

ITEM: 04

Application Number: 08/01289/FUL

Applicant: Bedford Villas Developments Ltd

Description of Application: Redevelopment to provide 45 student study bedrooms in two blocks (4 storey block containing 40 study bedrooms and 3 storey block containing 5 study bedrooms) together with 3 parking spaces and associated landscaping

Type of Application: Full Application

Site Address: BEDFORD VILLAS, AMITY PLACE PLYMOUTH

Ward: Drake

Valid Date of Application: 11/07/2008

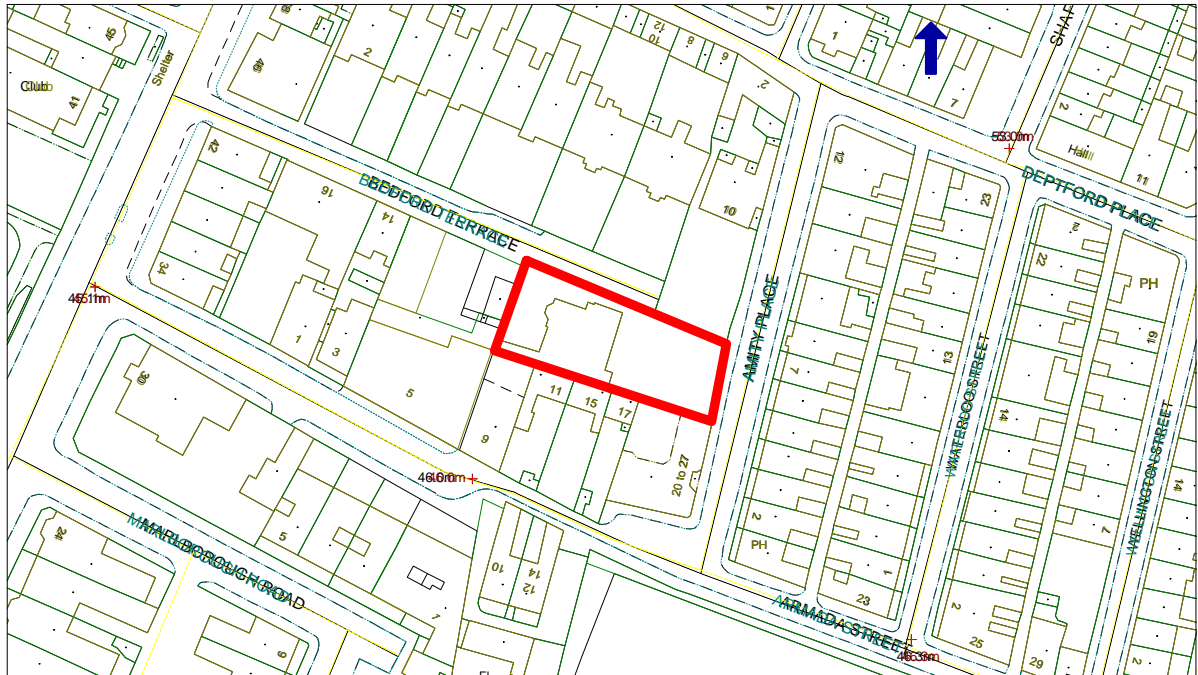
8/13 Week Date: **10/10/2008**

Decision Category: Major Application

Case Officer : Jeremy Guise

Recommendation: Granted Conditionally S106

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OFFICERS REPORT

Site Description

This application relates to regular shaped site (approximately 0.16 ha.) located at the eastern end of Bedford Terrace, between it and Amity Place to the east.

Currently the site is occupied by Bedford Villas, a substantial two storey period property - solid masonry, stucco rendered walls and pitched/ slated roof - that dates from the mid nineteenth century. Vehicle and pedestrian access is provided from Amenity Pace, to the east; and, for pedestrians only, from North Hill (B3250) via Bedford Terrace.

The surrounding area is predominantly residential in character. Bedford Terrace is a 'set piece' architectural feature of four storey town houses built on higher ground to the north. Many have been subdivided. These properties have fairly generous front gardens, which at the eastern end of the terrace, contain mature and semi mature trees including a magnificent copper beech in the garden of No.10. Since submission of this application the copper beech tree has been made subject of a Tree Preservation Order (TPO – No. 457). No. 9 is a listed building.

