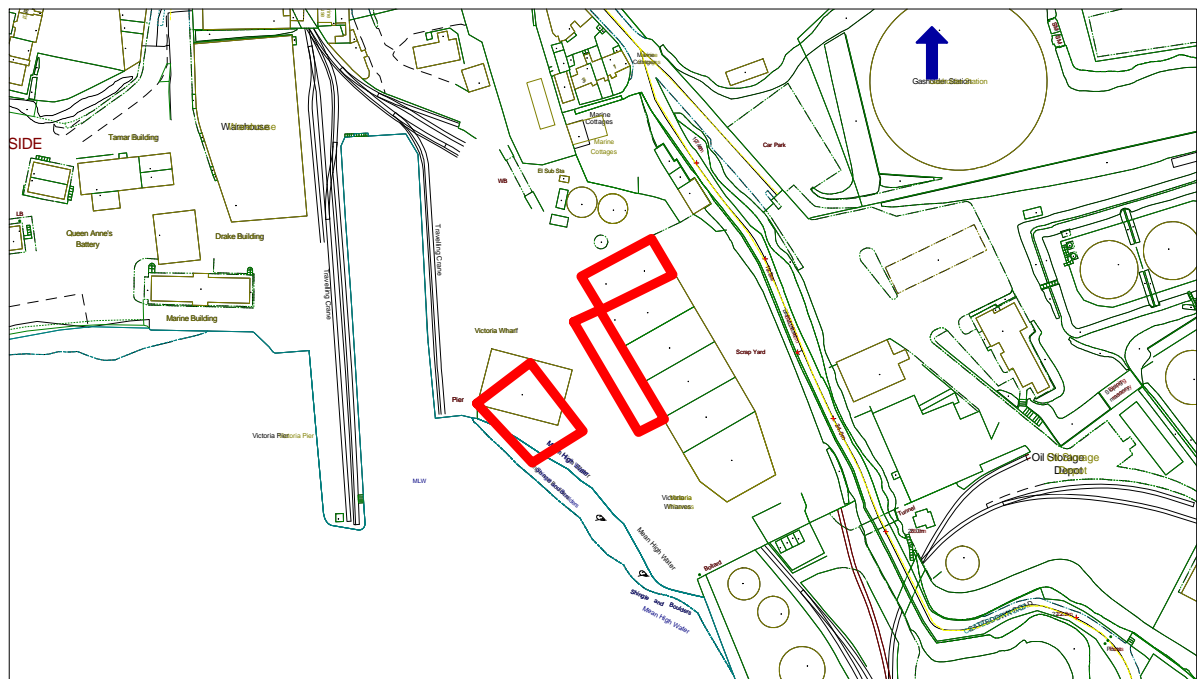


ITEM: 09

Application Number:	08/01545/FUL
Applicant:	Victoria Group Ltd
Description of Application:	Extension to storage silos and re-location of building 'N' (revised scheme)
Type of Application:	Full Application
Site Address:	VICTORIA WHARF, BREAKWATER HILL PLYMOUTH
Ward:	Sutton & Mount Gould
Valid Date of Application:	11/08/2008
8/13 Week Date:	10/11/2008
Decision Category:	Major Application
Case Officer :	Carly Francis
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

Site Description

Victoria Wharf is the port at Cattedown. On this site is the Marine building which is in B1 use, to the east of this lies the working docks at Victoria Wharf and to the west various marine and retail businesses at Queen Anne's Battery. The vehicular entrance is separate from the docks and forms a self contained enclave beyond the existing rising barrier at the entrance opposite Commercial Street.

Proposal Description

Extension to storage silos and re-location of building 'N' (revised scheme).

Relevant Planning History

07/01530 (FULL) Four-storey office building, extension to silos and re-siting of building- REFUSED.

07/00679 (FULL) Extension to roof to create further office space- PERMITTED.

Consultation Responses

Environment Agency- no objections but recommend that a condition is attached to request that a flood mitigation and warning evacuation scheme be submitted.

Highway Authority- no objections.

Public Protection Service- no objections but recommend that a condition requesting a land quality assessment be attached to any grant of planning permission.

Health and Safety Executive- no objections.

Representations

Nil.

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 main considerations in this case are the design and appearance of the building proposed, its impact on surrounding buildings, to neighbouring amenity and on the highway. The policies relevant in this case are CS01, CS02, CS21, CS28, CS33 and CS34 from the adopted Core Strategy.

This application follows the recent refusal of an application at this site for a four-storey office building, extension to silos and re-siting of a building. The previous application was refused due to objections raised from the Health and Safety Executive. It was considered that the office building proposed was unacceptable on health and safety grounds. This application sees the removal of this part of the proposal. The other difference to this revised application is that an additional extension is proposed to one of the silos.

The application consists of 2 elements:

Part 1 is the extension of existing storage silos G, H, J & K to allow for the increase in shipment sizes. In addition a new side extension to F (known as unit Q) is now included.

