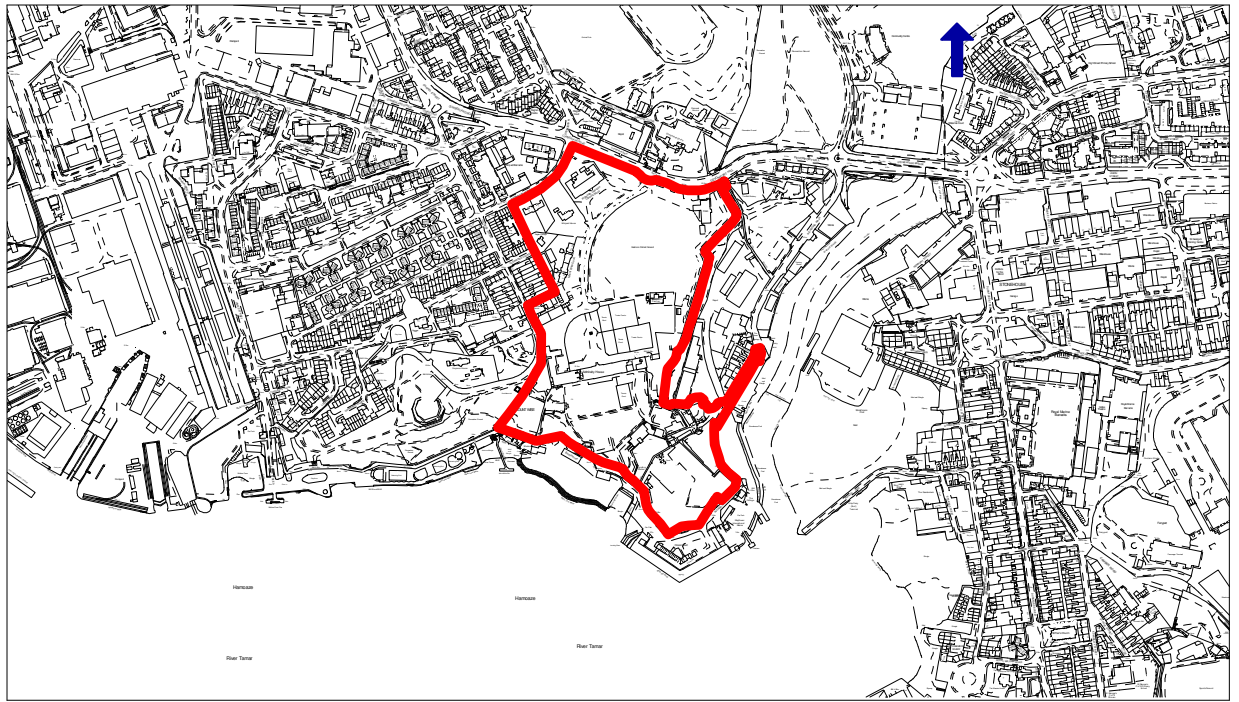


ITEM: 03

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|------------------------------------|---|
| Application Number: | 06/01646/OUT |
| Applicant: | Mount Wise Ltd |
| Description of Application: | Mixed use redevelopment of 450 dwellings (139 houses, 231 flats; 20 sheltered units and 60 care units), 9,150 square metres of commercial floor space including extension and conversion of both the Grade II Listed Admiralty House to a hotel and Mount Wise to offices, café, gym, convenience store and associated roads, parking and landscaping to include retention of the cricket pitch. Outline application with details of layout, scale and access |
| Type of Application: | Outline Application |
| Site Address: | FORMER MOD SITE MOUNT WISE DEVONPORT PLYMOUTH |
| Ward: | Devonport |
| Valid Date of Application: | 09/10/2006 |
| 8/13 Week Date: | 08/01/2007 |
| Decision Category: | Major |
| Case Officer : | Jeremy Guise |
| Recommendation: | Minded to grant conditionally subject to a S106 Agreement (provided outstanding issues are resolved with the EA and the HA), defer for the consideration of any further public representations received, delegated authority to officers to conclude S106 negotiations and to finally determine the application. (An addendum report will update this recommendation) |



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OFFICERS REPORT

Site Description

Mount Wise is a 10.4 ha (11.4ha ., if Richmond Walk widening area included) former MoD owned site situated on the eastern side of Devonport. It forms the southern part of the 'green arc', an expanse of undeveloped land that extends from Mount Wise through Brickfields to Devonport Park and was historically a defensive line of fire for the town.

The site contains two important historic buildings: Admiralty House and Mount Wise House, both listed grade II. Admiralty House, is a large, freestanding late eighteenth century house (attributed at James Wyatt) located in sylvan parkland grounds. It occupies the most prominent location on the headland overlooking the Sound and the River Tamar, and despite unsympathetic modern extensions particularly to its western wing, it is an imposing building that dominates the site, and the skyline of this part of the city. Mount Wise House is a large, dual fronted, town house located on the north western fringes of the site, where it adjoins urban Devonport. It forms the southern most 'book end' building on the eastern side of George Street, a terrace of substantial Georgian houses. Internally it has been much altered for military purposes, but externally it makes a contribution to the overall character of the site and the adjoining townscape.

The 200+ year military use of the site has left a mixed and varied legacy: from the archaeological remnants of the historic 'Devonport lines' (defensive positions, which include the last Bastion built in England) and St Georges barracks, to the massive subterranean bunker complex and the former officers' cricket pitch which is of minor counties standard and of ongoing importance to the city.

As a military enclave the site was separate from the city, divided from it by high railings with limited, and restricted, access points. This legacy remains. The main access is from Devonport Hill/Cumberland Street (A374) to the north, and sweeps into Admiralty House past the cricket pitch via the avenue of mature trees. The far southern part of the site, containing the bunker complex and fruit orchard, is accessed off Richmond Walk via a narrow ramp.

The immediate surrounding area is also of varied character. The tight urban grain of terraced streets: George Street, Clowance Close, Pembroke Street and recent Barrett's development at Cumberland Close adjoin to the north and west. Mount Wise Park and waterfront open space, the southernmost tip of the green arc, are located to the south west; and ziggurat style flats of Ocean Court and boatyards, on lower ground, to the south and east.

Owing to its prominence the site is visible on the skyline from Mount Edgecumbe; the Sound; the Royal William Yard and Stonehouse Creek and is the focal point for key strategic views. Indeed the military celebrated and used this prominence with a flagpole, known as 'The Admiral's Salute'.

