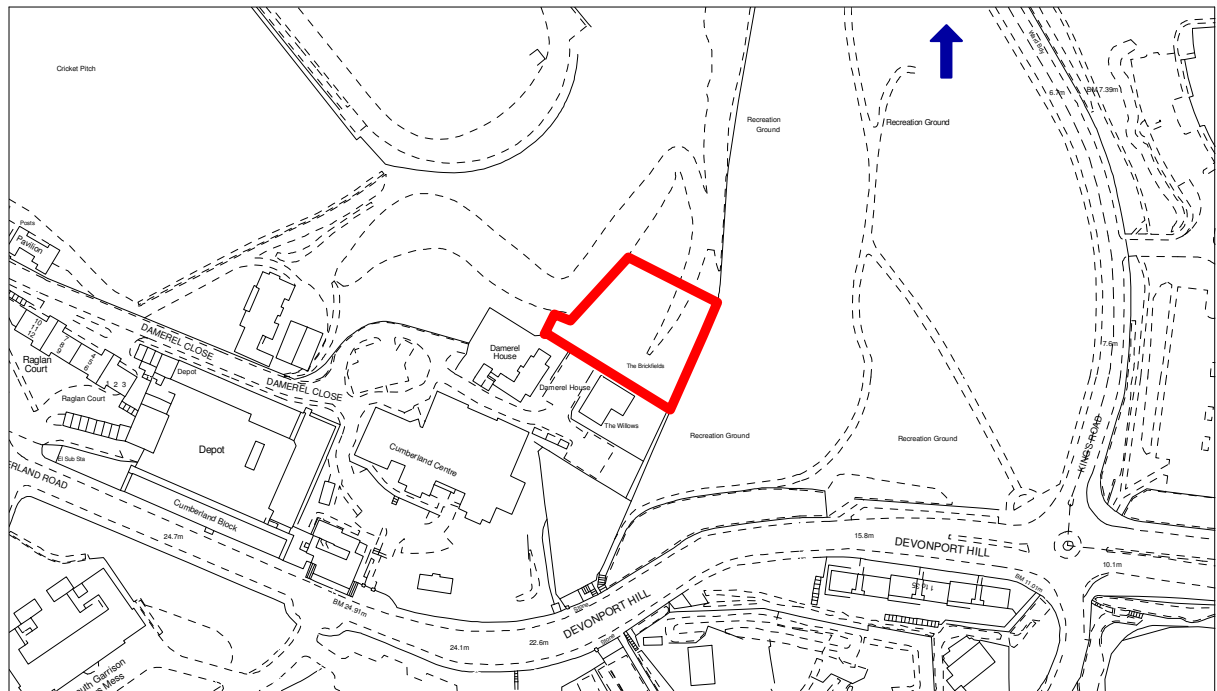


**ITEM: 07**

**Application Number:** 07/00093/FUL  
**Applicant:** Plymouth Hospitals NHS Trust  
**Description of Application:** New dental school  
**Type of Application:** Full Application  
**Site Address:** LAND AT DAMEREL CLOSE DEVONPORT  
PLYMOUTH  
**Ward:** Devonport  
**Valid Date of Application:** 22/01/2007  
**8/13 Week Date:** **23/04/2007**  
**Decision Category:** Major  
**Case Officer :** James Wells  
**Recommendation:** Grant Subject to S106 Obligation - Full



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## **OFFICERS REPORT**

### **Site Description**

The site is particularly visually prominent being sited on the crest of Devonport Hill, with open views from many surrounding vantage points. Within the site are 3 main buildings: the Cumberland Centre, The Willows and Damerel House. The Cumberland Centre is the largest of the buildings on site and provides for a range of care functions. Damerel House provides a drug treatment service and The Willows contains a community based pain management centre.

One of the main constraints of the site is the lack of visibility from the surrounding area, in effect the centre turns its' back on the local area through a combination of building design and landscape setting. In general terms one can only glimpse roof tops and it is not obvious what exists in the centre or indeed how you arrive there.

Currently there are 2 principle arrival points: on foot and by bus via Devonport Hill and by car from Damerel Close. Both points of arrival lack a clear identity and it is not clear where you are arriving at? The Devonport Hill access is very ambiguous and appears very narrow with an abundance of trees, lack of footpath access and no clear sign of where to arrive at the building. Similarly the arrival from Damerel Close is poor, there is a car park at the front that takes a windy route and the entrance is off set which makes it very unclear to users of the site.

There is a main bus route along Devonport Hill which provides access into and out of the city centre to the surrounding environs, the services available are comprehensive.

### **Proposal Description**

Detailed planning permission is sought for the erection of a dental school.

