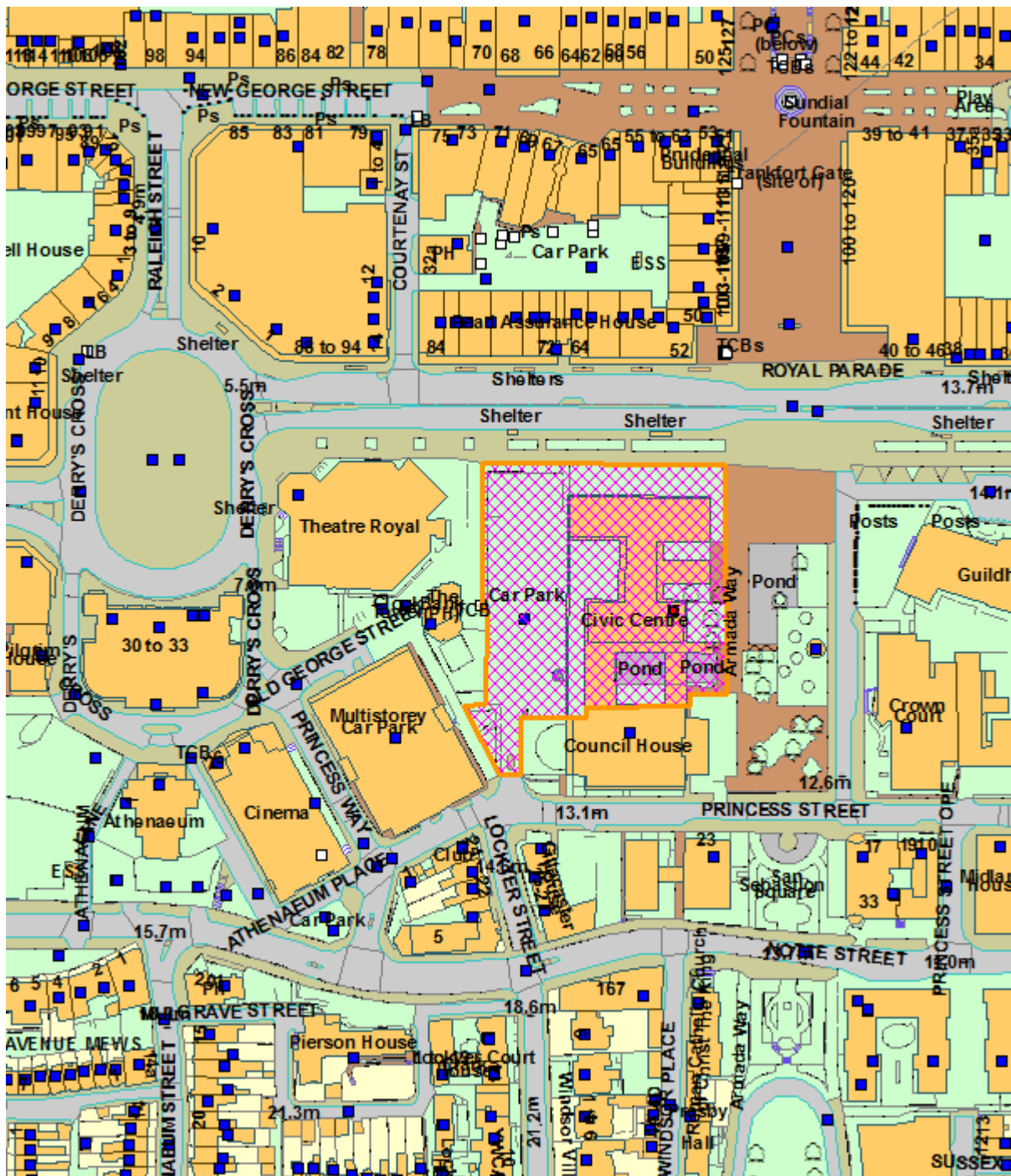


PLANNING APPLICATION OFFICERS REPORT



Application Number	19/00439/FUL	Item	02
Date Valid	28.03.2019	Ward	ST PETER AND THE WATERFRONT
Site Address	Civic Centre Armada Way Plymouth PL1 2AA		
Proposal	Conversion to 144 residential units (Class C3) and mixed uses including A1, A2, A3, A4, A5, B1, D1 & D2 uses, part demolition, glazed extension , alterations to elevation including new cladding, new public realm including staircase, parking and associated works		
Applicant	Mr Phillip Yunnie		
Application Type	Full Application		
Target Date	27.06.2019	Committee Date	16.01.2020
Extended Target Date	28.02.2020		
Decision Category	Service Director of SPI		
Case Officer	Miss Katherine Graham		
Recommendation	Grant conditionally subject to S106 planning obligation with delegated authority to Service Director for Strategic Planning and Infrastructure to refuse if not signed within agreed timeframes.		



This planning application has been referred to committee by service director of Strategic Planning and Infrastructure due to public interest reasons.

I. Description of Site

The Civic Centre is located within the city centre, north of the Hoe. The application site is formed of the Grade II listed Civic Centre Tower, a vacant fourteen storey office block, along with two storey blocks to the north and south and a reception area, which the Tower sits above.

The application site also includes a disused pond located between the Council House and Civic Centre. This forms part of the listed park and garden. Immediately east of the site is Armada Way and the Civic Square which is a Grade II listed park and gardens.

The application site also includes two bridge links physically connecting the Council House and Civic Centre. These have been enclosed on the Council House side.

The Civic Centre car park is located to the west. Further to the west and in close proximity of the site is the Theatre Royal, The Bank, and the Clock Tower, all of which are Grade II listed buildings.

South west of the site is the Theatre Royal multi-storey car park and north of the site is a line of trees along Royal Parade.

The site located within the City Centre Conservation Area.

2. Proposal Description

This is a full application for the conversion of the Civic Centre to 144 residential units (Class C3) within the tower of the building. The roof terrace is proposed as communal amenity space for residents.

The ground and first floor are proposed for a mixed uses including A1 (retail), A2 (offices), A3 (café/restaurants), A4 (Pubs/drinking establishments), A5 (hot food takeaway), B1 (office), D1 (art gallery, crèche and day nursery) & D2 (gym).

The application also includes works to the building including:

- demolition of part of north block and reception undercroft area
- glazed extension at ground floor between Civic Centre and Council House
- replacement façade including new glazing and cladding and other alterations to elevation
- new public realm including new staircase towards the Theatre Royal on the west elevation and creation of new public space under the tower
- associated works including internal works, works to roof to create amenity space

3. Pre-application Enquiry

A pre-application submission was submitted 18/00565/MAJ which was for the “redevelopment of the former council offices to provide a mixed use scheme comprising the (C3) residential fit-out of the Tower and commercial 'active' uses”. This included a variety of meetings including with external statutory consultees: Historic England, Garden History Society and C20th Society. A public consultation was held in June 2018.

The pre-application enquiry looked at different options for the new glazing/cladding system, and made a number of improvements to the scheme including removing a glazed extension to address C20th Society objections, removing gates and deck infill proposed between the south block and Council House, and retaining the reflective pool between the south block and Council House.

4. Relevant Planning History

As there have been a large number of applications, the most relevant ones are listed below:

88/03970/30 Two storey office extension and refurbishment of reception facilities (regulation 4 proposal) – Granted Conditionally

94/01473/30 Installation of canopy over main entrance for a temporary period of two years – Granted Conditionally

97/00056/30 Retention of canopy over main entrance - Granted Conditionally

99/00960/30 Retention of canopy over main entrance for a temporary period of two years – Granted Conditionally

10/02031/FUL Retention of temporary protective shelters at main and staff entrances to the Civic Centre for five years, alterations to main entrance shelter, installation of cycle shed and erection of fencing around grassed areas to north and east of the Civic Centre – Granted Conditionally

10/02032/LBC Retention of temporary protective shelters at main and staff entrances to the Civic Centre for five years, alterations to main entrance shelter, installation of cycle shed and erection of fencing around grassed areas to north and east of the Civic Centre – Application Returned

13/00507/FUL Retention of front entrance and side entrance canopies for a temporary period of two years – Granted Conditionally

15/01754/LBC Amendment to application 14/01990/LBC first floor separation – Granted Conditionally

16/00126/FUL Retrospective application for hoardings – Grant Conditionally

18/01117/LBC Structural Investigations – Granted Conditionally

18/01194/LBC Part strip out of north block, refurbish WC and new partition – Granted Conditionally

Associated application on same agenda:

19/00440/LBC Internal and external works to convert building (inc part demolition), glazed extension, alterations to elevation including new cladding, public realm and associated works

5. Consultation Responses

City Centre Company – “The Plymouth City Centre Company supports these proposals to bring much needed residential accommodation into the city centre. We believe this application, by a developer with a track record in the sensitive conversion of historic buildings, will bring new life to the city centre and improve its economic viability.”

Designing Out Crime officer – Support application and make a recommendation regarding the roller shutter doors

Economic Development Department – Supports overall intent of the conversion, and the value of the buildings occupation and generating footfall and jobs. Disappointing that office development is now limited. It is recognised that viability issues likely rule out mitigation for loss of employment space. If viability allows, request contribution towards improvements to recreational space at the Hoe. Employment and Skills plan will be required.

Environment Agency (EA) – Recommend not to determine application until Lead Local Flood Authority (LLFA) is satisfied that foul and surface drainage can be disposed of without increasing the risk of sewer flooding and pollution of water environment. The site is located within Critical Drainage Area. Whilst EA would not normally comment on this type of application, it is noted that the proposal will continue to discharge foul and surface water to the combined sewer, and will inevitably result in an increase in foul flows to the sewer, and therefore increasing the risk of sewer flooding and sewer spills in storm events. Permeable paving is proposed to separate foul and surface water before discharging to main sewer. The Flood Risk Assessment should demonstrate whether the reduction in surface water flow expected as a result of introducing permeable paving would outweigh the increase in foul flows to the combined sewer. Alternatively consideration should be given to seeking contributions towards the new surface water drainage works for the wider city centre.

Highway Authority – No in principle objection. It is acknowledged that the former use of the building as Council Offices is likely to have generated significantly more trips than the proposed development. It is also accepted that the commercial floor space offering is unlikely to be a significant generator of trips in its' own right and instead would form part of a linked-trip to the wider City Centre retail area.

A limited amount of car parking has been provided which is allocated to the residential element of the scheme (43 spaces serving 144 apartments). “In view of the close proximity of the development to the various bus services and pay and display car parks within close proximity to the site, such a level of car parking is acceptable.”

The public car parking offer includes the existing pay and display car park next to the Civic Centre which is being retained for such purposes although the alterations/improvements to the car park will result in the number of public spaces reducing slightly from 108 to 104. Clearly these spaces would

be available for use by residents of the apartments if required. Request for Electric Vehicle Charging (EVC) spaces. "In view of the limited car parking provision provided for residents of the apartments, I would suggest that it is justified to seek a Section 106 contribution towards Travel Plan measures". Recommend conditions.

Updated highway queries: Clarify request for Electric Vehicle Charging (EVC) points: 5 bays with infrastructure for additional 5 bays in basement, and 4 bays with additional infrastructure for 4 bays in future and recommend condition on this basis. Advise the applicant to consider how all residents will have access to EV charging in the future.

Updated comments with regard to draft planning conditions: Basement car park should have ducting that would allow all spaces to have access to EV charging point. The charging points specification should be 3kw output minimum. Maintain that 10 EVC spaces are required in the basement.

Historic England (HE) – "Historic England has been involved in considerable pre application discussions regarding the Civic Centre over the course of many years, and are pleased to be able to support these proposals. We acknowledge that certain aspects of the proposals will harm the significance of the listed buildings, but believe that the harm has been minimised, as far as is possible, and that the proposals will result in a sustainable new use that will provide for the necessary conservation of the building. In our view, the harm to the significance of the building is less than substantial, and outweighed by the wider heritage benefits offered by the proposals."

Summarised comments:

- Support removal of 1980s lobby walls to create undercroft, "which will provide a visual link from the Civic Square to the Theatre Royal". A strategy for protecting the terrazzo should be supplied, or conditioned as part of any planning approval.
- The new staircase is logical and will assist in connectivity between Civic Centre and newly listed Theatre Royal
- Proposed glazed pavilions (extension) to west end of the south block will terminate the undercroft in a logical manner, and is a form of construction of that is new and reversible
- It is regrettable that the proposals do not extend to restoration of the civic square but understand not under applicant control and part of the Council Better Places scheme. Need to consider phasing
- Conversion of tower to residential potentially most contentious. Converting from the civic function to private residential will harm historic value however introducing residential use may bring about wider benefits through improved public perception of the post war city centre. Lack of residential in city centre has meant a lack of sense of ownership. The introduction of residential in Civic Centre has potential to change this, and will bring new life into city centre
- Accept that it is necessary to rebuild two elevations. A 2007 HE report concluded that the façades need replacing. Significance of the façades lies more in their design than their actual fabric. Given the change of use in the building, it is appropriate for the new façade system to reference the existing, but not copy it. Consider that the need to replace the façades will give rise to less than substantial harm and has been mitigated through good design and recommend condition requiring samples to be agreed. Fibonacci influenced design should be recreated.
- Public access days for heritage open days should be secured through conditions
- The gullwing roof is currently littered with telecoms equipment. A condition is recommended to seek to remove the telecoms equipment.
- The applicant has demonstrated that the harm to the building has been minimised. The proposals will provide a use that is viable and will lead to the investment in the Civic that is necessary for its long-term conservation
- The proposals will cause harm to the significance of the Civic complex through tangible alterations such as the refaçading and also intangible aspects such as a building designed for public purposes becoming a private complex of apartments. However, can also appreciate the heritage benefits offered by the proposals, chief amongst which is securing a viable use for the building which will provide for its long-term conservation.

Historic Environment Officer: Support HE comments and “given that whilst there is a recognition of harm the ‘replication’ design offered forms a sufficient level of mitigation especially when weighed together with bringing this long vacant building back into beneficial use and to prevent and reverse further deterioration of the building’s fabric.”

The addition of lettering atop the Civic building (i.e CIVIC) is a superfluous and unnecessary embellishment to this listed building, request justification.

Housing Delivery Team – Welcome the provision of housing within the city centre which will contribute to the aim of creating balanced, mixed and sustainable communities and bring an empty building back into use. We welcome the inclusion of some larger units as there is a shortage of family housing in the area. DEV7 requires 30% affordable housing provision. Understand viability will be provided. No information has been provided on the provision of category M4 (3) units. No Gross Internal Area has been provided but appears to be quite a way short of National Described Space Standards.

Lead Local Flood Authority (LLFA) – The site is in a critical drainage area and an area identified as being at significant risk of flooding. The proposed increase in residential dwellings effectively reduces the capacity of the downstream combined sewer to receive surface water, potentially increasing flood risk to properties downstream. Options should be assessed to discharge surface water to a future surface water drainage corridor in Armada Way to the east of the development. There is also the potential to remove surface water from combined sewers (Surface Water Separation SWS) to increase the capacity of the sewerage system and to minimise pollution incidents. Surface water exceedance flow route should be identified on a plan that shows the route exceedance flows will take both on and off site and demonstrating that these flows do not increase the risk of flooding to properties on and off the site and or to Third Party Land including the Public Highway. Details of how and when the surface water drainage system is to be managed and maintained should be submitted. Recommend condition.

Updated comments: Request amended condition

Low Carbon – Original comments summarised: Object to application. The Plymouth City-wide District Energy Strategy (evidence base for the JLP) shows the development falls within a District Energy Opportunity Area and therefore (Policy) DEV 32.6 is the priority. The policy requirements for carbon reductions outlined in (policy) DEV32.5 can be achieved by connecting to renewable heat solution using ground source heat pumps. The submitted details are not currently compliant with the planning policy DEV32.6, as they are only showing a technical solution that is able to partially connect (for domestic hot water only and not for space heating). The solution would not meet policy DEV32.5 either and cannot recommend approval.

Updated comments (summarised): After negotiations the scheme has been changed with an amended Energy Statement. The key JLP policy is DEV32 ‘Delivering low carbon development’ which sets out 6 policy criteria, with the intention to half 2005 levels of carbon emissions by 2034. No objection in relation to DEV32.1 - 4.

DEV32.5 There is no renewable energy generation proposed as part of this scheme. However this is considered acceptable on the basis that the scheme addresses district heating requirements which will utilise renewable energy and achieve these reductions. This solution will involve a ground source well located within the civic centre boundary, for the potential provision of a renewable heat source to serve Civic Centre and other buildings in the vicinity. DEV32. An area of negotiation in this application has been attempts to secure a fully compliant scheme that fully connects to the future district energy network. The amended Energy Statement proposes a Low Temperature Hot Water (LTHW) heating system serving the space heating and domestic hot water requirement for the residential apartments. This system will be designed to be suitable for future connection to a district heating scheme when it is available. This means the residential units will now be capable of future connection to a district energy network. In addition, it is stated that the podium commercial units

could be connected to the District Heating system for heating and cooling. The basement plan, included in Appendix A includes an area proposed for use as the district energy centre. It has also identified potential areas for additional plant space for the energy centre and the routes for connecting the energy centre to the site boundary to serve a wider area. The provision of space within the basement for the energy centre is considered to constitute a proportionate contribution, which will help to establish the provision of a district energy centre within the city centre. On the basis of the above, it is now considered that the proposal has been designed to be capable of connection to a district heating network. By providing space for an energy centre and future proofing the scheme for future connection to a district heating scheme, this application will contribute towards the provision of district heating within the city centre.