Amity Place is also residential in character, but different in scale. It contains smaller three storey terraced houses on its eastern side and 'The Friendship Inn' public house, on the corner of Amity Place and Armada Street. The western side contains a modern three storey block (Nos. 20-27) on the corner of Amada Street and Amity Place and a row of older, terraced, houses Nos. 5-17) Armada Street to the south.

The site is located close to Plymouth University and the character of the surrounding area is influenced by the student community.

Proposal Description

Permission is sought to redevelop the site with 45 student study bedrooms and ancillary facilities in two buildings: a four storey building occupying roughly the same position as the existing, and a smaller, three storey, building fronting onto Amity Place.

The larger four storey building shows 40 study bedrooms arranged in eight 5 room units with shared kitchen/lounge accessed off a northern stair well. The study bedrooms each have an en-suite bathroom. Half face west towards a parking area on an adjoining site and half face east towards the proposed parking area / interior courtyard proposed for this development. A combined kitchen / dining room, lit from a central light well, is proposed for each group of five study bedrooms along with laundry facility in the basement.

The east-west orientation of the proposed study bedroom windows is reflected in the external appearance of the larger building. Full storey height glazing for the study bedrooms is proposed on the eastern and western elevations interspersed with timber cladding. The northern elevation, which would face Bedford Terrace, contains extensive floor to ceiling height glazing in a centre

of the block around the main staircase. This feature is shown framed by wooden cladding on either side and 'wrap round' glazing for the larger, northernmost, study bedrooms. The southern elevation would be substantially obscured by neighbouring buildings and boundary. It is shown simply rendered, with no glazing.

Since submission the proposal has been amended so that it is only 1.5-3m higher than the ridge of the existing. This has been achieved by reducing the individual storey heights to 2.5m; simplifying and reducing in height the roof detailing and lowering the building into the ground by 1.2m.

The smaller building is shown extending across most of the Amity Place frontage with an opening only on the northern side to provide vehicular and pedestrian access to the site. It too has been amended since the original submission to locate the proposed building further away from the TPO protected copper beech tree and to address neighbours' concerns about potential use of the recessed flat roof as a balcony. This has resulted in a net reduction in the number of study bedrooms proposed in the building from 7 to 5. Externally, the building has a rendered ground floor, wood clad first floor and recessed second floor topped with a copper roof. Annotations to the plan make clear that no access will be provided to the roof.

Three parking spaces are shown provided on site capable of being used for loading and unloading of student possessions and being used by disabled people.

The Design and Access Statement that accompanies the application states:-

'Various options were reviewed following purchase of the premises e.g. conversion to private flats, conversion to student accommodations etc, but with the new site owner already being a provider of student accommodation and the site location near the University of Plymouth it was decided to follow this end use particularly as the University authorities are seeking purpose built student accommodation to accompany the University's current development plans.

It became evident early in the feasibility process that re-use and alteration of the existing building would result in a compromised end solution that was economically unviable – e.g. alterations to large spaces and structural alterations to existing large masonry structures to create repetitive 'study bedroom' requirements.

It is proposed therefore to demolish the existing building due to the above structural constraints and build a new structure that achieves a higher occupational density, also to construct modern buildings that reflects more honestly the function of the structure together with respecting the adjacent residential neighbours and by utilising high quality materials/detailing.'

Relevant Planning History

No relevant history. Note an earlier submission, which immediately proceeded the current application, was given a planning application number, but it was incomplete and not registered.

Consultation Responses

Highway Authority

Highway Authority – Commented upon original submission as follows:-

Have no objection to the proposal, despite the absence of any on-site car parking, providing the use remains restricted to students.

The proposal will redevelop the site from the current building with car park to a 47 bed student accommodation with 3 off-street parking spaces in a courtyard formation accessed via Amity Place. A previous Transport consultation response (07/00966/FUL) to convert the building into a single dwelling raised a concern regarding the use of the retained car park. However, as this latest application builds on the car park this issue is resolved.

The site is located within walking distance of the university and is within a resident parking zone, which is currently over-subscribed. As such the development will be excluded from purchasing permits or visitor tickets for use within the zone. This will prevent student occupants from parking cars at, or near to the development and as such the proposed 3 spaces, which should be allocated as disabled bays by condition, are acceptable. This would accord with travel plan initiatives of the University to encourage sustainable travel.