Proposal Description

In its amended form the application seeks outline planning permission for a mixed use redevelopment of 450 dwellings (139 houses, 231 flats, 20 sheltered units and 60 care homes), 9,150sqm. of commercial floor space including extension and conversion of both the grade II listed Admiralty House to a hotel and Mount Wise House to offices, café, gym, convenience store and associated roads, car parking and landscaping. The outline application includes details of layout, scale and access

As can be surmised from the description, the site contains a number of natural and man made features that act as constraints on its development potential: significant differences in levels (especially in the eastern and southern sides); it is the focus of key strategic views; mature parkland landscape; limited access points; important listed buildings; one of the best cricket pitches in the city and archaeological remnants.

The proposal seeks to respond to these constraints by concentrating relatively high density development in four areas: the North West corner, the area immediately to the north and around Admiralty House, the far north east corner of the site and to the south off Richmond Walk around the military bunker and entrance. This leaves three areas of relatively untouched open space in between: the cricket pitch and surrounds; the area in front of Admiralty House and the centre of the lower garden, a secluded area in the far south west

The applicants have identified four character areas within the site: area A - Lower garden off Richmond Walk; area B – Admiralty House and environs; area C -The North West Corner and Area D - North East corner/ cricket pitch. It is envisaged that, if approved, the site will be developed in phases starting with area C, followed by areas B, A and D.

Area A

The proposal shows 91 dwellings (19x3 bed houses and 72 flats/maisonettes); 810sqm of commercial space and 4,650sqm of data storage space and 1,111sqm of parking located in the lower garden accessed from Richmond Walk.

The existing nuclear bunker is utilised to provide data storage with other uses contained in five new buildings. The main ones are an eight storey slab block rising from Richmond Walk to provide 1,111sqm of parking on the frontage, two storeys of car park and six storeys of flats above. This building divides into two unequal wings above the parking to provide a pedestrian route way into the site and a vista towards Stonehouse Creek.

To the north a new marine employment building 810sqm is proposed at the entrance to the site from Richmond Walk.

To the west of this block, within the 'bowel' of the lower garden, two crescents are shown opposite one another, forming a kind of amphitheatre around communal open space that provides a seaward vista to the south west. The northern crescent building would comprise 32 flats arranged on three storeys with parking to the rear. It would screen the unsightly concrete elevation of the nuclear bunker. The southern crescent is shown comprising of 19 three storey townhouses, with integral garages and small rear yards.

Vehicular access to this part of the site is only achievable from Richmond Walk. It is proposed to widen a section of this road, in front of Bakers Place cottages to cope with additional traffic generated (compensating the adjoining landowner by implementing an already approved permission to extend into Stonehouse Creek); improve the road junctions and provide vehicular access to the residential property via a ramp, to the east which turns through the flat blocks. Pedestrian access to this part of the site is shown from Mount Wise, via the Rose Garden (daylight hours only) and Richmond Walk via a new stepped access.

The centre of the 'amphitheatre' feature is shown as a communal garden, open to the public to avoid creation of a gated community, and a small, private play space is shown in the far south eastern corner.

Area B

The proposal shows 70 dwellings (39 houses and 31 flats); a 46 bed hotel, a 60 unit care home and 972sqm of commercial office space located in the environs of Admiralty House.

Admiralty House is left intact by the proposal except for the removal of the twentieth century accretions and the large 1970s extension on the western side. Indicative drawings have been submitted that demonstrate how it might be converted into a 46 bed boutique hotel with minimal changes to its appearance and historic features. A few three storey town houses are shown either side of the house, in alignment with it, beyond the existing lodges. The established gardens to the south are retained. They are to be divided into two with the upper gardens and lawns, containing the Admiral's Salute, becoming the grounds of the hotel and the lower gardens, separated by a 'ha ha' (ditched boundary treatment), available to the public on a controlled basis between dawn and dusk.

To the north of Admiralty House, in the area currently occupied by the sweeping entrance approach and tennis courts, a three sided 'quadrangle' is proposed open at the north. It is envisaged that this would have a focal feature in the centre and parking for the hotel and residencies. On either side of the 'quadrangle', deliberately aligned with the lodges two rows of two story terraced town houses would extend northwards. In the indicative plans and drawings that accompany the application these appear in contemporary architectural style with mono pitch roofs and uniform repetitive features that provide some rhythm to their frontages. Irregular shaped, three storey, blocks visually contain these terraces at the northern end, opposite the cricket pitch

and Mount Wise House, the eastern one contains 12 flats and the western one 972sqm of commercial floorspace.

In the extreme east of the site, above the cliff face, a 60 unit care home is proposed. This is shown as a wedge shaped, three storey, building containing rows of single aspect flatlets, separated by a large central atrium, tapered to reflect the shape.

Area C

The proposal shows 133 dwellings (81 houses and 52 flats)]; 20 category 1 elderly units; 1,669 sqm of commercial space and 290sqm of retail space and parking area located in the north western part of the site.

Most of the new family housing proposed on the site is concentrated in the north western area arranged in a series of streets and crescents round the principle of perimeter blocks with abutting rear gardens/ yards. The urban pattern is high density residential designed to match that existing immediately outside the site and provide an attractive frontage to the cricket pitch. Road and pedestrian connections also integrate with the existing, even to the extent of providing a pedestrian route way through from the cricket pitch, past the proposed play space and above ground archaeological remnant to Clowance Close.

Three storey blocks of flats are shown located at either end of this part of the site, adjacent to the Cumberland Road frontage in the north and an area of trees and communal parking in the south.

Mount Wise House occupies the far south western extremity of this part of the site. In its amended form the proposal shows it retained and converted into commercial offices, its' later additions removed and replaced with subservient extensions to provide a modern, DDA compliant lift/stairwell, and a '1.5' storey rear extension.

Area D

The proposal shows 76 dwellings all flats; 500sqm café/bistro; 260 sqm gym and 470sqm of community pavilion together with 3,450sqm parking /bike and plant store in the podium located in the north east.

The retained cricket pitch represents a very significant constraint to development in this area, effectively restricting it to the northern and southern edges of the cricket pitch.

A single, podium building, is proposed in the northern part of this area containing a café/bistro gym opening towards the cricket pitch and parking, bike and plant store on the ground floor together with three six storey blocks of flats on the upper floors. The blocks are shown rising from a podium feature which rises from the cricket pitch over the roofs of much of the ground floor. They are arranged as radiating spokes, or fingers, opening from Devonport Hill to maximise aspect, minimise direct overlooking and, for safety, provide mostly end elevations to the pitch.