Recommend approval, with the inclusion of a number of conditions, informatives and S106 overage. The condition wording recognises the unique characteristics of this development, in terms of the challenges of connecting a listed building, the long delivery period, as well its unique role in providing an energy centre to serve a wider area.

Natural Infrastructure Team (NIT) (summarised) –

Biodiversity: Support of mitigation and enhancement measures however request further information in relation to the EMES (need to quantify mitigation and enhancement measures in biodiversity budget table), perching opportunities for peregrines needs to be maintained throughout construction and mitigation needs to be incorporated into the landscape.

Landscape: Further info required on tree planters, consideration of SUDS in car park, and landscape management plan (could be conditioned).

Trees: Does not comply with JLP as insufficient assurances in relation to longevity of tree planting and recommend further long term tree planting.

Request for S106 contributions towards local green space, children play space, playing pitches and strategic greenspace.

Updated comments following receipt of further information: No objection subject to appropriate mitigation and recommend conditions.

Natural England (NE) – The site falls within the “zone of influence” for Plymouth Sound and Estuaries Special Area of Conservation (SAC) and Tamar Estuaries Complex Special Protection Area (SPA), as set out in the Local Plan. New housing development in this area is ‘likely to have a significant effect’ when considered either alone or in combination, upon the interest features of European Sites due to the risk of increased recreational pressure caused by that development. Therefore advise that specific measures will be required to prevent such harmful effects from occurring as a result of this development and recommend that permission should not be granted until such time as the implementation of these measures has been secured.

Public Health (PH) - Original comment summarised: Broadly in favour of development however have concerns over the use of the roof terrace by residents, their guests and members of the public. On this basis recommend the provision of a physical barrier on the roof at least 2.5m high.

The area is just outside cumulative impact policy area, which would prevent sale of alcohol unless ancillary activity.

Updated comments on the proposed management system: Supervision of visitors should be undertaken by trained staff in suicide awareness, CCTV monitoring is only useful in suicide prevention if monitored permanently and again by trained staff, and agree restricted/managed access at night. Recommend condition.

Public Protection Service (PPS) – Conclusion to acoustic report agreed, and particular attention should be paid to floors separating commercial and residential. Conclusion of Phase I (contaminated land) study agreed. Recommend conditions including compliance with British Standard (BS) sound insulation and noise reduction for buildings. Accept findings of air quality report.

Updated comments following applicant advising cannot comply with condition:

The BS does allow for a 5dB relaxation and advise this would be acceptable in theory. However even with the relaxation of the noise guideline the target value will still not be met if the window is open. Whilst the window is closed (in effect in winter when it is cold and you don't need it open for ventilation) the noise will be acceptable. However in the summer when the ventilation is not adequate the choice is to be too hot as there are no alternative ventilation options, or to have a noise level that exceeds even the relaxed limit. The daytime noise levels in the flats in the summer are likely to be 12dB above the standards recommended level and a 7dB above the relaxed limit, with night-time levels of 10dB above the standard or 5dB above the relaxed limit. The only way that the development can meet the relaxed level is by 'averaging over the year' which is in effect saying the residents should be fine in winter but in summer they have to choose between cooling ventilation and acceptable noise levels. This is a noisier space than PPS would normally accept if the relaxed limit was accepted. Given the significance of the levels do not see how this is something PPS can support even should the relaxed limit be accepted and object. The suggested conditions will not address the objection, as there is no guarantee that the BS can be met.

South West Water (SWW) – No objection

The Gardens Trust – Happy to support the proposals

Twentieth Century Society (C20th Society) (summarised) – Object to application as outstanding concerns about specific aspects of application that cause avoidable harm. Pleased to have been involved in pre-application discussions, and pleased to see some harmful areas of the scheme have been reconsidered. The current scheme retains more original fabric, bringing it closer to a conservation led approach.

Support the conversion of the tower to residential and securing public access to plaza, undercroft and plinth blocks.

Outstanding concerns - Principle aspect opposed to is the replacement of the tower façades to east and west elevation in a way that departs from the architects original design intentions. Acknowledge survey work that recommends components of the façades are replaced and recognise need for environmental upgrades required for residential use. The need to replace the glazing is not considered to be a reason to introduce floor to ceiling glazing.

It is considered that the existing façade provides a “sense of rhythm and textural detail to the otherwise monolithic tower”, which are “successful in softening the impact upon city skyline”. The listing designation also refers to the attention paid to “alleviating the uniformity of the façade with the modulation of the component materials and careful arrangement of the granite spandrel panels”. The proposed façade design, including the increase in height of the glazing, reduction in height of spandrel panels, bronze coloured windows frames, a reduction of the setback of the high level glazed units, are major departures from the original design, and will result in substantial harm to the buildings architectural and historical significance. These changes will have a far reaching impact due to the towers prominence within the city. Departing from the original design concept and materials that identify the buildings age, purpose, and quality will harm its historic value as the evidence of ambition and investment of the city in the post war reconstruction.

Concern is also raised in relation to the glazed extension as this will block views through the undercroft space and reduce sense of openness, which is a characteristic of Jellicoe's design. Do not consider its potentially temporary nature to reduce the negative impact upon the listed building. Recommend the glazed extension is removed from the scheme and the façade design altered to maintain the original proportions of the spandrel panels and glazing units. Cannot support the scheme as it fails to sustain existing heritage value of the building.

In line with HE guidance (Conservation Principles Policy and Practice), consider that the surviving historic fabric underpins its heritage value and should be retained wherever possible. Where it has been shown that the loss of historic fabric is necessary, the optimal solution is to replace it like for like.

Consider the proposal to be substantial harm, and therefore substantial public benefits that outweigh the harm need to be shown. Recognise the benefits that will result in bringing the building back into use and aspects that seek to enhance the heritage value, however remain unconvinced that on balance these benefits outweigh the harm.

Consider the cumulative harmful impact of the proposals are substantial, primarily due to the remodelling of the principle façades. The change of façades will have an irreversible, negative effect on existing authenticity and integrity of the buildings historically important design as well damaging its role as the centrepiece of Abercrombie's plan. Object and recommend refusal.

Urban Design Officer (summarised) –

Principle is supported. The following elements are supported:

- Works to the undercroft and retention of terrazzo floor.
- Ground floor glazed extension.
- Bookable roof terrace areas and public access.
- Full height glazing which is considered to better reflect Hector Stirlings original concept.
- Use of mesh screens for plant equipment.
- Retention, repair and re-use of Civic Centre's existing palette of materials
- The proposed mix of uses are consistent with JLP policy PLY15.
- The high level of active ground floor frontage and creating a destination is welcomed.
- Positive that fibre cement panels will continue Fibonacci pattern

It is important that the scheme does not prejudice the future development of the car park site, and raise concerns over indicative scheme and recommend conditions in relation to the application to address these concerns.

Object to CIVIC sign

The west elevation of the podium deck and service access is not ideal in urban design terms.

“Regrettable that polyester powder coatings proposed for aluminium components such as windows”, as anodised coating would be more robust.

Query areas proposed to be painted, which may give rise to a maintenance requirement.

Recommend conditions and informatives.

6. Representations

None

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. For the purposes of decision making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

The relevant Joint Local Plan policies are:

SPT1 Delivering Sustainable Development

SPT2 Sustainable linked neighbourhoods

SPT3 Provision for new homes

SPT4 Provision for employment floorspace

SPT5 Provision for retail development

SPT6 Spatial provision of retail and main town centre uses

SPT9 Strategic principles for transport planning and strategy

SPT10 Balanced transport strategy for growth and healthy and sustainable communities

SPT11 Strategic approach to the historic environment

SPT12 Strategic approach to the natural environment
SPT13 Strategic infrastructure measures to deliver the spatial strategy
SPT14 European Sites - mitigation of recreational impacts from development
Strategic Objective SO2 Strengthening Plymouth role in the region
PLY1 Enhancing Plymouths strategic role
PLY2 Unlocking Plymouths regional growth potential
Strategic Objective SO3 Delivering growth in Plymouth City Centre and Waterfront Growth area
PLY6 Improving Plymouth city centre
PLY15 Civic Centre and Council House site
PLY21 Supporting the visitor economy
PLY22 Cultural Quarters
DEV1 Protecting health and amenity
DEV2 Air water soil noise land and light
DEV6 Hot food takeaways in Plymouth
DEV7 Meeting local housing need in the Plymouth Policy area
DEV9 Meeting local housing need in the Plan Area
DEV10 Delivering high quality housing
DEV14 Maintaining a flexible mix of employment sites
DEV16 Providing retail and town centre uses in appropriate locations
DEV18 Protecting local shops and services
DEV19 Provisions for local employment and skills
DEV20 Place shaping and quality of the built environment
DEV21 Development affecting the historic environment
DEV23 Landscape character
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV28 Trees woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV30 Meeting the community infrastructure needs of new homes
DEV31 Waste management
DEV32 Delivering low carbon development
DEV35 Managing flood risk and water quality impacts
DEL1 Approach to development delivery and viability, planning obligations and the CIL

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government of their choice to monitor at the whole plan level. This is for the purposes of the Housing Delivery Test and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019. This confirmed the Plymouth, South Hams and West Devon's revised joint Housing Delivery Test Measurement as 163% and that the consequences are "None". It confirmed that the revised HDT measurement will take effect upon receipt of the letter, as will any consequences that will apply as a result of the measurement. It also confirmed that that the letter supersedes the HDT measurements for each of the 3 local authority areas (Plymouth City, South Hams District and West Devon Borough) which Government published on 19 February 2019.

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.4 years at end March 2019 (the 2019 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2019 (published 26 July 2019). The methodology and five year land supply calculations in the Housing Position Statement are based on the relevant changes in the revised National Planning Policy Framework published 19 February 2019 and updates to National Planning Practice Guidance published by the Government in

September 2018, subsequently amended by NPPG Housing Supply and Delivery published 22 July 2019.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG), including the National Design Guide. Additionally, the following planning documents are also material considerations in the determination of the application:

- Plymouth and South West Devon SPD Consultation Draft (November 2019).
- Development Guidelines SPD (adopted April 2013)
- Sustainable Development SPD (adopted July 2009)
- Planning Obligations and Affordable Housing SPD (adopted 2012)

In terms of weight of the SPDs, the following points should be considered in making the decision:

- The Plymouth and South West Devon SPD has completed its consultation phase but can carry limited weight prior to its formal adoption. However, at best very limited weight should be given to provisions of the SPD that have objected to in a substantive way.
- The adopted SPDs were set within the context of the previous development plan (Core Strategy). However, provisions of these SPDs would only carry weight where they are clearly consistent with the policies of the adopted Joint Local Plan.

8. Analysis

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.

2. Principle

PLY15 of the Joint Local Plan is a site allocation policy that specifically relates to the Civic Centre as well as the Council House. The Council House does not fall within the application site.

3. The first part of the policy states:

“The Civic Centre and Council House site will continue to play a key role in the civic life of Plymouth as well as providing new opportunities, through the retention of civic functions, the reuse of the existing buildings, and the delivery of new development on the existing surface level car park. New uses which will be acceptable include residential, offices, hotel, restaurants, bars, leisure and cultural uses. Provision is made for in the order of 248 new homes as part of the mix of uses.”

4. This proposal is for the retention and conversion of the Civic Centre, e.g. the reuse of the existing building.

5. The Civic Centre does not propose to retain civic functions, however the Council House will retain its civic functions. On this basis, it is considered that there is no conflict with this part of the policy.

6. This application does not include the delivery of new development of the car park but does not preclude its future development. This will be considered in greater detail under the design section below.

7. The policy then states what uses will be considered acceptable, and this is reviewed in more detail in the section below.

8. This application is for 144 residential units, short of the policy requirement, however it does not include the new build on the carpark site. This is considered in more detail further below.

9. The policy then lists 5 criteria that the development should provide for, which are addressed briefly below.

10. 1. The reuse and enhancement of the listed Civic Centre and Council House.

The application proposes the reuse of the Civic Centre. Whilst there is harm to the listed building, the overall scheme is considered to represent an enhancement to the listed building. The heritage considerations are detailed further in this report.

11. 2. Enhancement of the Civic Square, a registered park and garden.

The application site does not include the Civic Square, however the proposals are considered to enhance the Civic Square by improvements to its setting. This is considered in more detail below.

12. 3. The retention of civic functions within the existing Council House building.

As noted above, the Council House does not form part of this application and therefore the civic functions are retained.

13. 4. Active ground floor frontages to Armada Way, Royal Parade, Princess Street, Old George Street, The Bank and Theatre Royal.

It is considered that this part of the policy relates more to the new build proposal in the car park, however it is acknowledged there are opportunities for active frontages for the Civic Centre. The Urban Designer has acknowledged and supported the active uses within the podium and the high level of active frontage proposed. The level of active frontage onto Royal Parade is limited, as there is no direct access from this elevation however the existing elevation is improved by removing spandrel panels and increasing the amount of glazing. Overall, it is considered that this application provides a high level of active frontages where possible and complies with this element of the policy.

14. 5. New build development on the existing surface level car park which optimises the use of the site but conserves and where appropriate enhances the historic and architectural interest and setting of the Civic Centre and Council House, Plymouth Theatre Royal and The Bank.

The new build proposal is not part of this application. The need to safeguard the car park site for new development is discussed further in paragraphs 110 -112 below.

15. Uses

Policy PLY15 advises a number of uses are acceptable:

Residential, offices, hotel, restaurants, bars, leisure and cultural uses

A total of 3791sqm of commercial uses are proposed in the podium, north and south block of the Civic Centre. The proposed uses are considered separately below.

16. A1 retail

Retail is not listed under Policy PLY15 as an acceptable use, however the site is located within the city centre boundary and therefore retail is supported in this location in accordance with SPT5, SPT6, PLY1, PLY6, DEV16 and DEV18. Any retail could support the food, drink and leisure offer at the building. On this basis, there is not considered to be any requirement for a maximum retail floor space condition.

17. A2 and B1 offices

Offices are listed as an acceptable use within policy PLY15, and as a main town centre use also complies with SPT4, SPT6, PLY1 and PLY6. It is also the existing use of the building.

18. Economic Development have raised concern at the overall reduction of offices within the scheme from the existing provision. However site allocation policy PLY15 does not require a minimum provision of offices to be provided on this site, and on this basis there is no objection to the amount of office floor space proposed.

19. A3 café / restaurants

Restaurants are listed as an acceptable use within policy PLY15, and as a main town centre use also complies with SPT6, PLY1, PLY6, DEV16 and DEV18. As such there is no objection in principle to this use. The key consideration will be potential noise and smell impacts upon the proposed residential which is considered further later in this report.

20. A4 pubs/drinking establishments

Bars are listed as an acceptable use within policy PLY15 and as a main town centre use, it also complies with SPT6, PLY1, PLY6, DEV16 and DEV18. As such there is no objection in principle to this use. The key consideration will be potential noise and smell impacts upon the proposed residential which is considered further later in this report.

21. A5 hot food takeaway

Hot food takeaway is not listed in site allocation policy PLY15, however its exemption from this policy does not automatically deem it unacceptable. As it is a main town centre use, it complies with SPT6, PLY1, PLY6, DEV16 and DEV18.

22. DEV6 requires hot food takeaways to be located away from providers of secondary school education, and to resist providers within 400m of secondary school provision. There are no secondary school providers within 400m, and therefore no conflict with this policy. As such there is no objection in principle to this use. The key consideration will be potential impacts upon the amenity of the proposed residential which is considered later in this report.

23. D1 Non-residential institutions

The D1 uses proposed have been confirmed to be art galleries, crèche and day nurseries. Art galleries are main town centre uses, and therefore complies with SPT6, PLY1, PLY6, PLY21 and PLY22. Whilst a crèche/day nursery use is not listed as a main town centre use in the NPPF, it is considered that they are suitable uses for a city centre location and would be a suitable location when considering the potential for linked trips to places of work. On the basis of the above, there is no objection in principle to these uses.

24. D2 Assembly and Leisure

The D2 use has been confirmed to be a gym, which is considered a main town centre use and therefore complies with SPT6, PLY1, PLY6, DEV16 and DEV18. As such there is no objection in principle to this use. The key consideration will be noise and vibration impacts which is considered later in this report.

25. Economic impacts and impact upon city centre

Economic Development have been consulted on this application. As noted above, they support the conversion of the building, and the benefits this will bring to the city centre. Whilst they have raised disappointment over the lack of office accommodation proposed, there is no policy requirement for office to be provided for on site. DEV14 is also applicable as it states the change of use of existing employment sites will only be allowed when certain provisions apply. One of these provisions is when the proposal is specifically provided for by the local plan to deliver wider strategic objectives. It is considered that this application therefore complies with this provision.

26. The mixed use commercial floor space will give rise to new job creation in accordance with PLY2.

27. Economic Development have recommended a condition requiring an employment and skill strategy. This is in accordance with DEV19 'Provision for local employment and skills'.