### **Relevant Planning History**

07/00086 – Outline application to develop land by erection of dental school, new Primary Care Centre and reconfiguration of Cumberland Centre – **APPROVED**

### **Consultation Responses**

**Highway Authority** – No objections in principle, recommends certain conditions to be attached. Also recommends Section 106 agreement to require £15000 for the provision of covered bus shelters along Devonport Hill or towards other such measures as necessary.

**Environmental Services** – Recommend further ground testing to ensure potential contaminants are detected if they exist. A condition will deal with this issue.

**Representations** – One representation has been forthcoming, it supports the principle of the new dental school but raises concerns over the design and sustainability of the building. The issues were raised by a local interest group (Voice of Devonport) and the concerns have subsequently been dealt with following a meeting with the architects and the applicant. These issues will be considered in the report.

### **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.

This application has followed on from significant pre-application discussions.

In consideration of this detailed planning application regard is had to the most recent planning policy position, namely that of proposal DP12 (dental training school and GP surgery) contained within the Devonport Area Action Plan. Proposal DP15 (The 'Green Arc') is also highly relevant as this site looks at access into the surrounding parkland.

The principle of the development should be assessed against Proposal 12 which considers:

- conservation / interpretation of the Devonport dock lines
- rationalisation of the parking
- improved access to site, particularly in relation to pedestrians
- sensitivity relationship with other uses at Brickfields
- green travel plan
- buildings of an appropriate scale and design respecting the prominent and sensitive nature of the site.

With these factors in mind the proposals can be assessed and evaluated.

Due to the demolition of Damerel House and The Willows and the positioning of the new buildings, there is by necessity a reconfiguration of the parking area. There is a distinct benefit in reconfiguring the parking areas as this will help to make the campus more legible. Parking has been provided in a piecemeal manner historically and this has led to small pockets all over the campus which makes it a very confusing and disjointed environment for visitors and patients. The proposals will provide a unifying surface treatment and also break up the expanse of parking through the use structured planting. The space can also accommodate other uses when not in use as a car park.

Access will be vastly improved. Full disabled access will be provided from the Devonport Hill end as well as well as a new entrance point, this will link

through the Cumberland Centre to allow access to the new facilities. Pedestrian access will be improved in particular with a new entrance point from the park connecting through the site. There will also be a new footpath through the woodland area that will sweep around the part of the site that has never seen public access.

Adjacent users will not be affected as a result of the proposals. The majority of the footprint of the site will remain as it is, the only incursion will be at a part of the site that cannot be used for other meaningful purposes. The 'tongue' of land that extends beyond the current site is an isolated parcel of land that is raised above the adjacent sports pitch. In real terms it is too small to accommodate any size of sports pitch. There is no further incursion into the rest of the surrounding parkland.

The new use will be required to enter into a travel plan; this will be assisted with the provision of new pedestrian routes, cycle parking and associated facilities and ready access to public transport. The site is considered to be well located to allow for a successful travel plan to be entered into and enforced. The applicant is happy to commence work on this aspect with the Council's travel plan officer.

Trees within the site are to be retained although there are small minor trees to the east of the site that may require removal if the building relationship is too tight. The impact of this on the overall site would not be harmful to the parkland setting.

The design has been considered within the Design and Access statement submitted with the application, this has been revised following detailed comments. The principle building materials will consist of a combination to include render walls, timber panels, rough stone around the base, metal cladding for the roof and smooth blocks around the windows. The exact specification is to be agreed by condition. Coloured glass will be introduced along the elevation to the park to add visual interest. The ventilation stacks will be finished in a material that picks them out as positive architectural features. The stair tower at the end of the building rises above the rest of the majority of the main structure. It is anticipated that this will be fitted with signage to help provide some visual interest. Lighting of the building will also provide night time interest and a clear presence in the park to create a safer environment. The building is 'crisp' and modern in terms of the architectural treatment. To some extent this can be a subjective issue. The scale of the building is considered to be appropriate to the site setting. It is felt that the mass of the building will provide an appropriate enclosure to this part of the park and provide a decent level of surveillance which currently does not exist.

The application has been the subject of a consultation exercise with the local community and key stakeholders. The response to the consultation seems to have been generally positive with some comments vis-à-vis the design and sustainability credentials of the building.