The cricket pavilion and community facility is shown in a new stand alone, pavilion style building to the south of the cricket field, with associated parking located under the tree canopies to the west.

A number of topic reports have been provided in support of the application covering: archaeology, heritage assessment; arboricultural design/ preliminary method Survey; ecological survey;

Since submission the applicants have amended the proposal chiefly in relation to the main building in area D; the extensions to the Admiralty and Mount Wise Houses and ramped access arrangement into area A. They have also provided a draft Section 106 Agreement, detailing the clauses covered, and suggested contribution figures. This is supported by a confidential viability assessment.

Relevant Planning History

The site has been a military enclave outside the remit of civil control for over 200+ years. This has both preserved its unique landscaped character and led to some unsympathetic changes such as the 1960s extensions, developments in its grounds including, of course, the huge concrete bunker complex built outside Local Planning Authority control. Since the site has been decommissioned the new owners have successfully applied to English Heritage for a Certificate of immunity from listing in respect of the former HMS Vivid; and, legally, demolished it along with a number of other freestanding twentieth century buildings located in the grounds. Most recently the whole site has been included in the extended Devonport Conservation Area.

Consultation Responses

Environment Agency

The Environment Agency maintains objection to this proposal on flood risk grounds.

The Flood Risk Assessment (FRA) provided is acceptable as it adequately details the flood risks to the development. The mitigation method proposed has demonstrated that the development will be safe with regards to flooding and therefore passes part c of the exception test. But exception tests a and b are required. Hence the Agency maintain their objection

Environmental Services

Make comments and recommendations about the following matters: Land Quality – Before development commences seek site investigation report documenting the ground conditions of the site incorporating a 'conceptual model' of all potential pollutant linkages and an assessment of risk to identified receptors. Construction Noise – Seek Code of Construction Practice to be agreed with Council prior to commencement. Noise & Odour from commercial premises – seek control of ventilation and extract systems from commercial premises and restriction on opening hours. Refuse and litter – seek details of arrangements for both commercial and domestic buildings.

Deliveries – seek control over day and time of deliveries and refuse collection. Drainage details commercial buildings – seek details (note BC matter). Light – Control sought over future floodlighting.

South West Water – Have no objections subject to foul and surface water generated by the development being kept totally separate.

Natural England - Based upon the information provided, Natural England has no objection to the proposed development. It is their view that, either alone or in combination with other plans or projects, it would not be likely to have a significant effect on the interest features of Plymouth Sound and estuaries special area of conservation(SAC) or any of the features of special scientific interest of the Tamar-Tavy Estuary Site of Special Scientific Interest (SSSI). However, Natural England advice that all recommendations in the protected species are carried out.

Highways Agency

Have issued a direction that the Planning Authority shall not grant planning permission for a period of 6 months from 8th November 2006:- ‘to give the applicant time to submit a revised Transport Assessment and Travel Plan to enable the Highways Agency to assess the impact of the development on the safety and free flow of traffic on the A38 trunk road.’

Highway Authority

There are a number of elements to the transport issues: the impact on the citywide road system (reflected in the Highway Agency [HA] Directive); the impact on the surrounding road network and sustainable transport.

Citywide Road System

The Highways Agency maintains their objection to the proposal and the Council is not in a position to approve the application. Despite the applicants efforts to provide further information this Directive remains in place. (see above)

Surrounding road network

The site is a peninsula headland, vehicles will, for the most part, access the wider road network from one of two points Devonport Hill/ Cumberland Street. The main junction impacted upon will be Devonport Hill/Stonehouse Bridge/Kings Road/Richmond Walk and the existing main entrance into the site from Devonport Hill / Cumberland Street.

The Devonport Hill roundabout would require improvements to cope with the proposed development. It will require further improvements to cope with the other large developments in the area: Vision (South Yard Enclave) and Millbay. In order to avoid a series of piecemeal improvements which only address the additional capacity arising from each development, it is proposed, in accordance with best practice, that the requirements are pooled and a proportionate contributions/ undertaking for work sought from each development. The timings and sequentially of these improvement requirement make this a complicated matter to gauge. However, Mount Wise as the closest

major development to this junction will be required to take the lead in ensuring that this improvement scheme is in place.

The current width of Richmond Walk limits the capacity of area A to accommodate new residential development. In order to overcome highway issues in relation to the width of this road, it is proposed to widen the road in front of Bakers Place and provide a ramped access to the area. There are overall highway benefits to securing a wider road along Richmond Walk, but remaining highway uncertainty about the suitability of the ramped access.

Whilst it is generally assumed that the junction /road improvements required to make the proposal acceptable can be physically be achieved, this needs to be properly demonstrated and the requirements tied in to delivery with the development

Sustainable Transport

The third set of issues focus upon sustainable transport. The proposal seeks to provide an average of just over one parking space per residential unit. This level of provision is compatible with an inner city location where frequent and accessible public transport is available.

At present areas B, C and D are reasonably accessible to public transport from Devonport Hill/Cumberland Street (400m. walking distance threshold); but area A is not.

In order to improve accessibility and use buses (No. 34 and 34B) could be rerouted into the site. Improvements towards public transport will require significant contributions.

The package of contributions offered is not at present sufficient

Queen's Harbour Master, Plymouth

Is content with the outline plans. The plans outline a significant change in the volume of buildings on a site overlooking the Narrows, one of the most constrained sections of deep-water channel between Plymouth Sound and the Hamoaze. It will be important that the detailed lighting design is such that the conspicuousness of the existing navigation aids is not significantly degraded.

Crime Prevention / Architectural Liaison Officer

Make a number of comments and observations about the application that can be summarised as follows:-

- Support controlled public access to parts of the site in line with security issues of the commercial units, hotel, care home and gardens immediately to the front of the hotel.
- Suggest that the pedestrian entrance into Clowance Close is made as large as possible.
- Points out the high levels of car crime in Plymouth and raises concerns in relation to the shared /mixed underground car parking arrangements. Access needs to be controlled to prevent unauthorised entry with inward opening automatic gates; lighting and light coloured walls and ceilings.
- Raises very serious concerns in relation to the proposed access into the southern residential area, opposite Ocean Court. General access through a car parking area must be avoided.

- Points out the City's obligations under the Crime & Disorder Act 1988, and that Plymouth's Crime Reduction Strategy (2005-08) is designed to build on the success of previous strategies, reduce crime within the city and make it a safer, more attractive place.

Devonport Regeneration Community Partnership (DRCP)

Commend the constructive way that the developers have responded to the concerns from stakeholders and the public. In overall terms the proposed balance of uses within the development, housing, employment and recreation is considered to meet DRCP objectives.