28. The City Centre Company have also commented and have supported the proposal, noting it will “bring much needed residential accommodation into the city centre. We believe this application, by a developer with a track record in the sensitive conversion of historic buildings, will bring new life to the city centre and improve its economic viability.”

29. JLP policy PLY6 relates to ‘Improving Plymouth's city centre’. The application is considered to comply with this policy through the following criteria as listed in the policy:

30. Criteria 1. This application will introduce residential within the city centre, proposes active ground floor uses and main town centre uses and will bring a very prominent vacant listed building back into use. This will capitalise and strengthen the city centre role as regional centre.

31. Criteria 2. The conversion and re-use of this prominent listed building which forms a key part of the Abercrombie Plan, is considered to respect and celebrate the mid-twentieth century built heritage, including the Beaux Arts grid of the 1943 Abercrombie Plan.

32. Criteria 3. This proposal, whilst not a new build development, will help to reinforce the primacy of Armada Way through enhancing the Civic Centre which fronts onto Armada Way.

33. Criteria 4, 5 and 7. The mixed use proposal includes a diversity of uses, including making best use of Armada Way through creating a vibrant destination and helping to create a new residential community.

34. Criteria 6. The application is not considered to have a negative impact upon the West End Independent Quarter.

35. Criteria 8. The A3, A4 and A5 uses will contribute towards a diverse and active evening and night time economy.

36. Criteria 9. Whilst the application does not deliver a new high quality public car park, the application retains the existing surface level public car park and is located adjacent to the strategically located Theatre Royal car park.

37. Criteria 10. The site will facilitate easier movement within the city centre as it includes new pedestrian links to the Theatre Royal. It is located adjacent to Armada Way, and improvements to the public realm will help to enhance and reconnect the city centre route to the Hoe.

38. Criteria 11. The proposal supports the delivery of a coordinated programme of investment in the public realm through the proposed public realm works and coordination with the Better Places public realm project.

39. Criteria 12. The proposals are considered to be resilient and to respond to the challenges of climate change through attenuation to improve the drainage infrastructure and also providing future connections to district heat networks.

40. PLY21 ‘Supporting the visitor economy’ supports proposals to protect and deliver growth for Plymouth's visitor economy, in its core tourism areas which includes the city centre. It is considered that the proposal complies with this policy. The proposed mixed use commercial, public realm improvements and improved links through the site, will help to support the use of the city centre for events, and has the potential to support business and tourism within the city centre. It will re-enliven a key connection between the city centre and the Hoe. It is also considered that the visual impact of

the conversion and bringing the building back into use, will have a substantial impact upon the appearance and vibrancy of the city centre.

41. PLY22 'Cultural Quarters' supports cultural development proposals in three cultural hubs. One of these hubs, the city centre hub, includes Royal Parade. This application includes DI provision for art galleries. In addition the scheme which provides links to the Theatre Royal and food and drink uses, has the potential to support this area as a vibrant cultural quarter.

42. Notwithstanding the detailed heritage considerations below, the principle of development is considered to be acceptable. In addition, the proposal is considered to have a positive impact upon the city centre, in accordance with SPT5, SPT6, PLY1, PLY2, PLY6, PLY21, PLY22, DEV16 and DEV18.

43. Heritage – Listed Building

This application proposes works to a Grade II listed building. As the NPPF places great weight on the conservation of heritage assets, this should be given considerable importance and weight. Consideration is also given to JLP policy DEV 21 'Development affecting the historic environment' and SPT11 'Strategic approach to the historic environment'. There is a duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a listed building or its setting to 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. The works to the listed building are reviewed below. The assessment below has been informed by the comprehensive heritage statement submitted with the application.

44. As a procedural point, the 20th Century Society has objected to the associated listed building application. These comments are addressed in this report.

45. Structural

A structural statement has been submitted with this application, this states that the externally exposed reinforced concrete structure is in a poor condition. Detailed inspections have been carried which has identified the amount of corrosion, caused by chlorine attack, and has proposed a programme of targeted reinforcement repairs including localised strengthening in certain areas.

46. Tower - Tower Use

Historic England (HE) have acknowledged that converting the tower to residential will give rise to a level of harm to the historical significance of the building, as it will lose its intended civic function. However it is also acknowledged that by bringing residential into the city centre this will have a positive impact by bringing new life into the city centre, and potentially changing attitudes towards post war heritage.

47. Tower - Internal works to tower

Internally, each floor is proposed to be divided into residential units (13 to 15 units on each floor). The subdivision of the previously open plan offices will change the character of the listed building. HE have not raised any concerns with regard to the internal subdivision and have stated "The open-plan former office spaces within the tower and North block are of very little interest and can easily be subdivided for new uses with no impact on significance." In addition the C20th Society support this aspect of the proposal. It is considered that the works to convert the tower to residential will not harm the significance of the listed building.

48. Tower - Loss of existing east and west façades

The most significant intervention to the tower is the new cladding and window elements, e.g. the façade design, on the east and west elevation. Following inspections and surveys, it is stated that the

single glazed units and concrete cladding panels are beyond their original design life and in need of replacement. This is accepted by Historic England, who have confirmed that the need to replace the east and west elevations was confirmed in a specialist report they commissioned in 2007. The C20th Society have also not objected in principle to the loss of the existing façade.

49. The loss of the two existing elevation façades will represent a significant loss of historic fabric. As well as the glazing, the concrete and Portland stone mullions are also proposed to be replaced. However HE has advised that they consider “the significance of the façades lies more in their design than their actual fabric.” NPPF para 194 states that any harm or loss of significance to a heritage asset requires clear and convincing justification and that substantial harm or loss of grade II listed buildings should be exceptional. It is considered that the loss of the façades have been justified through surveys of the building. It is acknowledged this is very much an exceptional circumstance where the total replacement of two façades of a listed building is considered acceptable by HE, C20th Society and the LPA HEO. In this case it has been accepted, and therefore the key consideration is the design of the replacement façades.

50. Tower - Proposed replacement of east and west façades

The proposed replacement façades are not like for like replacements. The proposed replacement scheme is full-height floor to ceiling glazing. This will include a high level transom, a central mullion and recessed top lights, all of which seeks to reflect an element of the original design. The vertical pilasters and spandrel panels between floors will be clad in fibre cement panels to try and reflect the texture and colour of the original design. The new glazing will be double glazed.

51. The proposed replacement façade design was a key area of negotiation in the pre-application process, and the current proposal is the result of this negotiation. HE have considered whether the façades should be replicas of the existing and have concluded that “we think it is appropriate for the new façade system to reference the existing, but not slavishly copy it.” The new cladding panels are smaller in depth than the original panels but will still provide an opportunity to reinstate the Fibonacci sequence (explained further in para 58 below). The “clerestorey” window (high section of wall that contains windows above eye level)/top lights of the glazing will be recessed from the main glazing façade. This will provide some depth, and HE states this will recreate some of the characteristic relief of the original façade.

52. The C20th Society have objected to the proposed façade design. They have stated that the need to replace the existing glazing is not justification to introduce floor to ceiling glazing and to depart from the original design. The C20th Society consider the existing proportions and materials give a sense of rhythm and textural detail to the tower. They consider that the proposals to change the design, including the increased height of glazing, the reduction in depth of the spandrel panels, introducing bronze coloured frames and reducing the depth of the set back of the top lights, will result in “substantial harm to the buildings architectural and historic significance.” The C20th Society go on to state these changes will have a far reaching impact due to the buildings prominence within the city, and that “Departure from original design concepts and materials that identify the building’s age, purpose and quality will harm its historic value as evidence of the ambition and investment of the City Council in their plan for Plymouth’s reconstruction following WWII.”

53. It is considered that the loss of the existing façades and proposed replacement will result in harm. In accordance with the NPPF, it is required to determine whether the works will result in substantial harm or less than substantial harm, and then apply the relevant tests. The C20th Society consider the proposal to result in substantial harm, therefore para 195 of the NPPF will apply.

54. Paragraph 195 states “Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse

consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.”

55. HE consider that the works are less than substantial harm, and therefore para 196 applies: “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

56. In order to address C20th Society objection to the facade, their comments are broken down below with consideration given to their areas of concern.

57. *Façade design – Proportions*

The C20th Society object to the departure “from the architects original design intentions” e.g. the increased height of glazing and reduction in depth of spandrel panels. In terms of the full height glazing, the Councils Urban Designer has confirmed that the original design intention by Hector Stirling was full height glazing, and therefore it could be considered that the proposal is more in keeping with the architects original design intentions. Notwithstanding this, it is considered that the change in proportions will have a harmful impact upon the significance of the building.

58. *Façade design – Materials*

The granite spandrel panels are a key feature of the façade. The list description states “The green granite panels below the windows are also modulated with a slight variation of colour and arranged in a series in a Fibonacci system of harmonic proportions which was intended to symbolise the diversity of activities within the building and alleviate the monotony of what otherwise is a uniform façade.” The Old Plymouth Society’s book on the Civic Centre defines the Fibonacci sequence as “a series of numbers that is related to the golden ratio and in which each number is the sum of the two proceeding numbers”. HE state in their comments that the Fibonacci pattern was intended to symbolise the diversity of activities within the building. It is proposed to reinstate the variation of the colour of cladding to reinstate the Fibonacci sequencing pattern. This is considered to enhance and better reveal the significance of the building, as the pattern is not currently obvious and has faded due to weathering over the years.

59. As noted above HE considers the design to have more significance than the fabric of the building. It is noted that the proposed cladding material will not be able to be granite aggregate panels as per the existing, due to structural constraints. It is suggested by the applicants that the fibre cement cladding is the only viable alternative that complies with post Grenfell requirements. Building Control advise that residential buildings over 18m should be made of non combustible materials. In principle fibre cement is a non-combustible material, however Building Control will need further details to agree the exact material including manufacturers specification, proposed insulation and how it will be installed and affixed. This will need to be reviewed through the Building Control process. HE have recommended a condition to request and agree the cladding material, and this has been included within the proposed detailed design and external materials condition, as well as the listed building consent.

60. The glazing is proposed to be bronze coloured marine grade powder coated aluminium frames. The existing window units are metal windows. The C20th Society’s comments appears to object to the colour, as opposed to the material. The change in colour will impact upon the

appearance of the building, but it is not considered that the proposed bronze coloured frames will result in harm to the significance of the listed building.

61. Façade design – Depth

The C20th Society have objected to the reduction in the depth of the set back of the top lights/clerestory. Discussions at pre-application stage with HE clarified the need to retain the depth within the façade to retain some of the towers detailing. The proposed façade sets back the top lights by approx 250mm. This is a reduced amount than the existing, but it is considered it will achieve a similar visual impact. The proposed façade will have varying planes of depth, including the new glazing and cladding, the recessed top light, and the projecting new pilasters. The existing projecting concrete surround is proposed to be retained and repaired. It is considered that the new façade proposes a variation in depth, which respects a feature of the existing façade, and therefore of significance.

62. Façade conclusion

The proposed replacement façade design will have a significant impact upon the appearance of the building. Key elements of the façade design are retained, including glazing with a central mullion and recessed top lights, vertical pilasters and spandrel/cladding panels. These elements also seek to reflect the different depths of the existing façade. The proposed cladding panels are proposed to reflect the Fibonacci design. Through the retention of these key features in the new design, it is considered the overall appearance of the new façade will respect the existing special character of the listed building. The overall appearance will retain the repetition of the existing façade but with variations and detail within this repetition.

63. It is also considered that the façade design is not trying to imitate the existing façade. It is clearly a modern intervention and therefore not trying to be a pastiche/copy of the existing.

64. Notwithstanding this, there will be a level of harm caused by the new façade. On the basis of para 50 to 61 above, by seeking to retain key elements of the existing façade, albeit in different proportions, these will help to mitigate the harm caused. In addition, it is considered that much of the tower's significance comes from its landmark location and height, and the butterfly roof design, which remain unchanged as part of this application. On this basis it is considered that the new façade will result in less than substantial harm. This conclusion is consistent with the consultation response from HE.

65. Conditions are proposed to deal with the detail of the new façade design. This includes a condition HE have recommended, requiring material samples of the proposed transom panels to be approved prior to construction commencing.

66. Roof Area works

The roof area, including existing glazed pavilion is proposed to be retained and proposed for a communal roof terrace and resident's lounge. The glazed pavilion is proposed to be refurbished, with the existing glazing system retained and refurbished. There will be some minor external works including installation of glazed double doors and internal works to create the dining room and winter garden. The existing stair core will be retained and painted grey. The existing steel balustrade will be retained and timber balustrade is to be replaced. The existing concrete floor is proposed to be retained and repaired. All these works are considered to preserve the character and appearance of the listed building. One of the key features of architectural interest is the yellow gull wing roof. This will be retained and repaired.

67. The application proposes two illuminated 'Civic' signs on the roof, on the east and west elevation. This is not specifically referred to in either HE or C20th Society comments. The Urban Design comments have commented that the signage is considered an unnecessary accent feature

which clutters the roof space and obscures and distracts from the gull-wing roof and which should remain the distinctive accent feature in its own right. The Historic Environment Officer has also stated that “the addition of lettering atop the Civic building is a superfluous and unnecessary embellishment to this listed building.” The removal of the signage was requested on this basis however in discussion with the applicant it was stated that the signage is proposed in order to signal a new life of the building. It is considered that the roof signage would give rise to less than substantial harm to the listed building and adds visual interest and as such on balance is considered acceptable. Consideration is also given to its reversibility, as they would be able to be removed without harm to the structure of the building.

68. Currently there are various pieces of telecommunication equipment on the roof. HE have requested that the equipment should either be removed or relocated out of sight, to restore the original streamlined aesthetic of the building. As the equipment is in use as base station serving Plymouth, the design condition asks for final details of telecommunication equipment, and a more detailed condition on the listed building consent as per the HE request.

69. Roof area - Public access

Public access to the roof for open days, including heritage open days will be secured through a S106 Planning Obligation. This addresses one of HE’s request for a condition which is for public access to the rooftop area which guarantees access on at least two weekends per year, one of which will coincide with the National Heritage Open Days. The S106 secures 12 days a year public access, including a heritage open day. The principle of access to the roof is also supported by the Council’s Urban Designer. The design and access statement states that: “public open days to be held each year during which escorted groups will be given the opportunity to experience the drama of these spaces.” A roof terrace management strategy condition is recommended which will include the requirement to agree the detail of the public access.

70. Ground Floor - Demolition of glazed enclosure/reception

The undercroft glazing that forms the reception area will be demolished. This will create an area of open space under the tower of the building, creating a new central square. The undercroft glazing dates from the 1980s. HE support this aspect of the proposals and state it will “increase dramatic visual effect of the tower”. C20th Society also support the public access to the undercroft and plaza.

71. One of the features of this area is the original terrazzo floor treatment under the carpet tiles. This treatment will be exposed, but treated with a resin bonded finish to ensure it is protected and preserved. The first floor internal balcony slab will be retained and extended, with the balcony edge extended by 2m. A new timber deck will be laid on top of the existing and new balustrading is proposed. The use of this space will be for events and the tenants of the first floor commercial units. The plans indicate outside seating. Concrete columns will be will exposed and repaired.

72. Overall, the works of the demolition of the later glazing, and exposing and repairs of the terrazzo floor, will better reveal the significance of the listed building. With the provision of conditions ensuring protection of the terrazzo floor, it is considered that these works do not have a harmful impact upon the significance of the listed building.

73. Demolition of west extension

A two storey extension that runs along the west elevation of the building is proposed to be demolished. This is accommodation located the rear of the reception area/adjacent to the car park and encloses the reception area. By removing this later extension, it is considered that this will better reveal the original proportions of the building and therefore enhances the significance of the listed building. It is noted HE and C20th Society do not specifically comment upon this element of the scheme.

74. North block works

The north block consists of the ground and first floor accommodation to the north of the tower and adjacent to Royal Parade. This area is proposed for the mix of commercial uses as outlined previously.

75. Internally, a new lift and stair core is proposed to be created at the east end of the building. The existing central stair core is retained with a new lift installed. The first floor is already largely open plan due to a previous application, however there are some further removal of internal partitions, including original masonry on both the ground and first floor.

76. On the north/Royal Parade elevation, the existing glazing and aluminium curtain walling will be retained, although the lower spandrel panels will be replaced with clear glazing. The concrete panels will be made good, and concrete block painted grey. The east/Armada Way elevation proposes new double height glazing. The existing pre cast concrete will be made good and cleaned. The south/new civic square elevation will largely be a new elevation, consisting of a glazed façade within existing mullions at the first floor level, and a new aluminium glazed system at the ground floor. The existing murano glass columns are proposed to be retained and repaired where necessary.

77. Overall, the works to the north block are considered to be sensitive in nature. The introduction of glazing will impact upon the appearance of the building, however this is not considered to give rise to any harm.

78. South block works

The south block consists of the ground and first floor accommodation to the south of the main tower which incorporates the previous staff entrance to the building and the first floor links across to the council house. This area is proposed for the mix of commercial uses as outlined previously, as well as the access to the residential units.

79. The existing lift core and south block stairs are retained. There is a new ramped access to new entrance lobby doors and glazing on the south elevation, as well as retaining the existing timber glazing system. Internally, works are proposed to remove internal partitions, including original masonry. At the first floor there are number of offices with timber panelling, which are proposed to be removed.