Part of the submission talks about sustainability both in terms of the actual building and how people arrive there. Details have been worked up as part of a NEAT assessment which is used by the NHS. The intention of the assessment is to provide a holistic evaluation which considers location, proximity of public transport, green travel plans along with the performance of the building in terms of energy consumption. The latest assessment of this building has produced a score of 61.8% which is rated as very good, the highest rating is 70 and over. There are now firm commitments to the project which include:

- High insulation, 28% over minimum Building Regulations requirement with benefits in terms of reduced energy consumption as a result.
- Water harvesting from surface water for re-use within the building.
- Sustainable urban drainage systems will be used throughout the development to reduce the impact on drains and reduce the potential for flooding.
- Natural ventilation (the 3 main stacks on the building) controlled through mechanical and electrical engineering.
- Intelligent energy saving equipment within the building in terms of lighting and power consumption.
- Recycling of materials produced on site.

There is an aspiration to use combined heat and power for the whole campus or possibly a biomass boiler fuelling. This has to be worked through with all the users on the Cumberland Campus to spread the cost and to make it effective. The applicant cannot commit to this yet and needs to conduct further evaluation.

It is felt to be a reasonable response to reducing energy consumption. The proposals have yet to be finalised in terms of specific measures and it is reasonable to require the actual proposals to be agreed with the Local Authority, as such this will be a condition of the consent. It is felt that the requirements imposed by policy CS20 (Resource Use) of the core strategy are substantively met.

Area vision 1 of the core strategy considers how Devonport should develop. Of the 7 criterion there are three which require consideration in this proposal. Improvements to the connectivity of the site, protection of natural and historic assets and requiring high quality development that is also safe. It is considered that the proposal meet all of these criterion.

Due regard has been had in relation to the design and historic environment in relation to policies CS02 and CS03 of the core strategy. In the same vein the natural environment is respected and will be managed accordingly in accord with policies CS18 and 19 of the core strategy.

### **Section 106 Obligations**

A contribution of £15000 is being sought to allow for either the provision of upgraded bus stops/shelters outside of the site or funding towards an accessibility audit that is taking place in Devonport.

## **Conclusions**

It is considered that the proposed dental school development will be a positive measure in this area as it directly responds to current planning policy, namely the Devonport Area Action Plan. It introduces benefits to the physical environment in terms of improving the sites' links with the surrounding area and assists with improving the 'green arc'. The aim of the area action plan is to improve the legibility of the campus and to integrate the site with the surroundings, it does this successfully. The proposals will mean an extended range of health related uses and a new dental school. The scheme is supported by the necessary infrastructure in the form of a Section 106 agreement and is recommended for approval subject to conditions.

## **Recommendation**

In respect of the application dated **22/01/2007** and the submitted drawings,  
**Amended plans and additional information**

**06D18-D-001/002/100/110 Rev B/111 RevB/113/120 Rev A/121 Rev A/122 Rev A/130/142, Transport Statement and accompanying Design and Access Statement.** , it is recommended to: **Grant Subject to S106 Obligation - Full**

## **Conditions**

### **DEVELOPMENT TO COMMENCE WITHIN 3 YEARS**

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

Reason:

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

### **CODE OF PRACTICE DURING CONSTRUCTION**

(2) Before any development is commenced, a Code of Practice shall be submitted to and approved by the Local Planning Authority which shall indicate measures to mitigate against adverse effects of noise, dust and traffic generation during the construction of the proposed development. The Code of Practice shall indicate: -

- a. the proposed hours of operation of construction activities;
- b. the frequency, duration and means of operation involving demolitions, excavations, drilling, piling, concrete production and dredging operations;
- c. sound attenuation measures to be incorporated to reduce noise at source;
- d. details of measures to be taken to reduce the generation of dust;
- e. the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material.

The Code of Practice shall be strictly adhered to during all stages of the construction of the proposed development.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy AEV49 of the adopted City of Plymouth Local Plan First Alteration 1996.

#### EXTERNAL MATERIALS

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

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS02 of the Core Strategy of the City of Plymouth Local Development Framework 2006-2021.

#### SUSTAINABILITY MEASURES

(4) Prior to the commencement of development a list of measures to be utilised on the development in terms of sustainability shall be agreed in writing by the Local Planning Authority and thereafter adhered to.

REASON:

To reduce the impact of development on the environment in accordance with policy CS20 of the Core Strategy of the City of Plymouth Local Development Framework 2006-2021.

#### PROGRAMME OF ARCHAEOLOGICAL WORK

(5) No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. (Developers will wish to ensure that in drawing up a scheme, the timetable for the investigation is included within the details of the agreed scheme).

Reason:

In accordance with Policy AEV11 of the adopted City of Plymouth Local Plan First Alteration 1996.

#### LANDSCAPE DESIGN PROPOSALS

(6) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power,

communications cables, pipelines etc., indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant].

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policy AEV38 of the adopted City of Plymouth Local Plan First Alteration 1996.