Welcomes improvements to permeability and avoidance of a 'gated community'; the extension of the 'green arch'; retention of the cricket pitch, with new community pavilion and the proposed new uses for Admiralty and Mount Wise Houses. Note favourably that the quantum of employment space, exceeds target; and do not have any objection, in principle, to the quantum of housing proposed, although would not wish to see density, access and traffic impact upon the environmental quality of the site. View these matters as appropriately judged by the Local planning Authority. Ideally would like to see more houses than flats, but appreciate the difficulties in achieve in this in areas A and D. The DRCP consultation response goes on to provide detailed comments upon the four characterisation areas, all generally supportive.

Plymouth Design Panel

Have considered the site three times during the course of the evolution of the proposal: on 25th April; 13th July and 18th October. Their comments have been highly influential in shaping the design of the proposal, particularly in relation to the area around Admiralty House and the tall buildings, which were a feature of earlier designs.

The comments of 18th October relate substantially to the proposal as currently submitted (there have been some amendments to Admiralty and Mount Wise Houses and to the large mixed use block in area D).

In general the Panel were pleased with the progress of the scheme, but retained some concerns about the amount of development proposed taking into consideration the unique assets of the site, given its location, the stature of admiralty House, and the open landscape that it holds. It considered that these issues would be more satisfactorily resolved if the quantum of development were reduced. Comments relating to specific areas can be summarised as follows:-

Area A (Lower garden) - Welcomed the two viewpoints, but felt that the allocation of space within this area lacked a clear strategy in relation to vehicular and pedestrian movement. Overall thought the design in this area had not yet yielded its full potential and that the density sought was a factor in this.

Area B (Admiralty House and Quadrangle) – Sought further details of quality of architecture. Commented that the precise nature of the rhythm and hierarchy of the architecture of Admiralty House needs to be recognised and respected in the responses to the adjacent buildings. Raised concern about the lack of private / secure garden for the care home / sheltered housing, considering this essential.

Area C (North West & Mount Wise House) – Sought a sensitive architectural approach to the extension to Mount Wise House (subsequently revised) and raised concerns about private garden sizes backing onto Pembroke Street, as this might indicate overdevelopment.

Area D (Fingered mixed use buildings) – Welcomed the omission of the tower building, but found that the apparent remoulding of this element in the form of a plinth and three fingered block was overtly complex and represented a serious negative impact on one of the most important assets of the site, namely the generosity of the open landscape and sense of connection to the sea experienced on approach to the site along Devonport Hill. Expressed the view that this was another indication of overdevelopment and disliked the free standing entrance stair towers and considered there to be confusion over public and private territory. (Note:- subsequent amendments have deleted the freestanding entrance towers, integrating them into the towers; and have improved the definition of the public and private territory).

English Heritage

Have not been invited to comment directly on this application as none of the listed buildings are grade I or II*. They did issue a Certificate of Immunity from listing prior to the demolition of Vivid House.

Sport England

Objects to the proposal raising the following concerns:-

- i) The retention of the cricket ground is welcomed however, it is a little disappointing that the 'current deal' is only for a 21 year lease. We would strongly recommend that this part of the site is given to the community / cricket club in perpetuity secured by a S106.
- ii) All new homes around the cricket ground should be far enough away as to not cause a health and safety issue, now and in the future. The final layout of the site should reflect the needs of amenity of the future residents which does not conflict with the needs of cricket and the cricket club.
- iii) Sport England and the City Council are very concerned over the proposed loss of numerous tennis courts on the site and wish to see them reinstated or replaced off-site at a suitable location secured by a S106.
- iv) Up to 2016 the Council have identified the evidenced key shortages of sports facility and playing pitch provision and according to their developer contribution calculators, 500 new homes in this part of the City could generate a total contribution of £689,599 which should be secured by an s106.

England & Wales Cricket Broad (ECB):

Supports the continued use and modification of the cricket pitch within the scheme, which fits within their standards. Understand that Mount Wise Ltd. will be committed to a 21 year lease to as local cricket club, which will assist the club to retain grants for various other funding organisations in the future. Support the redevelopment of the cricket pavilion which will help with the future expansion of the club and are fully supportive of the principle of outfield being used for public open space provided the square remains dedicated to the club in the leasehold arrangement

ECB see this development as a positive contribution towards cricket in Plymouth and the wider surrounding area. Historically the ground has been in private ownership, however, through the club this facility will be able to be enjoyed by players and spectators alike.

Ministry of Defence

Have no comments to make on this application

Civil Aviation Authority

No comment received

Health and Safety Executive

No comment received

Representations

Consultation letters have been sent to surrounding properties, four site notices posted and a press notice. This has resulted in receipt of ten letters of representation (LOR's), including one from the Devonport Planning Forum. All letters object to the proposal, although most only object to a particular aspect of it. The grounds of objection can be summarised as follows:-

Devonport Planning Forum - Object to the 8 storey block of flats on Richmond Walk. This is the only green area in Richmond Walk and has never been developed if flats are allowed to be built there it will be the end of conservation and nature there.

Grounds of objection:-

The proposed extension to Mount Wise House will block all direct sunlight to rear gardens of properties in George Street and considerably reduce the amount of natural daylight to rear rooms and tenement kitchens. Proposal has the potential to overlook rear gardens if windows are shown in rear elevation.

The proposals diverge from the Deposit Local Plan, Devonport Development Framework and from the Devonport Action Area Plan Issues & Options/ Preferred Options as the parkland is not preserved to preserve a green arc and the number of dwellings proposed is 6 times the number in the Preferred Options Report.

Developer ignored the Council's intention to extend the Devonport Conservation area, by demolishing buildings on site before designation, notably Vivid House.

- The proposal is so large in scope and so widely different from previous objectives that, if pursued, there must be a public inquiry.
- I object to any more than 80 dwellings. I object to high rise buildings being used for dwellings unless they are of exceptional quality suitable for affluent occupiers. If they are not they will encourage development of a sink estate, of which Devonport has enough. I object to buildings south and south east of the block-houses because they will incur a materially significant increase in traffic in Richmond Walk both during construction and subsequent occupation.
- Build a building same proportions as Mount Wise House huge building will affect the amount of sunlight Being a widow and a pensioner spend a lot of time in garden
- Concerned about potential disruption that business may experience during the construction process. Access route from Richmond Walk is not the best solution in the longer term for the area
- A better road solution required disturbance during building works Better access could be provided through the Jewson's site that is believed to be for sale
- Loosing parking outside Bakers Place totally unacceptable
- Concerned that the widening of Richmond Walk will would cause the boatyard to extend into Stonehouse Creek on piles and that piling work will cause vibration damage to old buildings.
- The plan is extremely bad for Richmond Walk being only a quick fix devaluing the quality of life of the existing residents rather than bring forward looking and working towards raising the area.