80. On the east/Armada Way elevation the delabole slate panels are proposed to be retained and repaired at the ground floor level. At the first floor, which includes the bridge link across to the Council House, the existing glazing is proposed to be retained and repaired. The north elevation/new civic square elevation proposes new aluminium glazing system at the ground floor. As per the north block, the existing murano glass columns are proposed to be retained and repaired where necessary. At the first level there are some new glazed openings, combined with the re-use of existing aggregate panels proposed to be painted grey. The existing south elevation proposes to retain and repair the delabole slate panels as well as an area of aluminium glazing where one corner where the 1980s extension is proposed to be demolished. At the first floor, which includes the bridge link across to the Council House, the existing glazing is proposed to be retained and repaired. At the first floor, the internal courtyard elevation proposes to retain and repair the existing glazing system, and glazing the lower panel. Ventilation and extraction for the commercial uses is proposed to be incorporated into plant compounds proposed on the roof of the north and south blocks. These are proposed to be screened by dark grey mesh.

81. The most significant intervention to the south block is the glazed extension. The extension is proposed at the ground floor to the west of the south block, extends towards the council house and partially encloses the courtyard and pool. The design of the extension is proposed to be lightweight with full height glazing. In support of the proposal it is suggested that the extension will create some

activity in the courtyard whilst also providing some shelter when accessing the residential or commercial units.

82. The C20th Society has objected to this extension as it is considered it will block views through the undercroft space and reduce the sense of openness, characteristics of Jellicoe's design. HE state that "the glazed pavilion will terminate the southern undercroft in a logical manner, with a form of construction that is recognisably new and reversible; should the development of the adjacent car park ever proceed and it then becomes desirable for the southern undercroft to become more visually permeable."

83. The submitted heritage statement justifies the extension with the following comment "while there is nothing intrinsically sacrosanct about the design of the courtyard, the extension – despite its transparency – will partly close off the open space within the complex from the Civic Square, affecting their designed continuity and connectivity". On this basis, it is considered that there will be harm resulting from the extension, however it is considered that this will give rise to less than substantial harm.

84. Heritage – Council House

The Council House forms part of the same listed building, although now separated from the Civic Centre in terms of use, and not included within the application site. On this basis, the impact is considered in terms of the impact on the building itself and its setting. The works of repair to the link bridges and proposed elevational treatment are not considered to harm the significance of the Council House. The proposed glazed extension extends towards the Council House and therefore has more potential to impact upon the setting. The form and size of the extension is such that it does not encroach any further than the edge of the pool. It is considered that these proportions and the lightweight design help to mitigate the impact of the extension. Notwithstanding this, it is considered that this will give rise to less than substantial harm to the listed Council House, through the partial enclosure of the currently open space.

85. Heritage – Setting of Listed Buildings

The Guildhall is a Grade II listed building located to the east of the Civic Centre. The works to the Civic Centre are not considered to harm the significance of the setting of this listed building. The landscape works are considered to have a minor impact which improves the setting of this listed building.

86. The Theatre Royal is a Grade II listed building located to the west of the Civic Centre. The works to the Civic Centre are not considered to harm the significance of the setting of this listed building. The works to remove the harmful 1980s extension and changes to the west elevation of the Civic Centre including the proposed staircase link are considered to improve the setting of this listed building.

87. The Bank public house and clock tower are Grade II listed buildings located to the west of the Civic Centre. The works to the Civic Centre are not considered to harm the setting or significance of these listed buildings.

88. 22, 23 and 24 Lockyer Street are Grade II listed buildings located to the south west of the Civic Centre. The works to the Civic Centre are not considered to harm the setting or significance of these listed buildings.

89. The Former Barclays Bank building is a Grade II listed building located to the southeast of the Civic Centre. The works to the Civic Centre are not considered to harm the setting or significance of these listed buildings.

90. Heritage – Changes to and Setting of Listed Park and Garden

The application site includes part of the Civic Square which is a listed park and garden. This area includes the pool that sits between the Civic Centre and Council House. Works are proposed to this pool, by raising the bed to decrease the depth with a new reflective stone finish in order to increase the intended reflective nature of this pool. In addition stepping stone slabs will be added to create additional access to the residential and commercial uses. Existing finishes such as the raised planter, east lawn and cobbles will be retained. These works are considered to enhance the significance of the listed park and garden.

91. The glazed extension is located within the listed park and garden, and will encroach into the open space between the Civic Centre building and Council House, and will give rise to less than substantial harm.

92. The listed park and garden includes the Civic Square to the east of the Civic Centre. Whilst this is not included as part of the application site, the setting needs to be considered. The works as detailed above and the creation of a new area of public realm beneath the tower of the Civic Centre is considered to enhance the setting of the Civic Square.

93. The Gardens Trust are statutory consultees and have advised they are “happy to support the proposals.”

94. HE have commented that it is regrettable that works to enhance the wider Civic Square are not included as part of these proposals, but understand these works will come under PCC Better Places initiative. The landscape condition will ensure details are consistent with the Better Places scheme, when this is delivered.

95. Overall, it is considered that the modest level of harm to the significance of the park and garden through the glazed extension, is outweighed by the improvements to the reflective pool which will enhance the features of special architectural interest.

96. Heritage – Conservation Areas

There is a duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the preservation or enhancement of the character of the surrounding conservation area. During the course of this application, a city centre conservation area has been designated, which includes the Civic Centre. The conservation area is centred around Royal Parade and the Civic Square. There is no Conservation Area Appraisal and Management Plan to inform this consideration as required by JLP policy DEV21, but the following is based upon the “designation assessment” that was produced to enable the designation of the conservation area. The conservation area is focused on the post war development as part of the ‘Plan for Plymouth’ and the Civic Centre is a key part of this significance. The beaux arts grid is another element of significance. It is considered that the proposal for conversion of a highly significant building, which respects the current layout of the conservation area is considered to preserve and enhance the character and appearance of the conservation area.

97. The proposed elevational changes to the Civic Centre will give rise to harm upon the character of the conservation area. It is considered that as the proposal will be deviating from the original appearance of a highly prominent building, it will not preserve the character of the conservation area. The proposed residential use of the building also deviates away from the originally planned use, which formed part of the zoning and another element of character of the ‘Plan for Plymouth’.

98. Overall, the harm to the conservation area is considered to be less than substantial and the benefits of securing a new use to the building, landscape improvements and improved public access is considered to outweigh the harm.

99. The Hoe Conservation Area is located to the south of the application site, and the Barbican Conservation Area is located to the south east of the application site. Given the height of the Civic Centre, the elevational changes will have a minor impact upon the appearance of these conservation areas. However, as post war design is not a key element of significance of these designated conservation areas, the changes to the elevation of the Civic Centre is not considered to have a harmful impact upon these conservation areas. The character and appearance of these conservation areas are considered to be preserved and therefore complies with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

100. Heritage – Conclusion

To summarise the assessment above, the following works are considered to constitute less than substantial harm:

- Loss of Civic use. Harm is mitigated through the introduction of new uses which will help to secure the future use of the civic centre
- Loss, replacement and design of east and west façades. Harm is mitigated through the retention of key features of the existing design (glazing, variation in depth, Fibonacci pattern within cladding)
- Civic sign on roof. Harm is mitigated through its reversible nature.
- Glazed extension to south block. Harm is mitigated through the proposed lightweight glazed design

Overall it is considered that the proposal will result in less than substantial harm to the listed Civic Centre and Council House.

101. Therefore NPPF para 196 applies:

196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

102. The building has been vacant for a number of years and its condition has deteriorated in that time. It is a prominent building in the city centre, and its condition and vacancy has a negative impact upon the city centre. Securing the optimum viable use is therefore a key consideration, as per the above paragraph of the NPPF. The NPPG states “Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised”. HE have stated that “In respect of these proposals, Historic England are of the view that the applicant has demonstrated that the harm to the building has indeed been minimised. The proposals will provide a use that is viable and will lead to the investment in the Civic that is necessary for its long-term conservation.”

103. Whilst the viability of the proposals is still uncertain, it is considered that the proposals represent an opportunity in securing optimum viable future uses for the Civic Centre. In addition, by bringing the building back into use, there are a number of public benefits including:

- Public access , including access days to the roof, and access at the lower levels for the commercial uses in accordance with PLY15
- Creation of new public realm and improvement to existing public realm including tree planting and biodiversity enhancements in accordance with PLY6, PLY15 and DEV26
- New staircase link to Theatre Royal in accordance with PLY6, DEV20, DEV29

- Vibrant uses at the ground and first floor which will enhance the vibrancy and vitality of the city centre in accordance with PLY6, PLY15, DEV20
- Delivery of city centre housing and associated benefits to the city centre in accordance with PLY6, PLY15, DEV10
- Provision of space for an energy centre and safeguarding for future connection to the district heat network in accordance with PLY6 and DEV32

104. In accordance with DEV21, it is considered that there has reasonable efforts to find new uses and to mitigate the extent of harm. By securing new uses for this building it is also considered that this proposal complies with the NPPF (para 193) which states great weight should be given to the assets conservation. It is considered that the proposal also complies with SPT11, which gives support for heritage led regeneration and requiring development to make a positive contribution to local character.

105. Para 192 of the NPPF directs LPA's in determining planning applications to take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- The positive contribution that conservation of heritage assets can make to sustainable communities including economic viability and
- The desirability of new development making a positive contribution to local character and distinctiveness.

106. Reflecting on the above, it is considered that this proposal will help to enhance the significance of the heritage asset, through removal of later extensions, reinstating Fibonacci pattern, repair works and improvements to the listed park and garden. Whilst securing viable uses for this building is a challenge it is considered that the proposal is an important opportunity to secure the future use of the building. The proposed uses are considered to make a positive contribution to the city centre, including the creation of a sustainable community. By bringing this landmark building back into use, this is considered to support economic viability of the city centre and will positively contribute towards local character and distinctiveness.

107. As previously noted, there is a duty under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a listed building or its setting to 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. Paragraphs 43 to 106 above evidence the special regard of all the relevant heritage assets, and the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

108. Consideration has been given to relevant case law in relation to listed buildings and heritage issues when determining planning applications, these include the notable Barnwell case and those later cases which followed on from Barnwell, such as Mordue and Tower Hamlets as well as several others. This advises that desirability of preserving the settings of listed buildings should not simply be given careful consideration but "considerable importance and weight" when carrying out the balancing exercise. It is considered that the NPPF policy considerations with regard to harm have been applied appropriately, arriving at less than substantial harm and justification on this basis (para 196). The application is considered to comply with SPT11 and DEV21 of the Joint Local Plan.

109. Design

The Council's Urban Designer has commented on this scheme, which is summarised above, and also referenced under the heritage considerations above where relevant. Support is given to the principle of the proposals and significant elements of the scheme. The amount of active ground floor frontage

is addressed in para 13 above. This section will focus on areas where queries have been raised by the Urban Designer.

110. The key area of consideration raised by the Urban Designer is in relation to safeguarding the future development of the car park site. As noted above, PLY15 includes provision for new build development on the car park site. On this basis an indicative plan has been provided within the Design and Access statement. The Urban Designer has raised concerns with this plan, however it is important to note that this plan does not form part of the planning application at this stage. It has been submitted to show that the car park site could be developed at a later date.

111. The main consideration of the proposal and impact upon the future development, is the use of the public car park. The concern raised by the Urban Designer is that there is a risk that the current scheme would create a reliance on the car park as residential and commercial uses, visitors and staff come to depend upon it and this dependence could create a disincentive to deliver development on the car park. The Urban Designer recommends that sufficient land should be set aside as part of this scheme now, to enable future development to be delivered in a successful way.

112. The residential parking is proposed within the basement of the Civic Centre, and therefore should not impact upon the future ability to deliver the car park site, subject to providing suitable access. Whilst it would be preferable to set aside the future development plot, it is not considered that the continued use as a public car park will prevent the future delivery of this plot. A condition can be recommended to ensure that the open car park remains unallocated to residents or occupants of the building and that no changes are made to the car park or building which prejudice the future redevelopment potential of the car park.

113. The other area of consideration is the west elevation of the podium deck, including garage and service doors which front onto the Theatre Royal. This is not considered ideal in urban design terms. However consideration is given to the fact that this elevation will be improved through the removal of the 1980s extension and the installation of the steps and slide and therefore there is no objection to this elevation design.

114. DEV20 requires using materials and design solutions that are resilient to their context and to endure over time. The Urban Designers comment relating to polyester powder coatings proposed for windows mainly relates to their durability within the marine context. It is noted that the windows are proposed to be marine grade. A condition is recommended to deal with maintenance of the building, and would address this comment. This condition also addresses the Urban Designers comment with regard to the areas proposed to be painted. Further conditions are recommended in relation to details of the materials and finishes and coatings, the prevention of further roof equipment and prevention of window vinyl's on the building's active frontages. This will support the application in complying with DEV20, by ensuring materials are resilient to context and will endure over time.

115. Through the conversion of the listed building, retention of trees and enhancement of the listed park and garden, it is considered that the development has had proper regard to the pattern of local development and achieves a good quality sense of place. It is also considered that the works to enhance the building and public realm will contribute towards rectifying and repairing the townscape.

116. During the course of the process a microclimatic study has been requested in order to assess the effect of the wind speeds resulting from the various demolitions upon the new Civic Square. This has the potential to impact upon pedestrians at ground floor level. In response to this concern, a study has not been produced, however a statement has been submitted suggesting that any prevailing wind would be sheltered by Theatre Royal and car park, the retention of a balcony and new structures in the public realm will help to dissipate any wind force through this area and the size of

the new aperture will a larger 8m high space which should prevent any funnelling effect. The statement commits to monitoring the situation. As this does not fully address officers concerns a condition is recommend to ensure any issues are dealt with on site, including a review pre-occupation/post demolition of the undercroft.

117. DEV20 'Place shaping and the quality of the built environment' is applicable. It is considered the scheme will contribute towards a quality sense of place and character through the use of the listed building, listed park and garden and surrounding landscape (criteria 3). The works to improve the reflective pool is considered to repair part of the damaged environment (criteria 7). It will enhance the appearance of a key gateway location at the heart of the city centre (criteria 8). Overall, the proposal is considered to comply with DEV20. It is also considered that the application complies with the National Design Guide.

118. Designing Out Crime

The Design and Access Statement includes a statement on secure by design. The key considerations are that the site will have plenty of natural surveillance due to layout, design and the mixed use nature of development. There will be outside lighting, secure cycle parking, refuse storage and a building management company on site. The residential will have secure by design entrance doors and remote camera access on communal areas.

119. The Designing Out Crime Officer has supported this application. The only recommendation is in relation to the proposed roller shutter doors to the undercroft car park, which should meet certain security standards. It is proposed to deal with this detail through a planning condition. The application is considered to comply with DEV10 and DEV20 through the consideration of designing out crime within the scheme.

120. Landscape

The proposal includes the creation of a new area of public realm, through the removal of the undercroft of the reception area and 1980s extension. The plans refer to this as the New Civic Square. This area is proposed to be hard landscaped, with large areas of outside seating and trees planted in planters. Due to the change in levels, there is a stepped and ramped access from the existing Civic Square. This area will then act as a main point of access to the commercial units.

121. The materials proposed for the new Civic Square are a mix of new concrete paving and new granite paving as an alternative paving type to treat the areas around the trees and seating areas. Along the east elevation the material has not been clarified in order to leave flexibility so it can be reviewed and agreed in line with the Better Places scheme. There is no objection to this approach, which is dealt with by the proposed landscape condition. This condition along with the phasing condition, will also address Historic England's comments which advise phasing needs to be considered. For clarity the Better Places scheme is a council initiative to renew and rejuvenating open spaces and pedestrian areas within the city centre, including the Civic Square.

122. As noted previously, the terrazzo floor will be retained under a resin finish. The material proposed between the Council House and south block is stated to be refurbishment and the reuse of existing surface treatment.

123. The landscape scheme will involve the loss of 4 trees to the east of the Civic Centre. A tree survey has been submitted in support of this application. This identifies the trees to be removed as Cherry tree group (two trees) and Norway Maple as Category C trees which means trees of low quality and value. The other trees to be removed, a Turkey Oak and Roble Beech, are noted a category U which are in such a poor condition that they cannot be retained. On this basis there is no objection to the loss of these trees which are not of sufficient quality or longevity for retention.

124. Notwithstanding this, mitigation is required for the loss of these trees in terms of biodiversity, which is detailed later in this report. This mitigation has resulted in 4 trees proposed to be planted to the north of the application site along the Royal Parade elevation. All other trees, including those along Royal Parade are proposed to be retained. The landscape plan refers to pollarding, and conditions are recommended to agree any tree works and to protect trees during construction.

125. In addition 20 trees are proposed to be planted within the hard landscape within planters. The maintenance of these trees will be important to ensure they are retained. A landscape management plan condition and condition requiring the retention of these trees is recommended on this basis.

126. The landscape works between the Council House and south block are largely enhancing the features that are there, including the reflective pool, refurbishing the planter and grassed area. Details have not been provided of the steps across the pool which is proposed to be dealt with by condition.

127. The car park is proposed to be retained, albeit with new markings as required. The planter that runs around the edge of the site is proposed to be retained. The new stair case and slide will require some alteration to the existing planters.