#### CONTAMINATION MEASURES

(7) Prior to the commencement of any works pursuant to this permission, the developer shall submit for the written approval of Plymouth City Council:

I. A site investigation report documenting the ground conditions and ground gas regime of the site, incorporating a "conceptual model" of all the potential pollutant linkages and an assessment of risk to identified receptors;

NB: All investigations should follow the principles outlined in BS10175 (2001): Investigation of Potentially Contaminated Land and for residential developments, CIRIA C659 (2006): Assessing Risks posed by hazardous ground gases to buildings and CIRIA R149 (1995) Protecting development from methane. Regard should be had to the Guidance for the Safe Development of Housing on land affected by contamination, EA & NHBC, R & D Publication 66).

ii.If risk assessment identifies unacceptable risk's) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants and/or gases when the site is developed.

The remediation scheme, must be agreed in writing by Plymouth City Council before the development hereby permitted commences. Any variation to the scheme shall be agreed in writing with Plymouth City Council in advance of works being undertaken.

The Remediation scheme will set out in detail the means by which the agreed works will be validated. Any validation must be provided in report form and approved by Plymouth City Council.

The presence of any significant unsuspected contamination that becomes evident during development of the site shall be brought to the attention of Plymouth City Council and an investigation and remediation scheme agreed with Plymouth City Council to be implemented.

Reason:

To ensure that the site is developed in a safe manner and to ensure that occupants of the site are not subject to potential sources of pollution in accord with policy CS22 do the Core Strategy to the Local Development Framework 2006-2021.



### TREE PROTECTION DURING CONSTRUCTION

(8) The existing trees and/or hedgerows shown to be retained on the approved plans shall be properly protected with appropriate fencing during construction works. The erection of fencing for the protection of any retained tree or hedgerow shall be undertaken in accordance with Section 9 of BS 5837:2005 (Trees in relation to 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 an excavation be made, without the written consent of the local planning authority.

#### Reason:

To ensure that any trees or hedgerows to be retained are protected during construction work in accordance with Policy AEV4 of the adopted City of Plymouth Local Plan First Alteration 1996.

### CAR PARKING PROVISION

(9) The development shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a maximum of 84 cars to be parked.

#### Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices.

### CAR PARKING RESTRICTION

(10) No part of the site shall at any time be used for the parking of vehicles other than that part specifically shown for that purpose on the approved plan.

#### Reason:

In the opinion of the Local Planning Authority the level of car parking provision should be limited in order to assist the promotion of more sustainable travel choices.

### CYCLE PROVISION

(11) The development shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 5 bicycles to be parked.

#### Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with PPG13.

#### CYCLE STORAGE

(12) The secure area for storing cycles 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:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building.

#### GRAMPIAN (ACCESS/HIGHWAY IMPROVEMENTS)

(13) The use hereby permitted shall not commence until the proposed access and improvements to the existing highway shown on the approved plans have been completed.

Reason:

In the interests of highway and pedestrian safety in accordance with policy CS34 of the core strategy of the Local Development Framework 2006-2021.

#### PEDESTRIAN/CYCLE ACCESS

(14) The building shall not be occupied until a means of access for pedestrians and cyclists has been constructed in accordance with the approved plans.

Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity.

#### LOADING AND UNLOADING PROVISION

(15) Before the development hereby permitted is first brought into use, adequate provision shall be made to enable goods vehicles to be loaded and unloaded within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

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.

#### USE OF LOADING AREAS

(16) 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:-

- a. damage to amenity;

- b. prejudice to public safety and convenience, and
- c. interference with the free flow of traffic on the highway.

### **Statement of Reasons for Approval and Relevant Policies**

Having regard to the main planning considerations which in this case are considered to be: the compatibility of the proposed use with the prevailing planning policy background, the acceptability of the proposed design, the infrastructure requirement and associated matters, the proposal is not considered to be demonstrably harmful to local amenities. In the absence of any other overriding considerations, and with the imposition of the specified planning conditions, the proposed development is acceptable and complies with the following policies of the Devon Structure Plan (2001 to 2016) 2004, the adopted City of Plymouth Local Plan First Alteration 1996, Plymouth Local Development Framework, Core Strategy, Regional Spatial Strategy and North Plymstock Area Action Plan (the status of these documents is set out within the City of Plymouth Local Development Scheme 2006), and relevant Planning Guidance Notes, Statements and Government Circulars as follows:

- PPG13 - Transport
- PPG15 - Planning and the Historic Environment
- PPS1 - Delivering Sustainable Development
- CS02 - Design
- CS28 - Local Transport Consideration
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS18 - Plymouth's Green Space
- CS19 - Wildlife
- CS20 - Resource Use
- CS22 - Pollution
- CS03 - Historic Environment
- CS32 - Designing Out Crime