Consultations have been undertaken into the final amended plans. Any further comments received will be reported in the addendum report or at Committee; however the advertisement period expires after the Committee meeting, ie on 4 May – and therefore it will be necessary to seek delegated authority to consider any last minute representations received.

Analysis

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed

against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

The key issues in this case are:-

- The principle of mixed use redevelopment of the area (policies AHR2, AHR3, AHR17, AHR19, AHR21 AHR 25)
- The dwelling mix and residential profile (policies AHR17, AHR18 and CS15)
- The design and appearance of the proposed new buildings (policy AEV31 and AEV40)
- Open space –sporting facilities, public access, trees play space and wildlife habitat (Policy AEV38 AEV4; AEV7 and AEV10)
- The impact upon the historic environment including archaeology and listed buildings (Policy AEV1; AEV12; AEV14; AEV15 and AEV16)
- Impact upon the amenities of neighbouring properties (policies AEV14 and AHR5)
- The proposed employment uses (Policy AER10 and CS01)
- Off site impact and mitigation measures/ contributions (policy Air 2 and
- Highway implications; parking and impact upon the surrounding road network(policy ATR5, ATR12, of the Adopted Plan POL38, POL44, POL47, POL48 of the Deposit Plan)

The principle of mixed use development of the area

The long military occupation of the Former MoD site Mount Wise has contributed towards the traditional isolation of Devonport. Its availability for inclusion within the fabric of the city represents an important opportunity to improve the permeability connections through the site linking Devonport with Stonehouse and the wider city beyond and achieve a high quality mixed use development.

Proposal DP06 of the Devonport Area Action Plan sets out comprehensively the Council's objectives for the site. It states:-

“the land at the former Ministry of Defence Mount Wise will be developed as a high quality mixed use scheme, ensuring the sensitive restoration of the site having regard to its historical significance, and the integration of the site into the wider community. The site will provide for :-

- 7,500 sqm of employment uses (to include marine office, creative and cultural sector industries)
- In the region of 300 dwellings, of a mix of house types and sizes and of which at least 90 will be affordable and 50 built to Lifetime Homes standard; at least 50 per cent should be houses.
- Non –residential institutional uses , including health or educational / training facilities, indoor and / or outdoor sporting facilities and hotel

The scheme will also deliver:

1. public access through all parts of the site (the creation of a private gated community on the site will not be acceptable)

2. an overall comprehensive and integrated scheme for the site which is acceptable in environmental terms
3. development in the context of a Conservation Plan for the site
4. a safe, convenient community and sustainable movement and transport network for all within and, where appropriate, beyond the new development with local vehicular access which enables public transport linkages through the site, and into the existing residential areas of south Devonport to be realised
5. a high quality transport interchange at a convenient and accessible location within or adjacent to the development
6. pedestrian and cycle access through the site along Mount Wise headland, providing a link in the 'green arc'.
7. the preparation of Design Codes that must be submitted prior to the submission of reserved matters applications and will form a key element in the consideration of these applications, to cover high quality public realm, open spaces and architecture
8. sensitive restoration and reuse of Admiralty House and Mount Wise House and their attractive landscaped setting
9. public realm enhancements to the George Street approach to Mount Wise Park
10. restoration of historic surfaces
11. protection for other historic assets and archaeological features on the site, and their setting and opportunities for presentation, interpretation and promotion of these features
12. protection of habitats and the incorporation of a wildlife corridor
13. the protection of important trees
14. the retention of the cricket pitch, which should be brought into community use, complementing the proposed new recreational facilities at Brickfields
15. the development of HMS Vivid site to provide attractive frontage to the cricket pitch
16. an assessment of land contamination and implementation of appropriate mitigation
17. assessment of the risk of flooding - the development should be designed to avoid unnecessary development in areas of high risk and to minimise the impact of development on flooding, or provide mitigation measures to reduce the impacts of potential flooding
18. re-connection to the waterfront
19. the protection of important views through, into and beyond the site

The proposal represents a mixed use development that contains most of the elements identified in DP06. It broadly accords with the Council's, in principle, objectives for the site.

Your officers have looked again at the capacity of the site and are now satisfied that it can accommodate 450 dwellings, despite this being 50% higher than the figure suggested in DP06. Government and local authority policy is to maximise the use of previously developed land and, it is expected that the overall package of community benefits arising from the proposal will outweigh any concerns about overdevelopment.

The dwelling mix and residential profile

The dwelling mix proposes a 60/40 split in favour of flats over houses, if the care home and Category 1 elderly units are excluded from the calculation (these are all flats, and including them tips the ratio further in favour of flats).

Although Devonport currently has a high number of flats (82%), and it was hoped that the proposal could include more houses and make a larger contribution towards addressing this imbalance in the wider area, it is now accepted that the physical characteristics of the site do not lend themselves easily to the provision of houses at the density sought and that it is much better developed at this ratio.

The site's main contribution towards improving the range, quality and choice of housing in the area will be a significant increase in the number of private sector dwellings within the area. Excluding the 60 unit care home, it is proposed that 293 dwellings (75%) are full owner occupied/ private rented and a further 39 (10%) are shared equity. The owner occupied tenure is currently underrepresented in Devonport– only 18% compared with 69% nationally. The proposal will extend the housing market locally and promote choice for those who can afford it.

The design and appearance of the proposed new buildings

The design, layout and appearance of the proposed new buildings is better in some places than others. First the positives: Admiralty House is kept as the pre-eminent building on the headland and changes to key strategic views from Mount Edgecumbe, The Hamoaze, Stonehouse Creek and peninsula are limited; the southern arm of Devonport's strategic 'green arch' which runs through the grounds of Admiralty House and the cricket pitch before extending, outside the site on into Brickfields and on into Devonport Park beyond, is substantively retained in sporting or amenity use along with most of the mature trees, parkland setting and wildlife habitat; the tree sided 'quadrangle', and development either side, proposed in area B, to the north of Admiralty House is subservient to, and appropriate in scale to, the approach to this important historic building. Similarly the pattern of traditional style perimeter blocks proposed in area C relate well to the neighbouring George Street and Pembroke Street, outside the site, provide active frontage to the cricket pitch and have the potential to integrate well into the existing urban grain of this part of Devonport.