128. Overall, it is considered that with the provision of conditions, the landscape scheme complies with DEV20 (5), DEV23 Landscape Character and DEV28 Trees woodlands and hedgerows.

129. Amenity

Future residents

The proposed units are considered to have sufficient daylight, sunlight and outlook. Whilst there are a number of single aspect units, the increased amount of glazing serving these units is considered to allow for sufficient levels of sun and day light. There will be no significant issues of overshadowing affecting these units. The development will be fully accessible for residents, including the roof terrace.

130. One of the considerations of DEVI 'Protecting Health and Amenity' requires that new development provides for the protection from noise disturbance for new residents. DEV 2 'Air, water, soil, noise, land and light' states development should avoid harmful environmental impacts for new development arising from noise pollution. An acoustic report has been submitted with this application and Public Protection Service (PPS) consulted on this basis. PPS have reviewed this report and are in agreement with its conclusion. PPS requested a condition requiring the units to be constructed to a British Standard (BS) that focuses on sound insulation against externally generated noise. However this condition was rejected by the applicants as it is stated the development cannot be delivered in accordance with the BS criteria which is assessed in more detailed below.

131. The BS relates to externally generated noise. The acoustic report indicates that the prevailing noise from outside the building is at a level which means the development needs to include mitigation. The required amount of sound insulation can be achieved through an enhanced glazing specification. This means that the BS can be met with the windows shut.

132. However, the proposal does not include ventilation to address the overheating of the residential units, and it is proposed this would be addressed through opening windows. This subsequently means that the noise impact with open windows needs to be assessed, and it is in this instance that the development does not meet the BS. The noise impact from outside will mean that on days requiring an open window, residents are likely be subject to a noise impact above the BS level.

133. It is stated in support of the application that if you average the noise over a year, then the noise levels are in line with the relaxed BS noise criteria. PPS do not agree to this approach. PPS note that residents will need to choose between the need for ventilation to address overheating and noise impact from outside.

134. The reason ventilation has not been incorporated into the residential scheme is stated partly to be due to heritage considerations, and restricting any further changes to the elevation. It is further suggested that ventilating internally, means ventilation ducts must rise to roof level which would have limited duct sizes and therefore would not enable the required ventilation rates.

135. It is acknowledged that the proposed façade is highly sensitive in terms of its character and there will be significant challenges in agreeing further changes to this. However it is considered that there is potential scope for addressing ventilation to serve the residential units, in order to mitigate the noise impact from outside. A ventilation strategy condition is recommended on this basis. The BS condition is also recommended, however this also includes the ability to agree different noise levels, as it cannot be guaranteed that ventilation can be incorporated into the scheme. PPS retain their objection to the scheme on this basis. Should ventilation not be achieved, a balanced judgement would need to be made by the Local Planning Authority, balancing the heritage considerations with the noise impact.

136. There is also the potential for impact upon amenity from the commercial units below, such as the A3 (café/restaurants), A4 (drinking establishments) and A5 (takeaway) uses. DEVI8 (criteria 5) requires that A4 and A5 uses will not be permitted where they result in unacceptable noise, smell, litter, disturbance or other detrimental impacts. On this basis a number of conditions have been proposed including a commercial development plan, to include hours of opening. In addition, a condition is also recommended to restrict the total amount of A5 floor space. The principle of a mixed use scheme is considered acceptable in a city centre location. It is not considered that these uses will give rise to a detrimental impact on the character and appearance of the area, and the proposal is considered to comply with DEVI8 on this basis.

137. A ventilation and extract statement has been submitted with this application. This confirms provision has been made for dedicated kitchen exhaust systems on the roof to the podium to serve the proposed restaurant units. This proposes horizontal ventilation away from the building and openable windows. It confirms that future tenants will be responsible for providing the final fit out. A condition is recommended to require development in accordance with this statement, and the commercial development plan condition requires details of the ventilation and extraction. On this basis, it is considered that there will not be an amenity issue posed by ventilation and extract from the commercial uses.

138. It should be noted that as this is a city centre location, there is the potential for noise impacts and there should be a level of expectation living in the city centre of the potential for noise due to the vibrancy of the city centre. DEVI states that unacceptable impacts will be judged against the level of amenity generally in the locality. It is considered that within the context of the city centre, the impact from external noise will be mitigated to an acceptable level and is therefore considered to be in accordance with DEVI and DEV2 of the JLP.

139. In terms of internal amenity space, there are further considerations relating to national space standards, however in the context of DEVI and DEV2 the proposal is considered to provide an acceptable level of amenity.

140. *Impact upon Amenity*

There are no residential units within close proximity of the site that could be affected by the development, in terms of overlooking. The closest residential accommodation is student accommodation along Royal Parade, which is over 50m to the north. These distances are considered to be sufficient to prevent any unacceptable impacts upon amenity.

141. The proposal is not considered to give rise to any issues of overshadowing, as the nature of the proposal for the conversion of an existing building will not give rise to any increase in overshadowing or other loss of light.

142. The proposal is not considered to impact upon amenity of neighbouring properties and therefore considered to comply with DEV 1 Protecting health and amenity.

143. Suicide prevention

Public Health have commented on this application, and raised concern with regard to suicide prevention. The use of the roof space as communal amenity space is considered by Public Health as a public space, given the use of the space could be used by various occupants of the building and any invited friends/family at the same time. On this basis, they have raised concern at the potential for suicide from the roof space, and recommended restrictions which included a 2.5m high barrier.

144. The current steel balustrade is 1.3m which is proposed to be retained, albeit with a replacement timber barrier. The installation of 2.5m barrier is considered to conflict with the heritage considerations of the building, and would have a harmful impact upon the appearance of the building. If a glazed barrier, this would then give rise to structural issues, solar reflection and further impact upon viability issues. On this basis a proposed management system approach is proposed. This includes ensuring any general public access, such as heritage open days, are publicly escorted, CCTV coverage and reporting to concierge desk, and options for exploring restricted or managed access to external spaces at night. In response to this, Public Health make some further recommendations however are able to recommend approval with a condition. The application is considered to comply with DEV20 (6) by ensuring the development contributes towards high standards of community safety.

145. Delivering Housing

The principle of residential in this city centre location is supported through policies SPT3, PLY2 and PLY6. The location is considered to be highly sustainable with good pedestrian, cycling and public transport connectivity to shops, schools and open spaces (the Hoe) in accordance with DEV10 Delivering Quality Housing.

146. This application applies for C3 residential use class. This can include Built To Rent units. The viability appraisal indicates that the residential is planned to be delivered as a Built To Rent scheme, however assesses the viability for both Built To Rent and open market housing.

147. The NPPF glossary defines Built to Rent as “Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control.”

148. DEV7 requires at least 30% of the units to be affordable housing. This application does not include any affordable housing provision. A viability appraisal has been submitted with this application. This indicates that the development without the provision of affordable housing is not currently viable, and with a significant viability gap between £3.9 and £6.3 million, explained below.

Build for Sale 15% Profit on GDV has a deficit of £3.9m

Build for Sale 20% Profit on GDV has a deficit of £5.5m
Private Rented Sector (Build To Rent) has a deficit of £6.3m

149. This indicates that affordable housing, along with other contributions, would not be viable in any instance.

150. Vacant Building Credit has been applied to this application in accordance with the NPPF which states in para 63 “To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount”. The NPPG further states “Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought.” As there is no increase in floor space above the current vacant building, this reduces the affordable housing requirement to nil. On this basis, whilst it is regrettable that there is no affordable housing provided as part of this development as this would be beneficial to meet a defined need in the city, this lack of provision is in accordance with the NPPF, which is considered to outweigh the local policy requirements.

151. National Described Space Standards (NDSS) and amenity

DEV 10 (5) requires “New dwellings (including conversions of existing properties into flats) should be of sufficient size and layout to provide good quality accommodation to meet the needs of their occupants, with developers required to meet Nationally Described Space Standards.” The NPPF states in a footnote (46) that policies may make use of nationally described space standards where the need for internal space can be justified.

152. A schedule of accommodation has been provided. 69 units comply with National Described Space Standards (NDSS) (when assessing against ‘1 bed 1 person’ and ‘2 bed 3 person’ criteria). The remaining 75 units do not comply, meaning there is a 47% compliance with NDSS when assessing against the lower criteria.

153. There are 4 x 3 bed apartments. The NDSS requirements for these are 86sqm, and all the 3 bed units proposed exceed this at 98sqm.

154. The majority of the 1 bed apartments comply with NDSS (‘1 bed 1 person’ requires 37sqm), with 65 out of 69 units complying. The 4 units that do not comply are less than 2 sqm less than the NDSS, e.g. 35.1 and 35.2 sqm. It is considered that this is only slightly under the required NDSS, but nevertheless, does not fully comply. The Design and Access Statement advises that the apartments have been designed as open plan with entrance lobbies omitted (using a fire engineered strategy) to maximise usable space and efficiencies.

155. None of the 71 x ‘2 bed 3 person’ apartments comply with NDSS. The requirement is 61sqm for a 3 person unit. The size of the apartments range from 48.3sqm to 60.4sqm. Please find a summary below.

8 units at 48.3 sqm (-12.7 sqm)
11 units at 50.5 sqm (-10.5 sqm)
8 units at 54.4 sqm (-6.6 sqm)
8 units at 56.2 sqm (-4.8 sqm)
21 units at 57.1 sqm (-3.9 sqm)
3 units at 57.8 sqm (-3.2 sqm)
12 units at 60.3/4 sqm (-0.6/7 sqm)

156. The smallest 2 bed units are 48.3 sqm, which is significantly below the NDSS, whereas 60.3 sqm is only just below the required floor space.

157. If considering against the more stringent '1 bed 2 person' and '2 bed 4 person' criteria, none of the 1 or 2 bed units comply with the requirements which are:

'1 bed 2 person' 50 sqm

'2 bed 4 person' 70sqm

This would mean the scheme would equate to less than 3% compliance with NDSS.

158. One of the reasons given regarding why NDSS cannot be achieved is that the office floors are constrained by existing bay widths, internal column locations and the north and south cores. Referring to the emerging consultation draft SPD, this states that a relaxed standard may be allowed in exceptional circumstances, "for example, for the conversion of a listed building or another building where bringing it back into use is considered a greater benefit". The restrictions of the listed building are acknowledged partially as justification for why NDSS cannot be met.

159. The viability of the development is given as another justification why NDSS cannot be met. If the number of units were reduced, or units changed from 2 bed to 1 bed, this would have a negative impact upon viability and deliverability. Again referring back to the emerging consultation draft SPD it also states that "where a relaxed standard is permitted, significant justification may be required through a viability statement." It is considered that this application represents ones of these exceptional circumstances and the viability is considered a material consideration for justifying why NDSS cannot be met.

160. Additional information has also been submitted which has noted that the applicants other development in Mills Bakery, Royal William Yard included micro apartments, which averaged 32sqm. It is stated that these were popular in terms of sales and rentals.

161. In order to try and mitigate this, the Design and Access Statement advises that space savings have been made by the omission of entry lobbies, the adoption of fully open plan living spaces and the provision of sliding screens to allow flexible living arrangements and room configurations. The sliding door arrangement on one of the bedrooms, means that a 2 bed unit could be converted to more open plan 1 bed unit by the occupant if that was their preference.

162. Another consideration is the extent of communal amenity space also proposed. The roof is proposed as a communal amenity space. The existing roof structure is retained and converted to two dining rooms and kitchen which can be hired out, a winter garden room, and the remaining roof space retained as a roof terrace. The adopted Development Guidelines SPD and emerging consultation draft SPD requires 745 sqm. The roof terrace will provide approx. 800sqm of amenity space (16m x 50m) and therefore complies with the planning guidance.

163. It is considered that the various forms of amenity space on the roof helps to address the shortfall in NDSS. This area will provide additional inside space for all residents to use in all seasons.

164. Overall, it is considered that there is mitigation in place for the undersized units, which will mean there is sufficient amenity for future residents. The justification for not meeting the standards as detailed above are also in accordance with the emerging SPD. This matter is further reviewed in the planning balance in para 220-225 below.

165. Accessible and adaptable dwellings

DEV9 requires at least 20% of dwellings on all schemes of 5 or more dwellings, where practicable to meet standards for accessibility and adaptability (Category M4(2) of building regulations). The design and access statement confirms that 28 of the apartments will meet the M4(2) requirements for

accessible and adaptable dwellings. These are noted to be a mix of 1, 2 and 3 bed units, with 1 and 2 bed units provided on each floor. This complies with the requirements of DEV9.

166. DEV9 also requires at least 2% of dwellings on all schemes of 50 or more to meet national standards for wheelchair user homes (Category M4(3) of building regulations). This would equate to 3 of the units required to meet this standard. The original submission did not seek to address this policy requirement. Further information has been submitted that confirms that the application is unable to meet this policy criteria, and seeks to justify this on the grounds outlined below.

167. It is stated that the existing structure creates constraints which means that accommodating the required increased circulation space or access widths is challenging and inefficient. This means that by changing any of the 1 or 2 bed apartments to M4(3), this would require the loss of total apartment numbers. As the viability statement demonstrates the economic shortfall in the viability, any reduction in apartment numbers will further impact upon viability and deliverability.

168. In order to create M4(3) compliant units without changing apartment numbers, the 3 bed units will be required to become 2 bed units, which would also impact upon viability. However, it is stated that the 3 bed units have been designed so that they could be converted to a 2 bed category M4(3) unit through internal alterations, such as wheelchair storage and transfer space, extended kitchen worktops, and replacement of sanitary ware and door handles to DDA compliant. Whilst the 3 bed units could be converted to 2 bed category M4(3) units, as these will not be delivered as M4(3) compliant properties, the scheme does not fully comply with DEV9.

169. Overall, the proposal partly complies with policy DEV9 through the provision of 28 M4(2) units, however does not comply with the requirements for 3 x M4(3) units (wheelchair accessible). This is considered on balance to be acceptable, taking account of the viability issues, and also that it would be possible in the future to convert to M4(3) if required.

170. Highway and Parking Impacts

A Transport Statement has been submitted with this application, which has been reviewed by the Highways Authority. As noted previously, the site is located in a highly sustainable city centre location, adjacent to city centre bus stops. The existing use as offices generated more trips than the proposed uses. The Highways Authority have advised that the commercial elements of the proposed scheme are unlikely to be a significant generator of trips in their own right, and will form part of linked trips to the city centre.

171. 43 parking spaces are proposed to serve the residential units. Given the sustainable location immediately adjacent to the city's bus services on Royal Parade, and availability of public car parks close to the site, this level of parking provision is considered acceptable by the Highways Authority. This parking is provided for in the basement and will help to safeguard the future development of the car park site. As part of this application, the public car park is proposed to be retained, with some changes to layout. This will mean there will be a slight reduction in spaces from 108 to 104.

172. Consideration has been given to the provision of Electric Vehicle Charging (EVC) spaces. The originally submitted plans proposed 4 EVC spaces in the public surface car park and no EVC in the residential basement parking area. Following request for additional EVC Spaces, an EVC Statement has been prepared. This reviewed various options for providing EVC spaces including the viability of different options. The emerging consultation draft SPD requires at least 25% of parking bays to be provided with "dedicated freestanding weatherproof standard charging points." 50% of all other spaces to be serviced with passive wiring to allow future charging point collection. The Highway Authority have requested 10 EVC spaces within the residential parking area and agreed the 4 spaces in the public surface car park.

173. The resulting proposal is for 5 EVC spaces within the basement for the residential units. It is stated that the viability of proposal does not allow for the provision of 10 spaces, which would bring it in line with the emerging consultation draft SPD.

174. The proposal also includes infrastructure for the futureproofing of a further 19 spaces within the basement and 4 in the surface public car park. The emerging consultation SPD requires 50% of all other spaces to be futureproofed for residential, and therefore the 19 spaces are compliant with the emerging SPD. The emerging SPD does not address requirements for public parking. The Highway Authority have not objected to the EVC provision within the public surface car park. The Highways Authority have also has for a 3kw minimum output for the charging points. It is considered that this is a detail that can be reviewed through the planning condition discharge process.

175. Whilst the EVC spaces provision is not fully in accordance with the emerging SPD and the Highways Authority request, the proposal is considered to comply with the JLP policy DEV29 'Specific provisions relating to Transport' as the proposal is providing facilities for zero emission vehicles.

176. It is noted that the proposal does not include sufficient disabled parking spaces. The emerging consultation SPD recommends 10% of spaces are allocated for motorists with disabilities. On this basis a condition is recommended to require 5 DDA compliant spaces in the basement and 10 DDA compliant spaces in the public car parking area. This has been agreed by the applicant.

177. In terms of servicing the commercial units, a surface loading bay is proposed within the surface level car park to serve the commercial units.

178. Cycle parking in the form of 106 cycle lockers are also provided for in the basement to serve both residential and commercial units. The adopted Development Guidelines SPD, requires one cycle space per two dwellings, which would equate to 72 spaces. The cycle spaces required for the commercial in line with the SPD, is 13 spaces. This means that provision exceeds the SPD requirements. A condition is recommended to ensure this is delivered. In addition public cycle parking has been proposed in the corner of the public car park.