The applicant has indicated the provision of 10/15 cycle spaces, although the location is not shown on the plans. This provision is too low and would recommend that as a minimum the applicant should provide 50% (24 spaces) provision. The storage facility must be secure and covered and located within an area which is self promoting.

Although a residential travel plan will not be required I would suggest that measures are put in place, in addition to the above cycle storage, to inform residents of Public transport services within the area, such as bus timetables, taxi phone numbers, and walking routes to services

Point out that residents will be excluded from the Permit Parking Zone and suggests that the applicant is made aware of this.

Further consultation has been undertaken following the amendment reducing the number of study bedrooms from 47 to 45.

Public Protection Service

Public Protection Service has no objection to the above application, however, should permission be granted we recommend that conditions are attached to

the application relating to Code of Practice (construction); sound insulation; land quality; verification .

Representations

Consultations have been undertaken with the occupiers of neighbouring property and site notices posted, both in relation to the original submission and the amended proposal. This has resulted in receipt of 20 letters of representation (LOR's) to the original submission including one from the local ward member and one from the Greenbank Community Association. These all raise objection to the proposal. The grounds of objection to the original submission can be summarised in the following way:-

Cllr. Ricketts (Member Drake Ward):- This application beggars believe, it is a disgrace for the following reasons 47 flats! 3 disabled car parking spaces! 4 storey high building! Knocking down of a quality building! I could go on... We must not ignore the residents of the area - Greenbank and the residents deserve better than absurd overdevelopment in our community. Please advise the applicant that this application is unacceptable.

Greenbank Community Association:- the proposal is considered to be overdevelopment of a single family house; the height , mass and design are out of keeping with the surrounding buildings which are mainly nineteenth century. There is a surplus of student accommodation in Greenbank with student flats remaining empty. Students account for nearly 50% of the population of Greenbank. They are transient with no commitment to the community and bring problems of anti social behaviour including all night noise and filthy environment. The developer has a poor track record of managing student accommodation in Greenbank - note that the development does not appear to have provision for an on site warden. Would regret the demolition of the nineteenth century villa and consider it important that the copper beech tree in the adjacent garden is protected.

The grounds of objection to the original submission in the 18 other letters can be summarised as follows (note not all grounds are shared):-

- **Students**

The dynamics of the street would be changed if the developer provided part student / part professional accommodation. Greenbank already has 40% residents being students this will distort the local population even further leading to that empty feel that student areas have during vacations, and reducing the council tax income from the area even further. There are already more than enough students and student accommodation in the area – the proposal should be rejected on over saturation grounds. Anti –social behaviour poor waste management practices rubbish noise, broken glass, abandoned take-aways, urine and vomit: this development can only make the situation worse. Support the permanent community of long suffering people who want to continue to live in Greenbank and refuse this application

- **Over-development**
Density excessively high huge overdevelopment
- **Appearance**
The existing villa is a nineteenth century gentleman's residence worth preserving. Its current footprint and roofline should be retained
Development should be in keeping with classical buildings
The four storey building has a substantial roof structure which makes it the height of a five storey building out of keeping
- **Impact upon the amenities of neighbouring property**
Concerned about the unsafe working practices of contractors employed by this developer. He has a poor track record as a student property manager.
The proposed development will overshadow buildings around it overlooking of buildings on the north side of Bedford Villas Impact on outlook of Bedford Terrace spoil view noisy overlooked The proposed development will tower, two storeys, above neighbouring property.
- **Car parking and access**
There is a covenant to prevent any public thoroughfare from Bedford Terrace to Amity Place would like to see greater number of parking spaces provided 15+ on neighbouring site always full during term time. Increasingly students do have cars and the lack of parking on one site means they will attempt to park in the streets around. Bedford terrace is a private road which already has a huge parking problem any additional pressure from student will make the situation intolerable.
- **Trees**
Large cherry tree outside No. 8 Bedford terrace will not provide a screen as it has a rotten core. Concerned about Copper beach.

Any further comments received in relation to the amended plans will be reported in an addendum report or verbally to committee.