In both areas B and C previous concerns about land levels, relationships to trees and parking areas have been addressed, although some residual concerns about the limited space available for private gardens persist. But, overall, in these two areas, it is considered that the application proposal provides a robust framework on which to design a modern interpretation of the terrace, the crescent, and apartment block.

The development potential of site A is restricted by its access. Most of this part of the site is an elevated 'amphitheatre' constrained on the northern side by the cold war bunker and on the southern side by Ocean Court marina and the surrounding retaining wall. Pedestrian access from the main part of the site, to the north, is limited, and vehicular access is only achievable from Richmond Walk, via a ramped access.

Concerns that the development of an eight storey block of 42 flats/ 810sqm. of marine employment uses and a double Crescent of 49 houses and flats in the amphitheatre area represents overdevelopment of this part of the site have been put aside and it is now accepted that development proposal represents best use of previously developed land and would help deliver the wider benefits to the city which accrue from approving the overall development package.

The other design considerations on the merits of the proposal for this part of the site revolve around residual concerns about the height and prominence of the proposed commercial/ flat block in relation to strategic views and the setting of Admiralty House; and the commendable maximisation of views from the proposed development within the 'amphitheatre'. Given that the height of the flat/commercial block has been amended, so that it is below the tree crown, and has the support of the Plymouth Design Panel; it is, on balance, considered to be acceptable to develop a block of this height in this location.

In area D, the North East corner adjacent to Devonport Hill, the proposed plinth like structure with partly subterranean service road/ car park running through the centre and three medium height slab blocks would create the single biggest building on the site. This form of building is more often found in, and more appropriate to, the city centre. The post submission amendments only partly address the issues raised by the Plymouth Design Panel, in respect of the flat entrances and some improved definition between public and private space. Their substantive concerns about the form of development and relationship to the landscape, particularly Devonport Hill of such a monolithic building remain. However, it is quite difficult to design a high density residential scheme in this part of the site that relates well to the cricket pitch, historic landscape and Devonport Hill frontage. On balance, the current proposal is considered to be acceptable.

Since the application was previously reported to Committee the proposed commercial office space has been relocated to a three storey block in area B, adjacent to Mount Wise House and reduced in size. This reduces the scope for conflict between the residential and commercial uses – although the shared use with the café / bistro means that the parking area would still need to be properly managed.

Open space –sporting facilities, public access, trees and play space

The former garrison cricket ground, is the most important sporting facility on the site. Its retention, and managed availability to the wider public, fulfils a key objective of DP06/14 and is a feature of this proposal, welcomed by ECB and your officers. Sport England's concern that the pitch should be permanently

provided for public use is shared, but if it is to remain privately owned and managed then beyond securing its future availability for community use, via a section 106 clause, it would not be appropriate to prescribe management arrangements 21 years hence. The loss of the existing tennis courts to the north east of Admiralty House is regrettable, but there are others in the area and they were never available to the wider public anyway. Retention of the cricket pitch and provision of a new community pavilion, (managed by the cricket club, but available for other community uses) is considered to be sufficient Section 106 contribution towards sporting facilities within the city. Sport England's request for a £689,000 contribution towards off site sporting facilities is not supported.

Securing public access to the site, and avoiding the creation of a gated community are the first in the 14 point list of objectives in DP06. In its most recent amendment, which deletes the gated community concept in the far south, the proposal substantively satisfies this objective. Areas B and C, in the centre and north western parts of the site, are shown permanently integrated into the surrounding street network, with new vehicular accesses proposed onto Pembroke Street and pedestrian accesses onto Clowance Close and George Street. These streets and route ways would become part of the wider cityscape, always accessible, linking Devonport to the wider city and contributing towards providing permeability through the site and addressing the historical problem of severance.

In the proposed plan, the eastern side of the site and gardens to the south of Admiralty House contain areas that are not immediately overlooked, commercial uses that are not always occupied and other institutional type uses, such as the care home and hotel, that difficult to secure. Access to this area provides a route way through the site from Cumberland Street/Devonport Hill to Mount Wise Park and, of course, grand seascape vistas. But it is not a primary route, and is likely to be used mainly for pleasure. If unrestricted public access has to be provided for this area, the developer, with Police Architectural Liaison officer support, would seek secure fencing and lighting. This would diminish the experience of the sylvan landscape and headland and, possibly, conflict with the setting of Admiralty House. A Section 106 clause, to secure permanent public access to this space, between dawn and dusk, is considered to represent a satisfactory compromise between the objectives of providing public access to this magnificent site and ensuring that it is safe and the landscape not compromised by inappropriate security fencing and lighting.

The concentration of mature trees representing a wide diversity of species (45) is the site's most significant natural feature beyond its inherent elevated headland location. The proposal retains most of these trees, but does seek the removal of approximately 24% to facilitate the development. It offers protection from construction damage for the retained trees; relocation, where feasible, and replacement planting for those lost. As all the trees are covered by a group TPO (No. 22), and located within the extended Devonport Conservation Area, the underlying assumption of policy AEV4 of the Adopted Plan and Strategy Objective 11 of the Core strategy is to require retention.

However, it is acknowledged that, inevitably, some trees will have to be lost to fulfil the wider policy objectives for the site.

The proposal has been designed to retain the sylvan setting of the site and ensure that mature trees remain the dominant feature of the landscaped setting of Admiralty House.

As expected, the site exceeds many times over the casual play space requirements set out in Supplementary Planning Guidance Note 11 (SPG11), but the provision of equipped play space is still required. The proposal would provide a significant number of family sized dwellings which will generate a demand for equipped play space in accordance with SPG11. It is considered that this should be provided substantively on site, in accessible and safe locations and a commuted contribution towards off site provision only secured, if necessary, for a small part.

The proposal shows two equipped play areas: under trees in area A, and on the eastern side of area D. The play areas proposed satisfy the policy considerations of SPG11. Discussions continue with the applicants with regard to the specification of equipment, adoption by the council and future maintenance payment.

Impact upon Historic Environment

The listed buildings, surviving archaeological remnants and modern bunkers of Mount Wise reflect developments in 200+ years of defensive warfare. Whilst the thickness of the concrete, and prohibitive cost of removal, is likely to substantially preserve the modern bunker complex more proactive protection is required to preserve the earlier remains and buildings. A comprehensive protective regime provided by: listing of the historic buildings; specific reference to the archaeological remnants of Devonport Dock Lines (defensive positions) and Georges Square barracks in Policies AEV12 and AEV11/2 of the Adopted plan; and inclusion within the recently extended Devonport Conservation Area.

