

**ITEM: 14**

**Application Number:** 08/01536/FUL

**Applicant:** Tesco Stores Ltd

**Description of Application:** Installation of a combined heat and power unit (adjacent to Tavistock Road/Woolwell Crescent junction)

**Type of Application:** Full Application

**Site Address:** TESCO STORES, WOOLWELL CRESCENT  
WOOLWELL PLYMOUTH

**Ward:** Moor View

**Valid Date of Application:** 12/08/2008

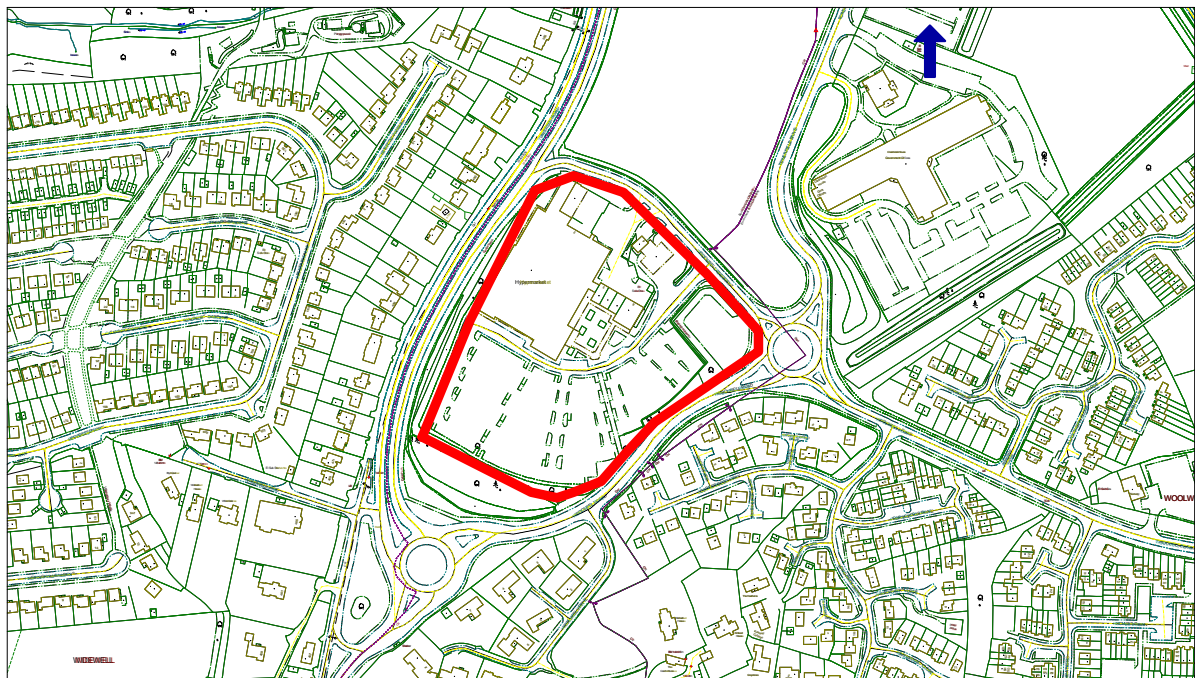
**8/13 Week Date:** **07/10/2008**

**Decision Category:** Major Application

**Case Officer :** David Jeffrey

**Recommendation:** Grant Conditionally

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## **OFFICERS REPORT**

### **Site Description**

Tesco Superstore, 2 Woolwell Crescent, is a large commercial unit in the Roborough area of Plymouth. The unit is bounded to the west by Tavistock Road and to the southeast by Woolwell Road.

### **Proposal Description**

The proposal includes the siting of a Combined Heat and Power (CHP) unit at the rear of the existing superstore which will contribute towards the store's heating and energy needs.

### **Relevant Planning History**

04/01537/FUL – Extension to existing retail store including alterations to car park and ancillary works – approved subject to Section106 agreement APPROVED.

04/00680/PRDEV – Certificate of Lawfulness for the installation of an internal mezzanine floor to provide an additional 1,115sqm extra sales floor space APPROVED.

06/00107/FUL - Installation of enclosed back-up generator at rear of store APPROVED.

07/02195/FUL - Installation of two vertical axis wind turbines (10.6m in height) within car park APPROVED.

08/00900/FUL - Formation of new glazed access lobby to front of store, with associated alterations to street furniture APPROVED.

### **Consultation Responses**

Three consultations have been undertaken with Public Protection Services, Transport and Plymouth City Airport. The individual responses are outlined below.

#### **Public Protection Service**

Public Protection Services have recommended the attachment of a condition intended to control any noise generated by the proposed CHP plant to avoid disturbance to nearby residential properties.

#### **Transport**

No objections

#### **Plymouth City Airport**

No Objections

### **Representations**

Two letters of representation have been received from residents on Tavistock Road raising concerns related to the noise that the CHP plant may make. One

of the letters also raised the need to maintain the high screening of the store currently located on the boundary.

### **Analysis**

The main issues to consider for the application are the impacts on the character and appearance of the locality and the amenity of surrounding residents.

The proposed CHP unit measures approximately 3m in width and 6.8m in length. The proposed location is 1.2 m from the external wall at the rear of the store adjacent to a large hedge which fronts onto Tavistock Road. With regard to the proximity to surrounding residential properties the CHP unit is around 45m from the nearest dwellinghouse on the west side of Tavistock Road. The residential properties are separated from the superstore and the proposed site of the CHP unit by a busy primary transport route to and from the city centre.

Owing to the location of the CHP unit behind a large hedge it will not be visible from a public vantage point. The proposal is therefore not regarded to have any detrimental impacts upon the character and appearance of the locality.

It is considered to be expedient to include a condition restricting possible noise levels, as recommended by Public Protection Services. Consequently any noise produced by the turbines is not considered to be sufficiently detrimental to the amenity of surrounding properties so as to necessitate refusal.

Owing to the role of the extensive boundary screening between the CHP unit and Tavistock Road in providing a visual and acoustic barrier it is considered necessary to attach a condition to any consent granted that will protect it during construction works. With the inclusion of this condition and another related to the noise levels emanating from the CHP unit the proposal is not considered to have an unacceptable impact on the character and appearance of the locality or the amenity of nearby residential properties. These conditions should also act to address the concerns voiced in the letters of representation.

The proposed CHP unit is therefore considered to be acceptable in design terms and unlikely to pose a detrimental threat to the amenity of surrounding residents.

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.

## **Section 106 Obligations**

Not applicable in this instance.

## **Conclusions**

Recommended for approval

## **Recommendation**

In respect of the application dated **12/08/2008** and the submitted drawings, **3031elevdgn, 3031boundary dgn, 3031gag##.dgn** , 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.

### **CONTROL OF NOISE LEVELS**

(2)The noise generated by the combined heat and power unit (LAeqT) shall not exceed the background noise level (LA90) by more than 5 decibels, including the character/tonalities of the noise, at anytime as measured at the façade of the nearest residential property.

Reason:

To control noise levels generated by the use hereby permitted, in accordance with policies CS22 and CS34 of the adopted Core Strategy.

### **TREE PROTECTION DURING CONSTRUCTION**

(3)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 Policies CS18 and CS34 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 amenity of surrounding residents, the control of pollution and the character and appearance of the locality, 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 greenspace 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:

- CS22 - Pollution
- CS34 - Planning Applications
- CS18 - Plymouth's Green Space
- CS22 - Pollution