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 to consider in this case are:-

- The principle of developing student accommodation in this location (policies CS01; CS04; CS05 and CS15 of the Core Strategy)
- The design and appearance of the buildings and environs (Policies CS02, CS03, CS15; CS20 and CS32 of the Core Strategy).
- Historic environment issues including the impact upon the setting of a listed building [No. 9 Bedford Terrace] (Policy CS03 of the Core Strategy)

- The impact on the TPO protected copper beech tree (Policy CS18 of the Core Strategy)
- The impact upon the amenities of neighbouring property (Policy CS34 of the Core Strategy)
- The adequacy of proposed parking and access arrangements (Policy CS28 of the Core Strategy)

The principle of developing student accommodation in this location

Although originally built as a house the last use of the building was as offices, an employment use; and, in the first instance, consideration needs to be given to the loss of existing employment use. Policy CS05 (Development of Existing Sites) permits the development of existing employment uses for alternative purposes where there are clear environmental, regeneration and sustainable community benefits from the proposal. It goes on to state that in making this assessment consideration will, among other issues, be given as to whether the proposal would result in the loss of a viable employment site necessary to meet the area's current or longer term economic development needs; whether the site is an appropriate location for, or suited to, the needs of the city's priority economic sectors and whether the neighbourhood within which the site is located already has a good range of employment opportunities available for local people, or the proposal will deliver a mixed use development which continues to provide for a good range of local employment opportunities.

Policy CS04 covers future employment provision within the city. It identifies two broad areas of the city where future employment provision opportunities are envisaged: the City Centre and Waterfront; and Northern Corridor. The university area is included within the City Centre and Waterfront regeneration area and is identified as being particularly suitable for tourism, leisure and creative industries. The City Centre Area Vision Strategy, and accompanying Vision Diagram (Chapter 5 of the Core Strategy), includes the university and, on its' north eastern edge, the application site. However, it envisages the main area of education, cultural, employment led mixed use regeneration and intensification opportunities being located to the south of the application site. The area in which the application site is located is identified as an existing urban area suitable for enhancement. Consequently there is no overriding policy requirement in relation to the city's longer term economic development needs – the CS05.1 consideration - to retain the existing employment site.

The close proximity of site to the university regeneration area means that it is not obviously apparent that the site is unsuitable for a new educational, cultural or employment led mixed use – supporting one of the city's priority economic sectors. Nevertheless the difficulties in adapting the existing building / viability of developing an new employment use property; the restricted access, particularly vehicle - dependent as it is on the narrow and often congested nineteenth century residential side streets to the east - and absence of a conspicuous main street frontage mean that its loss to an appropriate alternate use is considered to be acceptable in relation to CS05.2.

Finally, in relation to loss of employment facilities, it should be noted that thanks in large part to the presence of the university and Plymouth College, the area already provides a good range of local employment opportunities with a high job ratio score 1.29, that is nearly twice the benchmark ratio of 0.7 (i.e. 7 jobs per 10 economically active persons) suggested as an indicator of sustainability in supporting paragraph 6.25 of Policy CS05.

The provision of student accommodation is considered to be an acceptable alternative use following acceptance of the loss of the existing employment use.

The City Centre Area Vision Strategy acknowledges in paragraph 5.23 that:-

With the rapid expansion of the university there is a need for more student accommodation. This is an issue for the area and surrounding community.

This is further amplified and explained in paragraph 5.25 of the 'Approach' section which states:-

The Council will take a positive approach to promoting development of key opportunity sites that can help deliver a step change in the quality of the city centre and the services and facilities it provides. These will include:-

- *The provision of student dwellings in and around the city centre and university area in accordance with the university's strategy for delivering accommodation. Such development needs to be managed such that there is appropriate integration with excising communities*

The university's strategy for delivering accommodation is set out in *University of Plymouth Accommodation Strategy*. It identifies a critical shortage of appropriate property for students as numbers continue to expand to 19,912 full time equivalent 2007-2008 - boosted partly by 1,150 transfers from Exmouth campus in 2008-2009 to at least 21,062 in Sept. 2008. This expansion, and consolidation on the main Plymouth campus, has resulted in a significant shortfall between the number of university managed bed spaces available (University Managed bed spaces 1,760, plus University allocated spaces 347 [Unite building]) and strong ongoing demand from students which is not satisfied by current provision. In Sept. 2007 the university received 3,468 applications from new incoming students 90% of whom had expressed a preference for managed allocated bed spaces – over 1,000 were disappointed. In relation to future provision the Strategy states:-

The university would like to offer new incoming students a place in a managed or allocated property for at least their first year of study. To achieve this aim would require future provision of at least 1,000 bed spaces in either managed or allocated scheme there is a marked preference for large cluster flats studio developments

Large purpose built cluster flats developments with on site management are the stated preference for most incoming students. Key geographical areas for providing this type of accommodation are city centre in close proximity to main campus.