Part 2 consists of moving the existing shed P (rotating clockwise on plan) to allow for movement of goods to pass the extended silos G & H.

At Victoria Wharf the typical ship size has increased from 2500 tonnes to 3500 tonnes and is generally handled by conveyor. To accommodate these needs it is proposed to increase the depth of four silos to accommodate these larger loads in one building rather than inefficiently in 2. This will require the reorientation of Silo P (twisting clockwise on plan) to ensure clear operation of plant.

Part One – Extension of existing storage silos

The increase of individual building size does not itself affect either the volume of shipping or the lorry traffic associated with transshipment. It is merely to provide improved control of the cargo, reduce/ remove potential contamination of different grades of china clay (or other bulk cargoes) associated with using 2 silos for one shipment and it is more efficient to enable dedicated silos for individual shipments.

To use the site efficiently and re-balance the stock of available sized silos a new facility is proposed in the form of Q located between the existing F and an electricity sub-station.

Part Two – Relocating building P

The location plan shows that without turning building 'P' a pinch point would be created between the NE corner of 'P' and the revised front to silo H. This can be corrected by resiting 'P' in the location shown. This building was built in 2003/4 on a superficial ground beam. It therefore does not have deep foundations and can fairly easily be stripped back to the steel frame and rotated through an angle of 340 degrees on plan as shown. There is therefore no loss to the storage capacity or productivity of the docks by the removal of this building.

These elements of this planning application are to be considered as parts of a single plan for improving the efficiency of the dock. There will be an increase to the competitiveness of the working port.

Health and Safety Executive

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the consultation distance of a major hazard sites/ pipelines. Consultation zones within which this site wholly or partially lies include;

- Transco, Coxside (North) Holder Station, Clovelly Road
- Transco, Coxside (South) Holder Station, Clovelly Road
- SGS Strath Services Ltd at Mayflower Terminal, Breakwater Hill
- Conoco Ltd at Cattedown

The proposal has therefore been considered using PADHI+, the HSE's planning advice software tool, based on details input by Plymouth City Council. The assessment indicates the HSE's does **not** advise, on safety grounds, against the granting of planning permission in this case.

Major hazard sites/ pipelines are subject to the requirements of the Health and Safety at work etc. Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation. As no objections are raised by the HSE in this case the proposal would comply with policies CS01 and CS34.

Highway Considerations

The Transport Officer comments that given that the proposed extensions are to provide more efficient storage of cargo arriving from larger ships to accommodate the loads into 1 large building rather than inefficiently in 2. It is not anticipated that there would be an increase in HGV movements associated with the proposal as it would provide a more efficient use of the site. However even as a worst case scenario a warehouse facility of this size would generate a minimal number of additional trips on the network and therefore the Transport Officer does not wish to raise objections to the proposal and the development would comply with policy CS28.

Flood Risk

The applicant was required to submit a Flood Risk Assessment with this application as the site is in what has been designated as a medium risk flood zone (Flood Zone 2) by the Environment Agency. The Environment Agency are satisfied with the Flood Risk Assessment submitted and do not wish to raise any objections. They do however request that a condition be attached requesting that a flood mitigation and warning evacuation scheme be submitted and agreed by the Local Planning Authority. Providing these details are agreed the proposal is considered to comply with policy CS21.

Conclusions

It is not considered that the proposals would have a detrimental impact on the character of the area, to surrounding amenity, or on the highway. Nor are

there any objections raised on health and safety grounds. This application is therefore recommended for approval.

Recommendation

In respect of the application dated **11/08/2008** and the submitted drawings, **No. 6 REV A, 7A, 8 and accompanying Design and Access Statement**, it is recommended to: **Grant Conditionally**

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.

FLOOD MITIGATION AND WARNING EVACUATION SCHEME

(2) No development approved by this permission shall be commenced until details of flood mitigation and warning evacuation scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

Reason:

To minimise flood risks in accordance with policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

MANAGEMENT PLAN

(3) 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 site works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LAND QUALITY ASSESSMENT

(4) Prior to the commencement of development approved by this planning permission, or such other date or stage in development as may be agreed in writing with the Local Planning Authority (LPA), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the LPA:

1. A preliminary risk assessment which has identified:
 - a. all previous uses;
 - b. potential contaminants associated with those uses;

c. a conceptual model of the site indicating sources, pathways and receptors;
and
d. potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on 1 to provide information for a detailed 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 from 2 above 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, or deletion of, any of these components will require the express written consent of the LPA; the procedure for such changes/deletions is hereby allowed under the terms of this condition. The scheme shall be implemented as approved.

Reason:

The proposed development is approximately 30 metres from a former gas works and this condition covers the full range of measures that are required, unless agreed otherwise by the LPA, to comply with policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: the impact on the surrounding area, on the health and safety of those on and around the site and the impact on the highway, 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:

CS28 - Local Transport Consideration
CS21 - Flood Risk
CS01 - Sustainable Linked Communities
CS02 - Design