The archaeological evaluation conducted by Exeter Archaeology, the applicants consultants, has confirmed the presence of well preserved archaeological remains on site, particularly in areas B and C. The proposal has been informed by these remains with mitigation measures, preserving in situ where possible and comprehensively recording where the development would result in removal. Two of the above ground features in area C have been incorporated into the design, one as a feature of the pedestrian walkway from the cricket pitch to Clowance Close, and a visitor interpretation board is sought for the Admiral's Rose garden (historic gun battery/ magazine site). The Council's archaeological officer is satisfied that, in the event that the proposal is recommended for approval, a conditional regime can be put in place to secure a programme of archaeological work and control the method of construction to satisfactorily mitigate the impact of the proposed development upon archaeological remains.

The application has been submitted in outline, but involves change of use, partial demolition and extension to both listed buildings in addition to significant development within the grounds. These changes will require specific listed building consent, and are the subject of separate Listed Building applications (ref. 07/00011 Admiralty House & ref. 07/00014 Mount Wise House). These applications are under separate consideration, and will be reported to the Committee as soon as possible. Negotiations are required regarding the listed building details of the proposals; officers are optimistic that the necessary issues can be satisfactorily addressed. (These negotiations, on the listed building details, can be progressed as a separate issue). The Council also needs to be fully satisfied, at this outline stage, that both buildings can be altered to accommodate the proposed uses, including the quantum of development where the applicant's have sought to fix.

It is axiomatic that neither Admiralty or Mount Wise House are going to be used for the purposes for which they were first built, military residencies. A hotel and commercial office use, respectively, is supported, in principle, as alternative uses capable of safeguarding their retention by meeting the costs of their future upkeep, and accords with DP06 and PPG15. After considerable discussion, revision and amendment, the proposal, as currently submitted, demonstrates that Admiralty House can be satisfactorily converted into a 46 bed boutique hotel without inappropriate subdivision of the main reception rooms or jarring external changes; and that Mount Wise House can be converted and extended into 1,668sqm of commercial offices, including DDA compliant access, without a large extension that would compromise its appearance and adversely impact upon the amenity of neighbours.

The appearance of both buildings would benefit from the removal of inappropriate twentieth century additions, with the demolition of the 1970s office block attached to Admiralty House particularly welcome.

Assessment of the impact of the proposal upon the setting of the listed buildings, is a more subjective judgement; but, in this case, is supported. With the removal of the proposed tall buildings from the proposal, Admiralty House is shown retaining its position as the pre-eminent building on the Mount Wise headland. Its southern elevation gardens and the historically significant Admiral's Salute remain virtually unchanged. The proposal, does however, introduce a three sided 'quadrangle' feature of high density housing on the northern elevation. Constructed in contemporary architectural style, and subservient to the historic house, this would considerably alter the main approach to the building, focusing views, claim the applicant's architects and historic environment consultants. This opinion is supported by the Plymouth Design Panel, who having successfully sought amendments to delete the fourth side of the quadrangle from the scheme and secure a better relation of the far western terrace to George Street/ Mount Wise Park, are in principle supportive about this element of the proposal. Your officers do not dissent from the consensus view and are satisfied that the setting of the listed buildings will not be adversely affected by the proposal.

Impact upon the amenities of neighbouring properties

As a longstanding Military enclave the site is somewhat separate from Devonport and only really interfaces with neighbouring property in the north west corner, around Pembroke and George Street and in the far south adjacent to Ocean Court. This particular proposal also includes widening to Richmond Walk, impacting on residential properties in Bakers Place and adjoining commercial properties.

As a result of pre-application community consultation, and subsequent post submission amendments, the access into the site from Clowance Close is pedestrian only and the size of the proposed extension to Mount Wise House has been reduced to 1.5 storeys to address concerns about overlooking and overshadowing. In its amended form the proposal provides a satisfactory relationship with properties in George Street, Clowance Close and Pembroke Street and satisfies the policy requirements of AEV14 (Privacy and overlooking) and AHR5 (Character of Residential Areas).

Additional plans have been provided showing the proposed road widening and remodelled resident parking on Richmond Walk. These show a satisfactory arrangement that helps satisfy DP09 (Richmond Walk objective of the Action Area Plan by providing improved connectivity to Mount Wise). Residents maintain concerns about additional traffic, construction traffic and potential damage from pilling in Stonehouse Creek, necessary to compensate for the road widening. Where these are planning matters, appropriate conditions can be appended to any approval granted

Employment

A key objective of DP06, and Core Strategy Policy CS01 (Development of Sustainable linked communities) is to secure a mixed use development that provides jobs as well as residential and leisure facilities on site.

This proposal seeks to satisfy this objective by providing a total of Xsqm of employment space primarily in two locations within the site: around Mount Wise House and off Richmond Walk. The conversion and extension of Mount Wise House into 1,668 sqm of commercial office space with a three storey commercial building providing a further 972sqm of commercial office space in a three storey building opposite represents one cluster. The other is area A where a new building providing 810 sqm of commercial office space is planned to join the 4,650sqm of data storage space off Richmond walk in area A. There is some concern that, the data storage element, which generates few direct jobs and little on site activity, represents such a large percentage of the total employment space on site. However, this is tempered by an appreciation that the underground bunker presents a challenge to finding a purposeful use owing to its severely restricted access, lack of natural light and, in part damp conditions. The proposed use of nuclear bunker, the most modern dry part, for 4,650sqm of data storage, despite its limited employment potential, represents a suitable use of this area and is supported.

The marine employment space within area A and on a level with Richmond Walk, at the far southern part of the site, is particularly welcomed. Policy

DP09 (Richmond Walk) of the Area Action Plan sees this area remaining in employment particularly marine related uses

Off site impact and mitigation measures/ contributions

Policy AIR2 (The Impact of development) of the Adopted Plan and the more recent Policy CS33 (Community Benefits /Planning Obligations) set out the overarching framework for negotiation of planning obligation and agreements. The basic premise is that obligation requirements are intended to offset the impact of the development upon the local area; are reasonable within the terms of Circular 05/2005; and, in broad terms, fair in relation to comparable development elsewhere in the city.