The application site is located within 5 minutes walk of the main university campus and its redevelopment to provide specialist student accommodation would clearly help meet the demand identified in the university's accommodation strategy. However, the view that the area already contains enough student accommodation - articulated by Cllr Ricketts, the Greenbank Association, and others, in the Letters of Representation (LOR's) – is partly acknowledged in the qualifications attached to paragraphs 5.23 and 5.25 where it states that student accommodation '*needs to be managed such that there is appropriate integration with existing communities*'

Tensions between 'town and gown', which are mirrored in other communities throughout the country that have a large student population, are not easily reconciled; but the main issue here is whether, on balance, the proposal helps deliver a sustainable community in accordance with Core Strategy Policy CS01 (Development of Sustainable linked Communities) and Policy CS15 (Overall Housing Provision).

The Local Development Framework (LDF) aims to build a city of sustainable linked communities. It identifies 43 Plymouth Neighbourhoods stating in paragraph 3.3:-

3.3In reviewing Plymouth's 43 neighbourhoods , the Council has undertaken a number of studies , highlighting spatial planning issues and options for creating satiable linked communities . The Sustainable Neighbourhood Assessment effectively provide an initial 'planning audit' for each of the city's neighbourhoods and will be used alongside other studies (shopping guides , review of employment land etc), together with input from local communities and stakeholder engagement, in informing planning decisions.

The site is located in Sustainable Neighbourhoods Study (SNS) 20, Mutley and Greenbank. Along with acknowledging all the positive impacts that a large student population (43.2% of the population, compared with 7.3% nationally) brings to the area, underpinning the viability of many shops and services; the continuing vitality of Mutley as one of the largest District Centres in the city and high job ratio score, the SNS recognises the negative impact that it has upon the character of the area in terms of significant seasonal variation in occupation leading to unbalanced housing stock with low proportions of owner occupied and social housing (48.1% of residents rent from private landlords). It identifies a need to increase the density and diversity of accommodation, frontages, year round use etc. and recommends that new housing development is primarily high density to increase the population.

The redevelopment of this site for specialist student accommodation would not directly increase the number of owner occupied or social housing units available in the area and would contribute to the concentration of students living in the area. But indirectly it could contribute by easing the pressure on the area's existing housing stock by providing purpose built accommodation for 45 students who would otherwise be accommodated in flats and shared houses in multiple occupations (HMO's) elsewhere. The flats and houses that

these students occupy may be located further away from the university, encouraging less sustainable travel, but the likelihood is, that they will be within the local area where they would further add to the pressure on existing housing supply.

Provision of a small number of study bedrooms capable of being used by disabled students and a very limited number of parking spaces ensures that the development can accommodate the needs of the student community.

The design and appearance of the buildings and environs

The layout of the proposed development is respectful of the existing access arrangements and site constraints. The larger of the two proposed buildings is shown occupying a similar position within the site to the existing villa - although its footprint is bigger - whilst the smaller building continues the existing street pattern of frontage development along Amity Place. Public and private realms are clearly distinguished with pedestrian access through the site by student residents and guests encouraged. But the interior courtyard and shared surface parking area kept sufficiently private, secure, and overlooked to discourage general access. Despite concerns about the creation of a thoroughfare, the scheme retains the integrity of Bedford Terrace as a cul-de-sac, which offers no public access to Amity Place. This delineation, between public and private realms, and the natural surveillance provided by the corner windows demonstrates compliance with Policy CS32 (Designing Out Crime).

The proposed larger block is double aspect and, at 20m., quite deep. But by positioning the main study bedroom windows on the exterior, east and west, elevations and introducing a small interior courtyard/ light well some sunlight is provided to the main habitable rooms and natural light to all habitable rooms. The layout is efficient and makes effective use of the available land. Since submission, further amendments have been received reducing the overall height of the larger building and simplifying the 'gull' roof design, so that it is not significantly higher than the ridge of the existing villa. Given the underlying topography, with land levels falling from the north, the scale and height of the building is, in the amended submission, considered appropriate to the urban context and adjoining street scene.