179. The Highways Officer have also recommended that S106 contributions are paid towards travel plan measures such as subsidised/free bus travel or vouchers towards a bike purchase. Given the highly sustainable location, it is not considered that this is an essential requirement to mitigate the impacts of the development and therefore would not meet the tests for S106 requirement. However a travel plan condition is proposed to ensure a strategy is in place for sustainable transport measures.

180. Overall, the application is considered to comply with DEV29 Specific provisions relating to Transport.

181. Low Carbon and District Energy

At a strategic level, the provision of a district heating scheme can be referred back to SPT1 Delivering Sustainable Development, which states one of the principles for sustainable development is to promote "a low carbon economy." PLY6 Improving Plymouth city centre also requires development to provide a future connection to district heat networks relevant to the site.

182. It should be noted that the application originally submitted was not policy compliant. The original submission was a hybrid scheme which proposed only to future proof connection for the residential domestic hot water heating system. It did not propose to safeguard connection for domestic or commercial heating which was proposed to be via direct electric panel heater. The lack

of connection to the domestic or commercial heating meant the application was not policy compliant, and resulted in an objection to the application by the Low Carbon Team.

183. DEV32 'Delivering low carbon development' sets out 6 policy criteria, with the intention to half 2005 levels of carbon emissions by 2034. These criteria are addressed below on the basis of an amended energy statement.

184. 1. Developments should identify opportunities to minimise the use of natural resources in the development over its lifetime, such as water, minerals and consumable products, by reuse or recycling of materials in construction, and by making best use of existing buildings and infrastructure.

Whilst there will be elements of demolition, this application by nature of its conversion, is considered to make best use of an existing building. There will be re-use of materials on site due to the conservation approach relating to the listed building, and the need to retain quality elements of historic fabric. Officers agree with the supporting statement which advises "this approach to the retention of existing buildings avoids significant carbon emissions associated with the embodied energy and carbon emissions of alternative approaches".

185. 2. Major development should take account of projected changes in temperature, rainfall, wind and sea level in its design with the aim of mitigating and remaining resilient to the effects of changing climate.

The supporting statement advises that "The new façade has been designed to provide solar control, thermal performance and effective ventilation. Thermal modelling has been undertaken to ensure the new façade will enable the building to comply with Chartered Institute of Building Services Engineers (CIBSE) Technical Memorandum TM59 document: Design methodology for the assessment of overheating risk." On this basis it is considered that project changes in temperature have been considered. The submitted drainage modelling accounts for climate change, which addresses projected changes in rainfall.

186. 3. Development proposals will be considered in relation to the 'energy hierarchy'

- i. Reducing the energy load of the development. policies
- ii. Maximising the energy efficiency of fabric.
- iii. Delivering on-site low carbon or renewable energy systems.
- iv. Delivering carbon reductions through off-site measures.

The submitted sustainability strategy refers to a holistic energy strategy, 'Be Lean, Be Clean, Be Green', and identifies measures and interventions that are included within the scheme. It is considered that this approach is consistent with the above hierarchy.

187. 4. Developments should reduce the energy load of the development by good layout, orientation and design to maximise natural heating, cooling and lighting, and reduce the heat loss area. For major developments, a solar master plan should show how access to natural light has been optimised in the development, aiming to achieve a minimum daylight standard of 27 per cent Vertical Sky Component and 10 per cent Winter Probable Sunlight Hours.

As the proposal is for the conversion of existing listed building, it is not considered that requiring a solar masterplan and calculating vertical sky components would be a proportionate and relevant approach to this proposal as there is no flexibility in terms of the orientation and layout of the building. Sun path plans have been submitted for summer and winter solstice.

188. The supporting statement advises that the new façade will significantly improve the existing fabric heat loss, solar gains and daylighting by replacing a poorly performing façade with uninsulated concrete panels and single glazed windows with a high-performance façade with double glazed air

tight window construction and u values which meet current building regulations. Daylight levels will be improved through the implementation of increased areas of high performance glazing. On this basis it is considered that the proposal has used design to help to reduce the energy load of the development.

189. 5. All major development proposals should incorporate low carbon or renewable energy generation to achieve regulated carbon emissions levels of 20 per cent less than that required to comply with Building Regulations Part L.

There is no renewable energy generation proposed as part of this scheme. However this is considered acceptable on the basis that the scheme addressees district heating requirements, as per criteria 6 below. Separate to this application there has been a number of boreholes located within the civic centre boundary, which is exploring the potential provision of a heat source for District Heating for the city centre. The boreholes are not included within this application.

190. 6. Developments will be required to connect to existing district energy networks in the locality or, where there is a future network planned, to be designed to be capable of connection to that network. Where appropriate, proportionate contributions will be to enable a network to be established or completed.

An area of negotiation in this application has been attempts to secure a fully compliant scheme that connects to the future district energy network. The establishment of a district heat network within the city centre has been a policy requirement since the city centre area action plan, adopted in 2010. Since then various applications in the city centre have been future proofed for connection to district heat network and S106 contributions sought towards the provision of a district energy within the city centre. The Plymouth City Wide District Heating Strategy, which formed part of the evidence base for the JLP, has identified the city centre as a strategic cluster location for district heating, acknowledging the existing heat network at the Guildhall. On this basis, it is considered that the compliance with this part of DEV32 is the priority for this site, above provision of renewable energy. The Low Carbon team have advised that compliance with DEV32.6 should be prioritised above compliance with DEV32.5 e.g. the provision of renewable energy generation.

191. The amended sustainability strategy proposes a Low Temperature Hot Water (LTHW) heating system serving the space heating and domestic hot water requirement for the residential apartments. The gas fired LTHW heating system will be installed in the basement to serve the residential space heating and domestic hot water demand. This system will be designed to be suitable for future connection to a district heating scheme when it is available. This means the residential units will now be capable of future connection to a district energy network. In addition, it is stated that the podium commercial units could be connected to the District Heating system.

192. The basement plan includes an area proposed for plant and maintenance space. This is proposed for use as the district energy centre. An updated sustainability statement has included an annotated basement plan. This has identified areas within the basement for the energy centre and various services for the Civic Centre. It has also identified potential areas for additional plant space for the energy centre and the routes for connecting the energy centre off site. The provision of space within the basement for the energy centre is considered to constitute a proportionate contribution, which will help to establish the provision of a district energy centre within the city centre.

193. A number of conditions and informatives have been proposed to deal with the provision of District Heating, including the timing for the delivery of District Energy infrastructure, the safeguarding of various routes for the infrastructure, details of secondary design for the residential connection to District Energy and safeguarding space in the basement for the energy centre.

194. On the basis of the above, it is now considered that the proposal has been designed to be capable of connection to a district heating network. By providing space for an energy centre and future proofing the scheme for future connection to a district heating scheme, this application will contribute towards the provision of district heating within the city centre.

195. In the circumstance that the energy centre is not provided for, and/or the scheme is not future proofed for district heat connection, a S106 contribution is included within the overage provisions.

196. On the basis of all the above the proposal is considered to comply with SPT1, DEV32 and PLY6 (12).

197. The NPPF (para 153) states that when determining applications new development should comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable. In this case, the proposal has demonstrated compliance with the relevant development plan policy DEV32.

198. Consideration has also been given to the heritage implications of the provision of District Heating. The main works are proposed in the basement. The proposed condition requires an amended basement plan. As the basement is not considered to have any particular significance, it is not considered that any amendments here would impact upon the listed building. The associated works including routes within the building does have the potential to impact upon the listed building, and the associated listed building consent includes provision for details including ventilation, servicing and plant, as well as final details of the basement area in order to ensure the works do not impact upon the features of special architectural or historic interest.

199. Flood Risk and Drainage

The site is located within flood zone 1 (lowest risk of fluvial flooding), but is located within a critical drainage area. A flood risk assessment has been submitted with this application. This identifies part of the site, the area of car park next to the basement, to be susceptible to flooding. It also identifies a potential risk of sewer flooding, given the developed nature of the area and the use of the existing drainage system. The drainage strategy has ruled out the use of underground attenuation, as it is stated that this could prevent the future development of the car park site.

200. The updated drainage strategy proposes oversized pipes that will allow for a storm event. It also proposes an area of permeable paving. This will mean there will be an overall reduction of impermeable area drainage. This will result in a reduction in downstream flood risk. This reduction is required, as this will counter an increase in foul discharge.

201. Consultation has been undertaken with the Environment Agency (EA), South West Water (SWW) and Lead Local Flood Authority (LLFA). SWW have confirmed their agreement for the development to connect to the combined sewer, including the specified discharge rates.

202. The Environment Agency have raised that the LLFA comments should be considered prior to determining the application. The EA want to ensure that consideration has been given to the increase in foul drainage, and therefore the reduction in capacity during storms events which could lead to sewer flooding and sewer spills.

203. The LLFA has requested a condition to deal with the details of surface water drainage. Subject to this condition, the proposal is therefore considered to comply with SPT1, DEV35 (4, 7, 8) and PLY6 Improving Plymouth's city centre (12).

204. Biodiversity

A number of survey have been submitted with this application, including a bat and bird survey, a peregrine survey, and bat emergence surveys. The results of this show that a single bat uses a cavity in the bridge link for occasional day roosting. It is proposed to retain this roosting site, and any works to replace broken cladding within that area should be overseen by a suitably qualified ecologist outside of winter hibernation period.

205. As there is a historic record of peregrines using the Civic Centre, a visual survey was undertaken and visual inspection of the roof. This observed a male peregrine using a window ledge to perch on the eastern elevation. No evidence of nesting was found although it is noted that there is potential for nesting to take place. On this basis a survey prior to commencement is recommended to ensure no nesting is taking place before works can start. This will also need to address any nesting herring gulls and pigeons.

206. An Ecological Mitigation and Enhancement Strategy (EMES) has been submitted with this application. As well as confirming the above mitigation, this includes a number of biodiversity enhancements. This includes 20 different types of nest boxes proposed for various species, including peregrines and the creation of a number of cavities within the cladding or roofs are proposed in order to create bat roosting provisions.

207. The EMES also looks at areas of habitat on site. This confirms that there will be a small loss of amenity grassland (approx. 200m²) and 4 trees. A number of enhancements are proposed to mitigate and ultimately increase the biodiversity value of the site. This includes a wildflower lawn, enhanced pollinator planting within existing and proposed planters and hedgerow.

208. Whilst the loss of trees is not considered significant in terms of landscape value, their loss still represents a loss of biodiversity, and therefore mitigation is required. This is proposed in the form of 20 new trees in planters, to be planted within the new civic square located under the tower. The Natural Infrastructure Team have raised concerns with regard to the trees in planters as a form of mitigation, and the preference is for tree planting within the ground as this provides better chance of longevity. Trees in planted are more challenging to manage and also have a greater chance of being moved/removed. However, as the car park site is also proposed for future redevelopment, it is not possible to secure tree planting here, as this may impact upon the future deliverability of this site. Following negotiation, 4 trees are proposed to be planted along the north elevation (Royal Parade) as previously described.

209. The proposal is therefore considered to comply with DEV26 'Protecting and enhancing biodiversity and geological conservation'.

210. Impact upon European Sites

The highest level of protection is given to European sites. The relevant sites in this case is the Plymouth Sound Special Area of Conservation (SAC) and Tamar Estuaries Complex Special Protection Area (SPA). Natural England (NE) have confirmed that the site falls within the zone of the influence for these areas. This means that new housing development in this area is 'likely to have a significant effect' when considered either alone or in combination, upon the interest features of European Sites due to the risk of increased recreational pressure caused by that development. NE advise that "specific measures will be required to prevent such harmful effects from occurring as a result of this development and recommend that permission should not be granted until such time as the implementation of these measures has been secured." This impact is mitigated through CIL. The CIL Regulation 123 list (which identifies projects CIL money is spent on) includes projects to mitigate the impacts arising from the increased recreational use of the European Marine Site. The Natural Infrastructure Team have completed a Habitat Regulations Assessment on this basis, which has been agreed by NE.

211. In addition, a condition requiring a Construction Environmental Management Plan (CEMP) is recommended which will manage the potential impact of pollution from construction activities.

212. The application is therefore not considered to have harmful impact upon the protected European Marine site, in accordance with DEV26 'Protecting and enhancing biodiversity and geological conservation'.

213. Air Quality

An air quality assessment has been submitted with this application. This is an important consideration given the location adjacent to an Air Quality Management Area (AQMA). This report confirms that provided suggested mitigation measures in relation to dust are put in place during construction, there should not be any significant residual impacts upon air quality. This mitigation will be dealt with through the proposed CEMP condition.

214. The traffic generated is below criteria (set by Environmental Protection UK (EPUK) and Institute of Air Quality Management (IAQM) planning guidance) and the impact from additional traffic upon air quality will be insignificant. The overall operational air quality impacts are not considered to be significant and no mitigation is required.

215. Para 181 of the NPPF states: "Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan". JLP policy DEV2 states: "Where located in an Air Quality Management Area, mitigate its impact through positively contributing towards the implementation of measures contained within air quality action plans and transport programmes, and through building design and layout which helps minimise air quality impacts."

216. The application has been reviewed in the context of the air quality action plan and there is no conflict with the action plan. The additional tree planting, provision of cycle facilities, increased pedestrian permeability, provision of the electric vehicle charging spaces and travel plan condition are all consistent with the objectives of the action plan.

217. Public Protection Service (PPS) have reviewed the air quality assessment and have advised that the findings are accepted, and there will be minimal impact upon future residents. Overall, the proposal is not considered to give rise to any unacceptable impact upon air quality, and the future residents will not be harmed by any impact upon air quality. Therefore the application is considered to comply with JLP policy DEV2.

218. Waste

DEV31 'Waste Management' requires new developments to provide integrated facilities for the storage of recyclable and non-recyclable waste. This application proposes large area of bin storage within the basement, with a designated collection area for refuse vehicles.

219. This separates residents and commercial bin storage, but does not have sufficient detail to show separate storage for recyclable and non-recyclable. As the overall space is considered sufficient to meet the operational needs of the building, then it is considered that this detail can be dealt with by condition. Demolition waste has been incorporated into the CEMP condition. This is in accordance with DEV31 which requires a site wide management plan "demonstrating how the demolition, construction and operational phases of the development will minimise the generation of waste".

220. Planning Balance

The report above identifies a number of areas where the proposal does not comply with the Joint Local Plan. The areas of policy non-compliance are summarised below:

- Limited compliance with NDSS (DEV10)
- Lack of provision of 3 wheelchair user homes (DEV9)

These areas of noncompliance need to be considered against the benefits of the scheme.

221. These benefits are summarised below:

- Bringing a vacant listed building back into use, allowing essential repairs to be undertaken and safeguarding its long term use
- Improvements to listed park and garden
- Public access , including access days to the roof, and access at the lower levels for the commercial uses
- Creation of new public realm and improvement to existing public realm including tree planting and biodiversity enhancements
- Active uses at the ground and first floor which will enhance the vibrancy and vitality of the city centre
- Delivery of city centre housing and associated benefits to the city centre
- New staircase link towards Theatre Royal
- Provision of space for an energy centre and safeguarding for future connection to the district heat network

222. In terms of weight, the NPPF attributes great weight to heritage, specifically para 193: “Great weight should be given to the assets conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm”. On this basis it is considered that securing the optimum viable uses and conserving the Grade II listed building should be given great weight in determining this application.

223. The consideration of compliance with NDSS and provision of wheelchair user homes, both relate to the NPPF para 127(f), which states that development should “create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users”. As previously noted in para 164, it is considered that there will be sufficient amenity for future residents, and the units will be inclusive and accessible through the provision of accessible and adaptable dwellings. Therefore the partial noncompliance with policies DEV9 and DEV10 are not considered to constitute reasons for refusal.

224. Officers also attribute significant weight to the delivery of housing within the city centre and bringing a landmark vacant building back into use within the city centre.

225. Overall it is considered that the public benefits and heritage considerations of the scheme outweigh the areas of noncompliance. The application is therefore recommended for conditional consent (subject to S106).

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 site is located within the £0 CIL zone for residential, and the other uses are rated as £0 per square m. This application will therefore not currently attract any CIL monies.

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.

12 days public access to the building, including heritage open days, is secured through S106. This is consistent with HE comments.

A viability appraisal has been submitted that shows the development has a deficit of at least £3.9m. S106 contributions are therefore not viable.

The following contributions have been requested below:

- Local Greenspace contribution towards The Hoe, sensory garden and clock garden improvements £70,177.73
- Children's Playspace contribution West Hoe park play improvements £30,556.23
- Playing pitches contribution for the provision and maintenance of playing pitch provision at Stonehouse Creek £119,496.66
- Strategic Greenspace Central Park drainage improvements £156,526.46
- Should the energy centre and District Heating future proofing not be provided, a £200,000 contribution towards District Energy within the City Centre area (or within 400m of site) or alternatively for other carbon mitigation measures

These S106 requests are considered to be justified and in accordance with DEV30 and DEL1 of the JLP. However, as noted above S106 contributions are not viable due to the viability deficit of £3.9m.

On this basis, officers have negotiated an overage arrangement through the S106. This means that if the viability of the development improves such that it becomes viable and makes a certain amount of profit, the Local Planning Authority will receive a proportion of this.

For 'Built To Rent' residential, the profit trigger is 17.5% and for the open market residential the profit trigger is 20%. Any overage has been agreed to go towards the contributions as identified above. For clarity these S106 contributions are therefore only payable if these levels of profit are achieved.

