description</b>				
Proposed loft conversion (Retrospective)				
<b>Appeal Process</b>		<b>Officers Name</b>		
Written Representations		Mrs Alumeci Tuima		
<b>Synopsis</b>				
<p>Planning permission was refused for the rear dormer extension as it was considered to be contrary to policy CS34 (parts 4 and 6) of the Core Strategy of Plymouth's Local Development Framework (April 2007), policies DEV1 and DEV10 of the emerging Plymouth and South West Devon Joint Local Plan, the Development Guidelines Supplementary Planning Document (2013) and paragraph 64 of the NPPF. Having reviewed the application, and visited the site, the Inspector has dismissed the appeal as the development would unacceptably harm the character and appearance of the surrounding area. Furthermore, the Inspectorate notes that it would dominate and, thereby, unbalance the host building. No application for costs were submitted or awarded by either the applicant or the Council.</p>				