The applicant's architect has designed both buildings to have a strong modern appearance that deliberately contrasts with the eighteenth and nineteenth century buildings to the north and the fairly recent, functional, red brick building on the corner of Armada Street and Amity Place to the south. The use of timber on the side elevations of the 40 bed unit and second floor of the 5 bed unit provides a contemporary look whilst the 'gull' roof shape, extensive use of copper and floor to ceiling glazing around the main staircase echo many of the better post war buildings in Plymouth.

It is considered that the style and appearance of the new buildings would result in an appropriate contemporary design for this site, superior to any bland pastiche of the surrounding buildings. But it is acknowledged that matters of style and taste involve a degree of subjectivity. In considering such

issues, particularly in site located in sites outside a conservation area, Members should be aware of the advice in PPS1 which states:-

Local Planning Authorities should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to confirm to certain deferments forms or styles.

The proposed five storey building fronting Amity Place, to the east, would continue the street pattern established by the Amity Street flats (Nos. 20-27) and, despite the loss of the attractive stone wall, is acceptable. The amendment which relocates the building away from the northern boundary, slightly weakens the overall frontage development, but is considered a necessary compromise to safeguard the canopy / root systems of the neighbouring TPO protected copper beech tree.

Historic environment issues including the impact upon the setting of a listed building

The existing Bedford Villas is a pleasant example of a nineteenth century house that fits its site and the character of the surrounding area; but it is not listed or covered by any restriction on demolition or internal alteration. The owner has provided evidence that many of the original internal fittings have been removed during its previous use as offices and that the interior is much altered. He argues that the room sizes and configuration are unsuited to conversion. Your officers agree and have not championed the retention or the listing of the building.

Nevertheless a local member and some residents consider that it may be worthy of listing protection and have applied to English Heritage to consider listing the building. English Heritage are assessing the building in relation to the listing application. It is hoped to report their decision to Committee. A decision to list the building would be a significant new material consideration, which could have potentially changed the balance of this report assessment.

The site is not located in a conservation area or within the immediate vicinity of one. The only other historic environment constraint is the proximity to number 9 Bedford Terrace, a grade II listed building located to the north of the site and noted for its 'distinguished picturesque gothic design'.

Policy CS03 (Historic Environment) makes clear that the council will safeguard and where possible enhance historic environment interests and the character and setting of areas of acknowledged importance including listed buildings (both statutory and listed). This dovetails with national guidance in PPG 15 (Historic Environment) which discusses the desirability of preserving the setting of the building gardens or grounds that have been laid out to compliment its design or function. Paragraph 2.16 of PPG15 states:-

The setting of individual listed buildings very often owes its character to the harmony produced by a particular grouping of buildings (not necessarily all of great individual merit) and to the quality of the spaces created between them. Such areas require careful appraisal when proposals for development are under

consideration , even if the redevelopment would only replace a building , which is neither itself listed nor immediately adjacent to a listed building.

No.9 Bedford Terrace is located on the opposite side of the cul-de-sac from Bedford Villas and relates, in terms of street alignment and garden configuration, closely to its immediate neighbours in the terrace. The visual appearance, harmony and rhythm of the terrace will not be changed by the redevelopment of Bedford Villas whose historic separation from the terrace, on the southern side of the cul-de-sac, is reinforced by screening provided by mature trees and shrubs. The proposal would result in some change to the overall character of the street, as the proposed building, even in its amended form, would be higher and wider than the existing and use a different architectural style; but the impact on No.9, how it and the spaces around it are viewed and perceived, will not be much altered by the proposed development.

The impact on the TPO protected copper beech tree

The application site has no trees within it, but there is a mature Copper Beech in the garden of No. 10 Bedford Terrace that overhangs the northern boundary of the site. Since submission the tree has, at the owner's instigation, been protected by a TPO 457 adding weight to the general Policy CS18 (Plymouth's Green Space) presumption to protect green space and trees. Policy CS18 states:-

The council will protect and support a diverse and multi functional network of green space and waterscape through

- *Using its planning powers to safeguard important trees and hedgerows and to secure provision of soft landscaping where appropriate as part of the development*

This proactive stance towards protection of green space accords with supporting paragraph 11.37 which states:-

Also important to quality of life and the environment are smaller scale greenspace features – even down to individual tree or hedgerow. The Council will be proactive in protecting such features through Tree Preservation Orders or other application of its planning powers.