As noted above, due to the consideration of Vacant Building Credit, affordable housing provision is not being sought for this development.

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.

Consideration has been given to the prevention of suicide from the roof the building. This is proposed to be dealt with through a management condition.

A condition has been attached which requires the guideline amount of DDA compliant spaces, both for the residential and in the public car park.

The new commercial units are all proposed to be fully accessible with level thresholds, and internally there are lifts to access the upper floors. The new public realm is accessible by ramped access.

The residential units are fully accessible, and the lift will be extended to include access to the roof entrance amenity space.

13. Conclusions and Reasons for Decision

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004. In this case the proposal does not fully accord with the development plan, due to not meeting NDSS and lack of provision of 3 wheelchair accessible units. Other material considerations have been considered, as outlined in paragraphs 220-225 above and the rest of section 8 Analysis of the report. It is considered that there are material considerations that carry more weight than the areas of non-compliance.

The application is considered to comply with

SPT1 Delivering Sustainable Development

SPT2 Sustainable linked neighbourhoods

SPT3 Provision for new homes

SPT4 Provision for employment floorspace

SPT5 Provision for retail development

SPT6 Spatial provision of retail and main town centre uses

SPT9 Strategic principles for transport planning and strategy

SPT10 Balanced transport strategy for growth and healthy and sustainable communities

SPT11 Strategic approach to the historic environment

SPT12 Strategic approach to the natural environment

SPT13 Strategic infrastructure measures to deliver the spatial strategy

SPT14 European Sites - mitigation of recreational impacts from development

Strategic Objective SO2 Strengthening Plymouth role in the region

PLY1 Enhancing Plymouths strategic role

PLY2 Unlocking Plymouths regional growth potential

Strategic Objective SO3 Delivering growth in Plymouth City Centre and Waterfront Growth area

PLY6 Improving Plymouth city centre

PLY15 Civic Centre and Council House site

PLY21 Supporting the visitor economy

PLY22 Cultural Quarters

DEV1 Protecting health and amenity

DEV2 Air water soil noise land and light

DEV6 Hot food takeaways in Plymouth

DEV14 Maintaining a flexible mix of employment sites

DEV16 Providing retail and town centre uses in appropriate locations

DEV18 Protecting local shops and services

DEV19 Provisions for local employment and skills

DEV20 Place shaping and quality of the built environment

DEV21 Development affecting the historic environment

DEV23 Landscape character

DEV26 Protecting and enhancing biodiversity and geological conservation

DEV28 Trees woodlands and hedgerows

DEV29 Specific provisions relating to transport

DEV30 Meeting the community infrastructure needs of new homes

DEV31 Waste management

DEV32 Delivering low carbon development

DEV35 Managing flood risk and water quality impacts

DELI Approach to development delivery and viability, planning obligations and the CIL

The application only partially complies with:

DEV7 Meeting local housing need in the Plymouth Policy area

DEV9 Meeting local housing need in the Plan Area

DEV10 Delivering high quality housing

The proposal will make a significant contribution towards the renewal of the city centre, in compliance with PLY6. In particular by bringing the prominent building back into use, it will respect and celebrate the mid twentieth century built heritage and help to deliver residential within the city centre.

In terms of heritage, the proposal will result in less than substantial harm to elements of the listed building, however this is considered justified through the NPPF as this will bring the building into a number of optimum viable uses, as well as the public benefits as listed above. Overall, it is considered that the proposal will enhance the Civic Centre and Civic Square, in accordance with PLY15 and DEV21. The car park site is being safeguarded for future development in accordance with PLY15.

The proposal is considered to contribute towards a quality sense of place and character, including enhancing a landmark building in the city centre. There will be improvements to the public realm, including enhancing the listed park and garden and improving permeability through the site. Overall it is considered that the proposal contributes positively towards place shaping and landscape character in accordance with DEV20, DEV23 and DEV28.

The proposal will not fully meet British Standards in relation to noise, which means the residential units may be subject to noisier periods should windows be required to be open. The residential units also do not meet NDSS and 3 x M4(3) wheelchair accessible units are not being provided. These are not achievable due to a combination of the constraints of the listed building and viability. On this basis the proposal does not fully comply with policies DEV7, DEV9 and DEV10.

The city centre development is considered to be sustainable in transport terms. Cycle parking and EVC spaces are being provided, serving the proposed uses and the public car park. The proposal is considered to comply with DEV29.

The proposal will also contribute towards the reduction of carbon emissions through allocating space for a district heating energy centre and future proofing connection to district energy within the building in accordance with DEV32.

The proposal will result in a reduction of downstream flood risk, and complies with DEV35.

Consideration and mitigation has been proposed in relation to the species using the building and there are proposed biodiversity enhancements. The proposal is considered to comply with DEV26 on this basis.

Overall, the scheme is considered to contribute towards the JLP Strategic Objective 2 and 3, by strengthening the role of the city centre as a regional hub, unlocking the growth potential within the city centre and improved public realm. Given its strategic location on Armada Way and adjacent to the Hoe, it's considered the scheme will contribute towards achieving the vision of Plymouth becoming one of Europe's finest waterfront cities.

14. Recommendation

In respect of the application dated 28.03.2019 it is recommended to Grant conditionally subject to S106 planning obligation with delegated authority to Service Director for Strategic Planning and Infrastructure to refuse if not signed within agreed timeframes.

15. Conditions / Reasons

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

I CONDITION: APPROVED PLANS

Site Location Plan PL-001 Rev PLI received 19/03/19
Proposed Site Plan PL-003 Rev PLI received 19/03/19
Proposed Podium Roof Plan PL-005 Rev PLI received 19/03/19
Proposed Basement Floor Plan PL-010 Rev PLI received 19/03/19
Proposed Ground Floor Plan PL-011 Rev PLI received 19/03/19
Proposed First Floor Plan PL-012 Rev PLI received 19/03/19
Proposed Mezzanine and Second Floor Plan PL-013 Rev PLI received 19/03/19
Proposed Third Floor Plan PL-014 Rev PLI received 19/03/19
Proposed Fourth Floor (Floors 4 to 5) PL-015 Rev PLI received 19/03/19
Proposed Sixth Floor Plan (Floors 6 to 9) PL-017 Rev PLI received 19/03/19
Proposed Tenth Floor Plan (Floors 10 to 13) PL-021 Rev PLI received 19/03/19
Proposed Roof Terrace PL-025 Rev PLI received 19/03/19
Proposed Forteenth Floor and Gull Wing Roof Plan PL-026 Rev PLI received 19/03/19
Proposed Ground Floor - North Block PL-030 Rev PLI received 19/03/19
Proposed Ground Floor Plan - South Block PL-031 Rev PLI received 19/03/19
Proposed First Floor Plan - North Block PL-032 Rev PLI received 19/03/19
Proposed First Floor Plan - South Block PL-033 Rev PLI received 19/03/19
Proposed North Side Elevation PL-050 Rev PLI received 19/03/19
Proposed East Site Elevation PL-051 Rev PLI received 19/03/19
Proposed South Site Elevation PL-052 Rev PLI received 19/03/19
Proposed West Site Elevation PL-053 Rev PLI received 19/03/19
Proposed New Civic Square Elevations PL-054 Rev PLI received 19/03/19
Proposed Council House Site Elevation PL-055 Rev PLI received 19/03/19
Proposed North Elevation PL-060 Rev PLI received 19/03/19
Proposed East Elevation - South PL-061 Rev PLI received 19/03/19
Proposed East Elevation - North PL-062 Rev PLI received 19/03/19
Proposed South Elevation PL-063 Rev PLI received 19/03/19
Proposed West Elevation - North PL-064 Rev PLI received 19/03/19
Proposed West Elevation - South PL-065 Rev PLI received 19/03/19
Proposed New Civic Square Elevation - North PL-066 Rev PLI received 19/03/19
Proposed New Civic Square Elevation - South PL-067 Rev PLI received 19/03/19
Proposed South Block Council House Elevation PL-068 Rev PLI received 19/03/19
Proposed Section AA PL-070 Rev PLI received 19/03/19
Basement Conservation Floor Plan PL-220 Rev PLI received 19/03/19
Ground Floor Conservation Plan PL-221 Rev PLI received 19/03/19
Conservation Plan Fifth and Sixth Floor PL-225 Rev PLI received 19/03/19
First Floor Conservation Plan PL-222 Rev PLI received 19/03/19
Conservation Plan Mezzanine and Second Floor PL-223 Rev PLI received 19/03/19
Conservation Plan Third and Fourth Floor PL-224 Rev PLI received 19/03/19
Conservation Plan Seventh and Eighth Floor PL-226 Rev PLI received 19/03/19
Conservation Plan Ninth and Tenth Floor PL-227 Rev PLI received 19/03/19
Conservation Plan Eleventh and Twelfth Floor PL-228 Rev PLI received 19/03/19
Conservation Plan Thirteenth and Fourteenth Floor PL-229 Rev PLI received 19/03/19

Conservation Plan 15th Floor and Roof PL-230 Rev PLI received 19/03/19
Conservation Typical Lift Lobby Plan and Section PL-231 Rev PLI received 19/03/19
Conservation - Existing North Elevation PL-250 Rev PLI received 19/03/19
Conservation - Existing East Elevation PL-251 Rev PLI received 19/03/19
Conservation - Existing South Elevation PL-252 Rev PLI received 19/03/19
Conservation - Existing West Elevation PL-253 Rev PLI received 19/03/19
Conservation - New Civic Square Elevations PL-254 Rev PLI received 19/03/19
Existing South Block Council House Elevation PL-255 Rev PLI received 19/03/19
TR External Staircase PL-300 Rev PLI received 19/03/19
TR External Staircase PL-301 Rev PLI received 19/03/19
Proposed North Block North Elevation GF and FF PL-307 Rev PLI received 19/03/19
North Block South Elevation - East Side PL-311 Rev PLI received 19/03/19
South Courtyard - Outward First Floor PL-315 Rev PLI received 19/03/19
South Block - Delabole Slate and Clerestory PL-319 Rev PLI received 19/03/19
South Block - New FF Openings PL-323 Rev PLI received 19/03/19
South Block - New Undercroft Elevation PL-325 Rev PLI received 19/03/19
South Courtyard - Pool Details PL-327 Rev PLI received 19/03/19
Proposed Facade Section PL-331 Rev PLI received 19/03/19
Proposed Facade Plans PL-333 Rev PLI received 19/03/19
Proposed Rooftop and Gullwing PL-337 Rev PLI received 19/03/19
Proposed Lift Lobby Detail PL-345 Rev PLI received 19/03/19
Proposed 1-Bed Apartment PL-350 Rev PLI received 19/03/19
Proposed 2-Bed Flexi Apartment PL-355 Rev PLI received 19/03/19
Proposed Typical M4(2) Flat Layout Plans PL-360 Rev PLI received 19/03/19
Proposed Landscape Plan PL-006 Rev PL3 received 21/10/19
Proposed Ground Floor Plan External Demise PL-365 Rev PLI received 19/03/19

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

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: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

PRE-COMMENCEMENT

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. The approved plan shall set out the arrangements for managing all environmental effects of the development during the construction period including waste. The agreed CEMP shall be implemented in full throughout the duration of the construction works, unless a variation is agreed in writing by the Local Planning Authority, in advance.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and to safeguard against pollution and adverse effects on the SPA and SAC and to prevent unacceptable impacts on protected wildlife and to avoid conflict with Policies SPT12,

DEV1, DEV2, DEV31 and DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraphs 170, 178-180 of the National Planning Policy Framework 2019.

Justification: To ensure that measures will be in place to ensure no adverse effects on biodiversity during the construction phase and 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.

4 CONDITION: EMPLOYMENT AND SKILLS STRATEGY

PRE-COMMENCEMENT

Prior to commencement of development an employment and skills strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of 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 development shall be carried out in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure employment and skills development in accordance with policy DEV19 and DEV28 of the Plymouth and South West Devon Joint Local Plan.

Justification: To ensure that construction employment opportunities are assessed prior to commencement.

5 CONDITION: PHASING

PRE-COMMENCEMENT

Prior to commencement of works, a phasing plan and assessment of impacts shall be submitted to and approved in writing by the Local Planning Authority, unless development is to commence as a single stage. The phasing of the development shall be carried out in accordance with the approved phasing plan unless an alternative phasing plan is first approved by the Local Planning Authority.

Reason:

To ensure that the development proceeds in a satisfactory manner and respects the heritage of the building to comply with policies DEV2, DEV20 and DEV21 of the Plymouth and South West Devon Joint Local Plan.

Justification:

To ensure that any implications of phasing are considered prior to commencement.

6 CONSTRUCTION TRAFFIC MANAGEMENT PLAN

PRE COMMENCEMENT

No works shall commence on-site 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 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 Policy DEV29 of the Plymouth and South West Devon Joint Local Plan 2019 and paras SPT12, DEV1, DEV2, DEV31 and DEV28 of the NPPF 2019.

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.

7 CONDITION: DISTRICT HEATING

PRE COMMENCEMENT: DISTRICT HEATING TIMING AND COMPLIANCE

No later than 1 month prior to the commencement of the development the developer shall provide written notice to the Local Planning Authority for its approval, of its intention to commence development and confirmation of the "heat on" date. Should this date be proposed to change once approved, it should be submitted to and approved by the Local Planning Authority.

If 12 months in advance of the "heat on" date there is a permanent district energy infrastructure connecting to the boundary of the development, the development shall be connected to the district energy network, in accordance with details to be agreed through condition 8, and it shall be utilised to provide hot water and heating and the option to provide cooling to the development from first occupation, and operated as such, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the development is designed to be capable of connection to the district heating network and a proportionate contribution towards the provision of the network is secured, in accordance with SPT1, PLY6 and DEV32 of the Plymouth and South West Devon Joint Local Plan and paras 148, 150 -151, 153 - 154 of the NPPF 2019.

Justification: To ensure the development safeguards the ability to connect to District Heating

8 CONDITION: DISTRICT HEATING

PRE COMMENCEMENT: DISTRICT HEATING DETAIL

Prior to commencement of development, details of a fully connected and compatible design for connection to a District Heating System, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the submitted and approved details required below, unless an alternative strategy is agreed in writing with the Local Planning Authority or the Local Planning Authority do not deliver the District Heating System within the timescales as set out in condition 7.

These details shall include -

- 1) A plan showing a safeguarded suitable unconstrained route for the future district energy system infrastructure and private wire connections between the energy centre and:
 - o The northern boundary (Royal Parade) and to the Council House as set out in principle in Appendix A of the Civic Centre DEV32 submission.
 - o The ground source heat pump well locations as set out in principle in Appendix A of the Civic Centre DEV32 submission.
 - o The commercial units within Civic Centre, for heating and cooling requirements to the extent that cooling is required

The routes shall thereafter be safeguarded for the provision of future district energy pipework and infrastructure

2) Details of the secondary system design for the Development, which ensures it is compatible with and future-proofed for connection to a future district energy network and compliant with best practice.

3) Notwithstanding the approved plans, an amended basement plan shall be submitted to and approved by the Local Planning Authority, which provides 350sqm of space to be retained for the district energy centre, together with service connections for water, drainage, data, gas and flues (but not for CHP). Once approved the space shall be permanently retained for that purpose.

A. Should the Local Planning Authority not deliver the DH system within the timescale as set out in condition x, the developer shall be able to implement an alternative energy strategy, which shall be submitted to and approved by the local planning authority prior to commencement of the development. This shall include a plan to secure 240sqm of space to be retained for future use as a district energy centre and a review period for the provision of the energy centre (5 years after "heat on" date).

Reason: To ensure the development is designed to be capable of connection to the district heating network and a proportionate contribution towards the provision of the network is secured, in accordance with SPT1, PLY6 and DEV32 of the Plymouth and South West Devon Joint Local Plan and paras 148, 150 -151, 153 - 154 of the NPPF 2019.

Justification: To ensure the development safeguards the ability to connect to District Heating.

9 CONDITION: ARBORICULTURAL METHOD STATEMENT

PRE COMMENCEMENT

Notwithstanding the details as indicated on the approved plans, no works shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall detail how trees are to be protected during construction. It shall include measures for protection in the form of barriers to provide a 'construction exclusion zone' and ground protection in accordance with Section 6.1 of BS: 5837:2012 Trees in relation to Design, Demolition and Construction - Recommendations. The measures contained in the approved statement shall be fully implemented and shall remain in place until construction work has ceased.

Reason: To ensure that trees or hedgerows retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with DEV20, DEV23 DEV26 DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraphs 124, 127, 170, and 175 of the National Planning Policy Framework 2019.

Justification: To ensure that trees are protected during the construction phase.

10 CONDITION: RESIDENTIAL VENTILATION STRATEGY

PRE COMMENCEMENT

Prior to commencement, a ventilation strategy to serve the residential units will be submitted to and approved in writing by Local Planning Authority.

The development shall be carried out in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority.

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 DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan and para 180 of the NPPF 2019.

Justification: To ensure that the development can reasonably accommodate ventilation measures that are acceptable to the local planning authority.

11 CONDITION: SUSTAINABLE URBAN DRAINAGE SYSTEM

PRE-GROUND WORKS

Prior to commencement of any ground works, no further 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.