In many instances there are formulae and standard charges relating to impacts, such as SPG3 (affordable housing); IPS4 (Educational Needs) and SPG 11 (play space). It is expected that development proposals will normally provide public goods on site, or off site contributions in accordance with these formula and only if there are exceptional constraints. The process for assessing such claims is submission of a (confidential) Viability Assessment, otherwise known as an 'open book' approach

Affordable housing –

The applicants have provisionally offered the headline of 25% the total being affordable dwellings with a 60:40 split in favour of social rented providing the dwellings are clustered only in areas B and C of the site and the developers secure significant grant to aid delivery. Discussions are ongoing about the exact terms proposed. There are important details of this offer in relation to deliverability and, given the viability assessment outcome, competing Section 106 claims on contributions. Your officers need to be fully satisfied that this number of affordable dwellings, with at least this ratio of social rented will be delivered on site before finalising their recommendation.

However, we are moving towards recommending that Members accept a derogation from policy CS15 of the Core Strategy and DP06 of the AAP in relation to the requirement that at least 30% of the total number of dwellings are affordable and a partial relaxation that they be 'integrated' into the development. This is justified on the grounds that it shows flexibility in deference to the developer's economic constraints, demonstrated by the assessed viability appraisal, and an acknowledgement of the wider benefits that would accrue to the city from securing the redevelopment.

Members may recall that the Storage Enclave Site, which members approved in outline January 2006, included 463 residential units, 25% affordable based on a 80/20 tenure mix in favour of social rented. The headline figure for this proposal is comparable but in the absence of a final agreement to secure appropriate affordable housing on site it technically contrary to policy AHR18 of the adopted Plan and CS15 of the Core Strategy.

Education – Contributions towards the provision of education arising from residential development are assessed, in the first instance, against Interim Planning Statement 4 (IPS4), which works on the principle of only seeking

contributions where a proposed development would exceed the capacity of local schools within the catchment area.

The Mount Wise site falls within the catchment area for Parkside secondary school; and Mount Wise and Marlborough Street primary schools (St. Joseph's RC primary school is also within the area, but it is small and entry is restricted). All three state entry schools currently have excess capacity, but it is expected that the excess capacity of the two primary schools will be fully exhausted by the Storage Enclave development, which already has permission.

As the AAP acknowledges: 'Devonport also has low educational attainment and is the sixth poorest performing neighbourhood in Plymouth for development at key stage 1 and 2, i.e. Neither of the Primary Schools meet key stage 2 targets for Maths or English, and this trend continues in the secondary school...'

Lifelong Learning and Asset Management officers are exploring the provision of new primary school within the area to replace both Mount Wise and Marlborough Street; but, to date, this is not a definite commitment. Securing contributions towards Educational Infrastructure is a Community Benefit priority of the Area Action Plan. The Plan makes clear that the contribution is sought for provision of a new primary school *or improvements to the existing primary schools in the area.*

The applicants have accepted the principle of providing a contribution towards education but section 106 negotiations about the level of contribution and the terms of its provision are ongoing.

Further consideration of contributions, particularly in relation to transport, to be provided in Addendum Report taking into account Highway Authority comments and assessment of viability appraisal.

Highway Comments

At the date of writing there is a Directive from the Highways Agency preventing the LPA from approving the application. It is believed that this is related to the overall contribution package towards sustainable transport which has yet to be resolved. There are significant differences between the contribution level offered and that sought by the Highways which need to be considered with reference to the wider contribution package and viability.

It is believed that the off site junction and road widening proposed in the surrounding area can be physically accommodated. But the applicants estimates of costs, and hence what is being offered for contributions, are considered to be too low. This is the subject of further negotiations which will be reported in an Addendum report.

Section 106 Obligations

The applicants have submitted a draft Section 106 Agreement, but as currently submitted it is not acceptable and requires amendment and improvement, particularly in relation to the proposed affordable Housing package and transport. Negotiations are ongoing and will be the subject of an addendum report.

Conclusions

The redevelopment of the Mount Wise site provides an exciting opportunity for Devonport and the wider city.

Since the application was previously reported to Planning Committee the developers have made some changes to the proposal, mainly affecting areas A and D. In area A the ramped vehicular access has been relocated further to the east, outside the building envelope, and the maritime employment moved to a separate building. In area D the employment space, proposed under the podium, has been removed and reproduced, in reduced size, in area B, opposite Mount Wise House. These changes are considered to be decisive. In the context of the wider benefits that this redevelopment proposal secures for the city - the re-use of the listed buildings; retention of most of the protected trees; preservation of the cricket pitch; provision of public access and securing a high density mixed use scheme that makes best use of previously developed land -, this proposal is considered to be the pinnacle of what is achievable on this site at the present moment.

Providing the package of community benefits offered can be negotiated at, or close to, the usual policy standard; the Highways Agency can be persuaded to withdraw their Directive against the Local Planning Authority granting permission; the Environment Agency can be satisfied in relation to the Exception Tests; and public consultation does not result in the identification of new, unaddressed issues, it is considered in the best interests of the city that this development goes ahead.

An addendum report will be presented to the Committee, providing Members with an update on ongoing negotiations, and the outcome of ongoing consultations the EA and HA. Members will also be given details of any representations received in response to the current additional public consultation exercise; however, given that the publicity period expires on 4 May, officers will have to seek delegated authority from the Committee to consider any representations received after the Committee meeting.

Recommendation

In respect of the application dated 09/10/2006 and the submitted drawings, 114(12)001RevA; 114(12)002RevA; 114(12)005RevC; 114(12)006RevD; 114(12)010RevC; 114(12)011RevC; 114(12)012RevA; 114(12)013RevC 114(12)014RevC; 114(12)30RevC; 114(12)31RevC; 114(12)32RevC; 114(12)051RevA; 114(12)052RevB; 114(12)053RevB; 114(12)057RevC; 114(12)058RevA; 114(12)061RevA; D112321/001RevA; D112321/T/02; D112321/002RevA; D112321/T/006RevC; 06/157/101RevA; 06/157/105RevB; 06/157/106RevA; SK/PLAY/01; SK/PLAY/02; SK/PLAY/03 -(114(12)020RevB; 114(12)021RevA; 114(12)040RevD; 114(12)041RevC; 114(12)042RevB; 114(12)043RevC; 113(12)044RevC; 114(12)045RevA; 114(12)049RevA; 114(12)050RevA; 114(12)062RevB; 114(12)063RevB; 114(12)064RevC; 114(12)075RevB; 114(12)076RevB; 114(12)077RevB)

The recommendation, at this stage, is:-

Minded to grant conditionally subject to a S106 Agreement (provided outstanding issues are resolved with the EA and the HA), defer for the consideration of any further public representations received, delegated authority to officers to conclude S106 negotiations and to finally determine the application.

(An addendum report will update this recommendation)