In response the applicant's architect has more accurately plotted the canopy of the tree and moved the smaller building, fronting onto Amity Place, further away from the canopy and likely position of the root system. This has had some impact upon the Amity Place frontage and reduced the number of study bedrooms from 7 to 5, but should provide a better long term prospects for survival of the tree.

A condition to require the foundation excavations to be undertaken carefully – and in the event of any major root systems being discovered, approval of foundation construction details, is considered necessary to safeguard the protected tree.

The impact upon the amenities of neighbouring properties

In general terms the layout and orientation of the property is considered to have limited impact upon the amenities of neighbouring property and demonstrated compliance with Policy CS34 (Planning Application Considerations).

With the exception of the 'wrap' around corner windows on the northern end of the proposed larger building – which serve the dual function of providing

natural light and surveillance of the approach and entrance - the study bedroom windows are located on an east-west axis where they would not directly overlook neighbouring property. There would be some indirect views, and angled views of neighbouring property including the student accommodation managed by Buckclose Ltd., and of course the main staircase would face north towards neighbouring property, but the relationship to Bedford Terrace at this point is frontage to frontage in a fairly high density urban area and is, in any case, partly mediated by the foliage screening

Concerns raised in LORs about the height and scale of the proposed larger building, the proximity of the smaller building to the site boundary with no. 10 and the potential use of the flat roof as a balcony have been responded to positively and more considerate scheme developed. In its amended form the proposal is considered to be acceptable in relation to Policy CS34.

The adequacy of proposed parking and access arrangements

Core Strategy Policy CS28 (Local Transport Considerations) set out the Council's transport policies. It states:-

The Council will develop and promote a high quality and sustainable transport system for the city and reduce the need to travel through spatial planning and design, including the following elements:

4. Demand management. Development proposals will be assessed in relation to car parking standards set out in the Council's Car Parking Strategy. These set a maximum level of provision for different types of proposal. These standards will be applied within the context of the capacity of the local road network and the need to promote the city for economic development, support shopping areas, safeguard residential amenity and ensure highway safety.

The Council's parking standards are couched in terms of maximum rather than minimum standards.- with a *maximum* for a C1 (Hostel Use) of 1 space per 8 residents.

The site is located in close proximity to city centre and very well served by public transport with Plymouth central rail station is central and the bus/ coach station within the neighbourhood. The provision of three spaces for loading and unloading and use by disabled residents is more than many similar student hostels in the area and considered sufficient.

Section 106 Obligations

- Clause to restrict occupation to students
- Delegated authority to refuse the application if the Section106 agreement not completed within 3 months of the date of a committee resolution to approve.

Conclusions

The proposed development is located close to the university and would provide new purpose built student accommodation of the type sought in the *University of Plymouth Accommodation Strategy* in two attractive modern buildings. It would not displace existing residential accommodation – and may even help ease some of the pressure on it.

The City Council has worked in partnership with the university over a number of years to help it develop its Drake circus campus, appreciative of the economic benefits its expansion brings to the city as a whole. But this has, inevitably, generated some pressures upon the local area which are acknowledged in the Core Strategy Area Vision and underlying SNS evidence base. Reconciling those interests and getting the right balance between preservation and innovation in relation to the wider area is not always easy. However, in its amended form, this development proposal is considered to strike the right balance and is consequently recommended for approval.

Recommendation

In respect of the application dated **11/07/2008** and the submitted drawings, **Amended plans and description of development (plan numbers 3600/201; 3600/202; 3600/203 & 3600/204)**

3600/201; 3600/202; 3600/203 & 3600/204

Sheet L1.3600; 3600/033600/101Rev.A;3600/102Rev.A (7Bed unit).3600/103;3600/104 , it is recommended to: **Granted Conditionally S106**

Conditions

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: -

- The principle of developing student accommodation in this location
- The design and appearance of the buildings and environs
- Historic environment issues including the impact upon the setting of a listed building
- The impact upon the amenities of neighbouring property
- The adequacy of proposed parking and access arrangements
- Community Benefits / Planning Obligation

, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy, (b) non-superseded site allocations, annex relating to definition of shopping centre boundaries and frontages and annex relating to greenscape schedule of the City of Plymouth Local Plan First Deposit (1995-2011) 2001, and (c) relevant Planning Guidance (SPG) Notes, Government Policy Statements and Government Circulars, as follows:

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.

SURFACE WATER DISPOSAL

(2) Development shall not begin until details of the proposals for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development hereby permitted is first .