This shall include:

- a) Details of Water discharge rates. For developments in a Critical Drainage Area discharging to a sewer, surface water discharge rates will be limited to 1 in 10 year greenfield run off rates with on site attenuation required to store surface water volumes over and above these rates to a 1 in 100 year return period standard of protection with a 40% allowance for climate change.
- b) Review and consideration of options for utilising of the ponds in the vicinity of the Civic Centre as SuDS assets for the current or future surface water drainage strategy and to discharge surface water to a future surface water drainage corridor in Armada Way to the east of the development
- c) Details of a surface water exceedance flow route should be identified on a plan that shows the route exceedance flows will take both on and off site and demonstrating that these flows do not increase the risk of flooding to properties on and off the site and or to Third Party Land including the Public Highway. Exceedance flows should be intercepted and contained on site as far as this is reasonably practicable and safe to do so, ensuring that flows are directed away from public access areas.
- d) Details of how and when the surface water drainage system is to be managed and maintained.

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 policies PLY6 and DEV35 of the Plymouth and South West Devon Joint Local Plan and paragraphs 156 , 163 and 165 of the National Planning Policy Framework 2019.

12 CONDITION: BAT ENHANCEMENTS

PRE INSTALLATION OF CLADDING

Prior to the installation of the cladding, details of the proposed bat enhancement measures will need to be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be fully implemented and retained unless alternative measures are agreed in writing.

Reason: In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with DEV26 of the Plymouth and South West Devon Joint Local Plan and Government advice contained in the NPPF (2019) paragraphs 170, 175 -177.

13 LANDSCAPE DESIGN PROPOSALS AND IMPLEMENTATION

PRE LANDSCAPE WORKS

Notwithstanding the details as shown on the approved Landscape Plan PL006 rev. PL3, no landscape works shall take place until an updated landscape scheme has been submitted to and approved in writing by the local planning authority. The landscape works shall accord with the approved Ecological Mitigation and Enhancement Strategy updated July 2019.

The landscape works shall include:

o Soft landscape details:

o Full soft landscape specification; plant species and size (to HTA standards), soil/roof buildup details, planting spec and establishment care.

o The arrangement of proposed soft landscape elements and soil layouts/elevation in relation to proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.) (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) planter details and tree pit details.

o 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 including lighting, proposed finished levels and any boundary treatments.

o Boundary treatment details (1:20 scale or as appropriate)

All landscape works shall be carried out in accordance with the approved details and retained as such. 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 JLP policy DEV20 and DEV23 and Paragraph 127 of the National Planning Policy Framework 2019.

14 PEDESTRIAN ACCESSIBILITY AUDIT **PRE LANDSCAPE WORKS**

No landscape works shall commence 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 prior to occupation of the development in accordance with details to be submitted to and approved in writing by the Local Planning Authority and permanently retained thereafter.

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 Policy DEV29 of the Plymouth and South West Devon Joint Local Plan 2019 and 104, 105, 106 and 110 of the NPPF 2019.

15 CONDITION: EXTERNAL LIGHTING DETAILS **PRE-COMMENCEMENT OF INSTALLATION OF LIGHTING**

Notwithstanding the details set out on the approved plans no lighting installation shall take place until details of any external lighting scheme and associated works 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 in accordance with policy DEV20 and DEV21 of the Plymouth and South West Devon Joint Local Plan and paragraphs 127 of the National Planning Policy Framework 2019.

16 CONDITION: PROVISION OF PARKING AREAS

PRE COMMENCEMENT OF WORKS TO CAR PARK INCLUDING BASEMENT PARKING AND PRE OCCUPATION

Notwithstanding the details as shown on the approved Landscape plan PL-006 PL3 and Basement Floor plan PL-010 PL1, prior to commencement of works to any area of car park, final details of car parking shall be submitted to and approved in writing by the Local Planning Authority.

Within the surface car park these details shall include provision of:

- 4 dedicated electric vehicle charging points within the surface car parking area along with infrastructure for the futureproofing for a further 4 bays to be provided
- 10 DDA compliant spaces

Within the basement car park these details shall include provision of:

- 5 dedicated electric vehicle charging points within the basement for residential parking along with ducts for futureproofing 19 spaces
- 5 DDA compliant spaces

Prior to commencement of use of the car park, details of the charging regime and method of enforcement shall also need to be submitted to the Local Planning Authority for approval.

Each parking space shown on the approved plans shall be constructed, drained, surfaced and made available for use and thereafter those spaces shall not be used for any purpose other than the parking of vehicles.

Reason: To enable vehicles used by occupiers or visitors to the development and wider City Centre area 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 Policy DEV29 of the Plymouth and South West Devon Joint Local Plan and para 104, 105, 106 and 110 of the NPPF 2019.

17 CONDITION: DETAILED DESIGN AND EXTERNAL MATERIALS

PRE COMMENCEMENT OF EXTERNAL WORKS

Prior to commencement of the external works to the tower, south block or north block, the detailed design and materials shall be submitted to and approved in writing by the Local Planning Authority.

- External tower details including: transom/spandrel panel, east and west façade, north and south façade, glazed roof pavilion, other roof works and telecommunications
- First floor balcony details
- External north block details
- External south block details including, south block glazed extension
- External basement works details
- Other external details such as rainwater goods, lighting, ventilation, servicing, plant details, terrazzo floor finish and final finish of columns

The development shall be carried out at all times in strict accordance with the approved details and permanently retained as such, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

Reason:

To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to ensure that the details of the proposed work comply with DEV20 and DEV21 of the

Plymouth and South West Devon Joint Local Plan 2014 - 2034 and para 190 and 192 of the NPPF 2019.

18 CONDITION: SIGNAGE STRATEGY

PRE INSTALLATION OF SIGNAGE

Prior to the installation of any signage, a signage strategy for the development shall be submitted to and approved in writing by the Local Planning Authority.

Any signage or adverts will be implemented in accordance with the signage strategy as approved and permanently retained as such unless an alternative strategy is agreed in writing.

Reason: To ensure that the signage is in keeping with the appearance of the proposed building in accordance with Policies PLY6, DEV20, DEV21 of Plymouth and South West Devon Joint Local Plan and paragraphs 124, 127 and 132 of the NPPF (2019).

19 CONDITION: CYCLE PROVISION

PRE-OCCUPATION

The building shall not be occupied until space has been laid out within the site in accordance with the Proposed Basement Floor Plan PL-010 PL1 and Proposed Landscape Plan PL-006 PL3 hereby approved for a minimum of 85 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 DEV29 of the Plymouth and South West Devon Joint Local Plan para 91, 104 and 110 of the NPPF 2019.

20 CONDITION: MICROCLIMATIC IMPACT REVIEW

PRE-OCCUPATION

Post demolition of the glazed lobby area and prior to the occupation of the development, a review of any microclimate impacts including impact from wind, and any subsequent proposed mitigation measures, shall be 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 and be permanently maintained thereafter, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

Reason: To ensure any of the proposed demolition works do not conflict with the microclimate of the surrounding area, and in order to preserve the amenity of the area in accordance with DEV1 and DEV20 of the Plymouth and South West Devon Joint Local Plan.

21 CONDITION: REFUSE STRATEGY

PRE OCCUPATION

Prior to occupation, details of the siting and form of bin storage for disposal of refuse and recycling for the development shall be submitted to and approved in writing by the Local Planning Authority. The hereby agreed refuse storage provision for each unit shall be fully implemented before the respective unit is first occupied/brought into use and henceforth permanently made available for future occupiers/users of the site.

Reason:

In order to ensure that adequate, safe and convenient refuse and recycling storage provision is provided and made available for use by future occupiers and to protect the residential and general amenity of the area from noise emanating from delivery and waste collection activities in accordance with DEV2 and DEV31 of the Plymouth and South West Devon Joint Local Plan.

22 CONDITION: LANDSCAPE AND ECOLOGY 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 occupation of the development. The content of the LEMP shall include the following

- i. Description and evaluation of features to be managed.
- ii. Ecological trends and constraints on site that might influence management.
- iii. Aims and objectives of management for both the landscape elements and the biodiversity features.
- iv. 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.
- v. Preparation of a work schedule.
- vi. Body or organisation responsible for implementation of the plan.
- vii. 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 and managed in accordance with it thereafter.

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 Joint Local Plan Policies SPT12, DEV20, DEV23 & DEV26 and Government advice contained in the NPPF paragraphs 170, 174 & 175.

23 CONDITION: ROOF TERRACE MANAGEMENT STRATEGY

PRE OCCUPATION

Prior to the occupation of the residential development, a roof terrace management strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of:

- Confirmation of how the area will be monitored
- Confirmation of training for relevant staff
- How the area will be managed at night
- Details of the public access and how it will be managed

The development shall be managed at all times in strict accordance with the approved strategy, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

Reason: To ensure the development preserves the amenity of the area and contributes towards high standards of community safety in accordance with DEVI and DEV20 of the Plymouth and South West Devon Joint Local Plan.

24 CONDITION: INDIVIDUAL COMMERCIAL DEVELOPMENT PLAN

PRE-OCCUPATION

Prior to occupation of each commercial unit, details of the individual commercial development plan for that unit, including

- Confirmation of use class
- Hours of operation and opening
- Refuse strategy
- Outside seating area management plan
- Any proposed smoking area

- Ventilation and extraction details (including vibration and noise levels)
- Any noise or vibration mitigation measures

shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and permanently managed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the residential and general amenity of the area from odour and/or noise emanating from the operation of any plant, machinery and equipment installed and from disturbance or nuisance caused by the general operation of premises within the commercial aspect of the development and avoid conflict with The National Planning Policy Framework and DEVI and DEV2 of the Plymouth and South West Devon Joint Local Plan.

25 CONDITION: TRAVEL PLAN

PRE-OCCUPATION

The building hereby permitted shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The said Travel Plan shall seek to encourage residents, staff and all site users to use modes of transport other than the private car to get to and from the building. 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 occupier shall operate the approved Travel Plan unless an alternative strategy is agreed in writing by the Local Planning Authority.

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 DEV29 of the Plymouth and South West Devon JLP 2019 and para 111 of the NPPF 2019. The applicant should contact Plymouth Transport and Infrastructure for site-specific advice prior to preparing the Travel Plan.

26 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. Once approved the development shall be carried out in accordance with the management plan, and maintained in accordance with the agreed details, unless an alternative strategy is agreed.

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 PLY20-21 & DEV20-22 of the Plymouth and South West Devon Joint Local Plan, and paragraph 127 of the National Planning Policy Framework 2019.

27 CONDITION: ENERGY STRATEGY

GENERAL COMPLIANCE

Development shall take place in accordance with the Urban Splash DEV32 Response, unless an alternative strategy is agreed in writing with the Local Planning Authority.

Reason: To ensure the development is designed to be capable of connection to the district heating network and a proportionate contribution towards the provision of the network is secured, in accordance with SPT1, PLY6 and DEV32 of the Plymouth and South West Devon Joint Local Plan and paras 148, 150 -151, 153 - 154 of the NPPF 2019.

28 CONDITION: USE OF LOADING AREAS

GENERAL

The land indicated on the approved plans for the loading and unloading of vehicles shall not be used for any other purposes unless an alternative and equivalent area of land within the curtilage of the site is provided for loading and unloading with the prior consent in writing of the Local Planning Authority.

Reason: To ensure that space is available at all times to enable such vehicles to be loaded and unloaded off the public highway so as to avoid:- (i) damage to amenity; (ii) prejudice to public safety and convenience, and (iii) interference with the free flow of traffic on the highway; in accordance with Policy DEV29 of the Plymouth and South West Devon JLP 2019 and 104, 108, 109 and 110 of the NPPF 2019

29 CONDITION: RETAINED TREES

GENERAL COMPLIANCE

In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the commencement of development.

- a) Notwithstanding the details as shown on Proposed Landscape Plan PL-006 PL3, no retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be pruned or pollarded other than in accordance with the details agreed in conditions 9 and 22 without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with BS 3998: 2010 Tree Work Recommendations.
- b) If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or pruned in breach of (a) above in a manner which, in the opinion of the Local Planning Authority, leaves it in such a poor condition that it is unlikely to recover and/or attain its previous amenity value, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- c) The erection of barriers and ground protection for any retained tree or hedgerow shall be undertaken in accordance with Section 6.2 of BS 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason: To ensure that trees or hedgerows retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with DEV20, DEV23 DEV26 DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraphs 124, 127, 170, and 175 of the National Planning Policy Framework 2019.

30 CONDITION: BIODIVERSITY MITIGATION AND ENHANCEMENT

GENERAL COMPLIANCE

Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy updated July 2019 and the Proposed Landscape Plan PL006 rev. PL3.

Reason: In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with DEV26 of the Plymouth and South West Devon Joint Local Plan and Government advice contained in the NPPF (2019) paragraphs 170, 175 -177.

31 CONDITION: PUBLIC CAR PARK ALLOCATION AND WORKS
GENERAL COMPLIANCE

Car parking within the surface level car park, as approved through condition 16, shall be laid out in compliance with the approved scheme.

No Space within this car park shall be allocated or retained for residents or businesses located within the development hereby approved, unless otherwise agreed through the travel plan condition 25.

No further works to the public car park shall be undertaken without the prior consent of the Local Planning Authority approval. Should a further scheme be approved, development shall commence in accordance with the updated approved detail.

Reason: To safeguard the site for future development in accordance with PLY15 and to reduce reliance on use of private cars to assist with promotion of sustainable travel choices, in accordance with Plymouth and South West Devon of the Joint Local Plan.

32 CONDITION: NO VINYL ON WINDOWS
GENERAL COMPLIANCE

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

Reason: To maintain the character and appearance of the active frontages and the safety and security benefits brought by overlooking through these windows, in accordance with policy DEV20 of Plymouth and South West Devon Joint Local Plan.

33 CONDITION: REPORTING OF UNEXPECTED CONTAMINATION
GENERAL COMPLIANCE

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where further remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure development can be carried out safely without unacceptable risk to workers, neighbours and other offsite receptors in accordance with DEV2 of the Plymouth and South West Devon Joint Local Plan and para 178 and 179 of the NPPF 2019

34 CONDITION: NOISE HABITABLE ROOMS

GENERAL COMPLIANCE

All dwellings shall be constructed in accordance with BS8233:2014 so as to provide sound insulation against externally generated noise. The levels as described in Table 4 of the guidance shall be applied, meaning there must be no more than 35 dB LAeq for living rooms and bedrooms (0700 to 2300 daytime) and 30 dB LAeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided, unless an alternative standard/noise level is agreed in writing by the LPA.

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 DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan and para 180 of the NPPF 2019.

35 CONDITION: SPECIFIED USE RESTRICTION PODIUM

GENERAL COMPLIANCE

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), the ground and first floor commercial uses hereby approved shall be used only for the purposes of uses falling within Classes A1, A2, A3, A4, A5, B1, D1 (Creche / Day Nursery, Art Gallery / Associated Art Sales) and D2 (Gymnasium / Indoor Sports Recreation) as defined in the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that Order with or without modification), and for no other purpose.

Reason:

The application has been assessed on this basis, and the impact of alternative uses would need further consideration to ensure that the development would not impact on the highway network, heritage assets and amenity of the area including relationship with the residential use hereby approved, in accordance with DEV1, DEV2, DEV21 and DEV29 of the Plymouth and South West Devon Joint Local Plan.

36 CONDITION: RESTRICT A5 USES

GENERAL COMPLIANCE

The development shall provide no more than 100sqm GIA amount of A5 use floor space.

Reason: To preserve the amenity of the area in accordance with PLY6, DEV1, DEV2 and DEV18 of the Joint Local Plan.

37 CONDITION: VENTILATION AND EXTRACT STATEMENT

GENERAL COMPLIANCE

Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ventilation and Extract Statement Rev 2 -02 January 2019.

Reason: In the interests of ensuring the dwellings hereby permitted achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies DEV1 and DEV2 of the Plymouth and South West Devon Joint Local Plan and para 180 of the NPPF 2019.

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 for guidance.

2 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 the National Planning Policy Framework 2019, the Council has worked in a positive and pro-active way with the Applicant including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.

3 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.

4 INFORMATIVE: FUTURE OCCUPANT NOTIFICATION

All building occupants should be made aware that the open car park is allocated as a future redevelopment site allocated in the Joint Local Plan.

5 INFORMATIVE: MARINE GRADE SPECIFICATION

All materials should be of marine grade specification.

6 INFORMATIVE: DISTRICT HEATING BEST PRACTICE

Your attention is drawn to the best practice compliance with the CIBSE CPI.2 when reviewing details for condition 6 above.

7 INFORMATIVE: SUSTAINABLE URBAN DRAINAGE SYSTEM

Your attention is drawn to the comments made by the Lead Local Flood Authority dated 14/08/19 when preparing the submission for condition 11.

8 INFORMATIVE: DISTRICT HEATING FUNDING

For clarity, the following District Heating plant and equipment, and connections identified in condition 8) 1) above shall be provided and funded by the Council/ District Heating Provider.

9 INFORMATIVE: HEAT ON DEFINITION

"Heat on" date means the date when the first commercial or residential units are ready and fit for occupation and are first supplied with hot water and/or heating, whichever is the earliest.