Reason:

To enable consideration to be given to any effects of changes in the drainage regime on landscape features in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXTERNAL MATERIALS

(3) 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 CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SURFACING MATERIALS

(4) No development shall take place until details of all surfacing materials to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE DESIGN PROPOSALS

(5) 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 .

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE WORKS IMPLEMENTATION

(6) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

REFUSE PROVISION

(7) Before the development hereby permitted commences details of the siting and form of bins for disposal of refuse shall be provided on site shall be submitted to and approved in writing by the Local Planning Authority . The refuse storage provision shall be fully implemented before the development is first occupied and henceforth permanently made available for future occupiers of the site.

Reason;

In order to ensure that adequate, safe and convenient refuse storage provision is provided and made available for use by future occupiers in accordance with Planning Guidance 9 - Refuse Storage in Residential Areas.

CODE OF CONSTRUCTION PRACTICE

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

Reason: To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SOUND INSULATION OF BUILDING

(9) The building is built in accordance with BS8233:1999 to meet the 'good room criteria' for living spaces. Due to the nature of the development each bedroom should meet this criteria as well as the living areas of each flat.

Reason: To protect the residents from noise generated by other residents of the building and to protect the general amenity of the area, given the high density of housing.

LAND QUALITY

(10) Prior to the commencement of development, the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority.

That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.

1. A preliminary risk assessment/desk study identifying:
 - All previous uses
 - Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these agreed elements require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: Historical maps indicate 2 depots in the immediate vicinity of the proposed development which may include the development site. The condition covers the full range of measures that may be needed depending on the level of risk at the site. If the LPA is satisfied with the information submitted with the application they can decide to delete any of elements 1 to 4 no longer required. The LPA may still decide to use the whole condition as this would allow them to declare the information no longer satisfactory and require more or better quality information if any problems are encountered in future.

REMEDATION VERIFICATION

(11) Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met. It shall also include, where relevant, a plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the local planning authority.

Reason: Without this condition, the proposed development on the site may pose an unacceptable risk to the environment. This is listed as a separate

condition as it gives the LPA the option to choose a later control point: i.e. prior to occupation, rather than commencement of the development for the main phase of the remedial works.

CYCLE PROVISION

(12) The development shall not be occupied until space has been laid out within the site in accordance with the approved plan for 22 bicycles to be parked.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

PROVISION OF PARKING AREA

(13) Each parking space shown on the approved plans shall be constructed, drained, surfaced and made available for use before the unit of accommodation that it serves is first occupied and thereafter that space shall not be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

LIGHTING SCHEME

(14) Before the development hereby approved commences details of any external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be fully implemented before the development is first occupied and henceforth permanently maintained for the occupiers of the site.

Reason:

In order to ensure that adequate external lighting is provided for future occupiers of the site and that it does not interfere with navigation.

LIFETIME HOMES

(15) None of the residential units hereby approved shall be occupied until 2 units (20% of the total) have been constructed to 'Lifetime Home' standard.

Reason

In order to ensure that a percentage of the housing stock is designed to a standard that meets the needs of disabled people.

GATE DETAILS REQUIRED

(16) Details of the gate(s) between the site and Amity Place shall be submitted to and approved in writing prior to construction, and implemented in accordance with the approved plan prior to any of the buildings first being occupied.

Reason:

To ensure satisfactory delineation between the public and private realm and satisfactory appearance onto Amity Place

EXCAVATIONS & TREE ROOTS

(17) Details of excavations foundations and servicing shall be submitted to and approved in writing prior to the commencement of any construction works on site.

Reason

To safeguard the roots of the TPO protected Copper Beech tree in the garden of the adjacent property, no. 10 Bedford Terrace.

EXCLUSION FROM RESIDENT'S PERMIT PARKING

The applicant should be made aware that the property lies within a resident parking scheme which is currently over-subscribed. As such the development will be excluded from obtaining permits or visitor tickets for use within the zone.

PPG15 - Planning and the Historic Environment

PPS3 - Housing

PPS1 - Delivering Sustainable Development

CS28 - Local Transport Consideration

CS32 - Designing out Crime

CS33 - Community Benefits/Planning Obligation

CS34 - Planning Application Consideration

CS20 - Resource Use

CS03 - Historic Environment

CS02 - Design

CS15 - Housing Provision