

ITEM: 09

Application Number: 09/01223/FUL

Applicant: Plymouth City Council

Description of Application: The Embankment Lane Link Road Scheme between Embankment Road and Laira Bridge Road - Construction of new link road (dual carriageway southbound and single carriageway northbound) with shared cycleway/footway and new playing field car park

Type of Application: Full Application

Site Address: EMBANKMENT LANE PLYMOUTH

Ward: Sutton & Mount Gould

Valid Date of Application: 07/09/2009

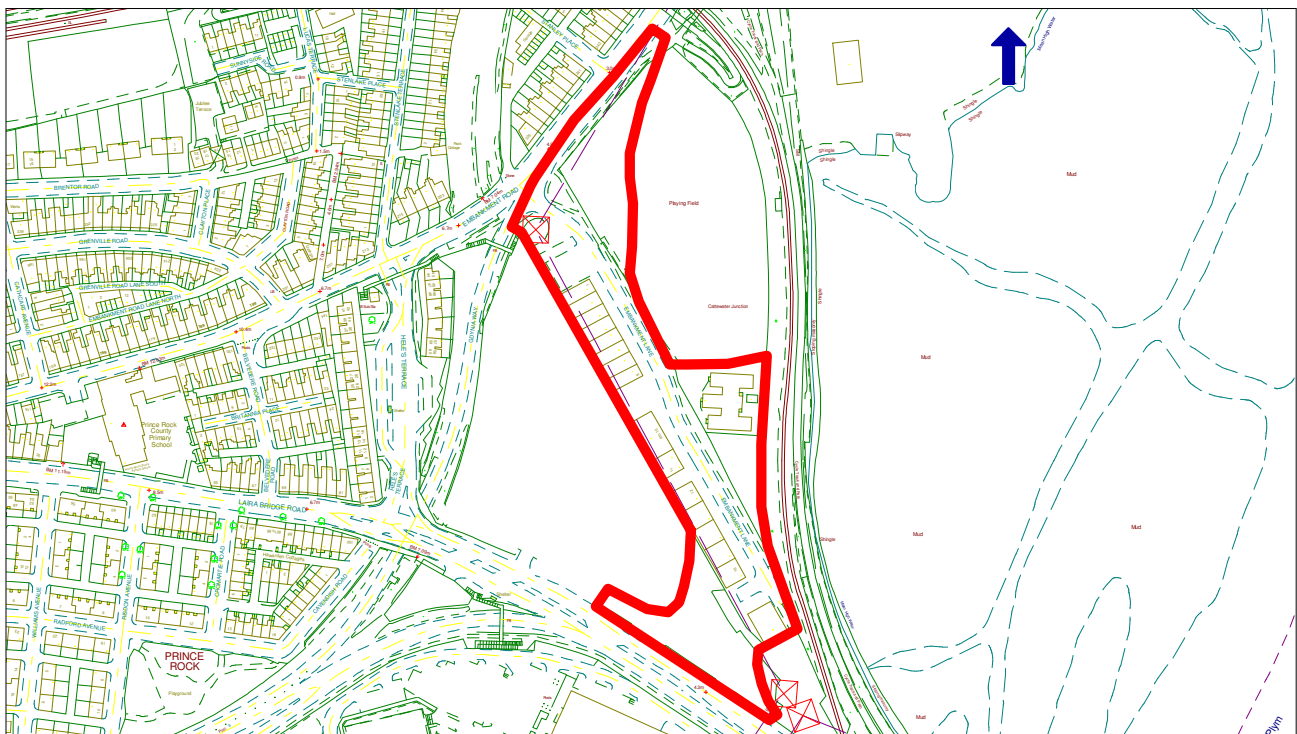
8/13 Week Date: 07/12/2009

Decision Category: Major Application

Case Officer : Alan Hartridge

Recommendation: Grant Conditionally

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OFFICERS REPORT

Site Description

The application site for the proposed Embankment Lane Link Road scheme is located approximately one and a half miles from the City Centre between the A379 at Laira Bridge and the A374 Embankment Road. A railway track runs adjacent to the eastern boundary. Beyond the railway track lies the River Plym. The Heles Terrace residential area lies beyond the disused former Western National bus depot land and Gdynia Way to the west and a terrace of Embankment Road housing lies beyond this road to the north. To the south of the site is the A379 and beyond this a large area with retail warehousing and numerous industrial buildings.

The application site comprises 1.27ha. and incorporates the Embankment Lane which forms part of the Plymouth Highway network and is an unclassified local road providing access to 17 industrial units, 2 electricity pylons, maintenance access to Network Rail land and access to Prince Rock playing field and a Judo club. It also provides gated access to a large area of fenced hard standing to the west which used to be the Western National bus depot. This area, roughly triangular in shape, comprises concrete slabs (where a number of buildings previously stood) and piles of rubble within a fenced enclosure. The greater part of that site formerly comprised a variety of workshop buildings, adapted, extended and altered for use as a bus depot. Those buildings, and those associated with a former adjacent petrol filling station, were demolished and some rubble cleared from the site about ten years ago. Scrub has now colonised parts of the site in a patchy fashion.

This area has stood vacant for several years and has a derelict appearance. Part of the application site includes a strip of this currently vacant hard standing located between Laira Bridge Road and the eastern end of Embankment Lane.

Four large single storey industrial building blocks of 'modern' construction with corrugated metal roofs are situated along Embankment Lane within the application site. One building block of 8 units was constructed approximately 30-40 yrs ago; one of 3 units approximately 20-30yrs ago; one of 5 units approximately 20yrs ago and the unit at the eastern end of Embankment Lane approximately 15yrs ago.

Part of the application site includes some 275 sq.m of the western corner of the Prince Rock playing field amenity area. The playing field is situated east of the Embankment Lane together with three bungalow style buildings which are connected. Two of these buildings (within the submitted application site boundary) are derelict and one is currently in use as a Judo Club. A small two storey red brick building with a flat roof is located at the rear of these bungalow style buildings and a mature ash tree stands at the entrance from Embankment Lane.

Proposal Description

The applicants point out that the selected alignment and associated widening for the required link road scheme requires the land currently used by the

Embankment Lane industrial units, which would be demolished as part of the scheme in order to allow construction of the widened highway.

This planning application is for the demolition of buildings, clearance of vegetation, regrading of land and construction (with associated earthworks) of approximately 400m of new road linking the A379 Laira Bridge Road and the A374 Embankment Road. The road as proposed would be dual carriageway providing 2 lanes southbound and a single lane northbound incorporating footways and cycleway. It would be constructed on a raised earth embankment approximately 1m higher than its current elevation which is a requirement to enable the road to function during flooding events. The scheme, including the earthworks, would extend to 25m in width.

The road scheme would include a shared 3.5m footway cycleway on the northern side of the road and a 2m footway on the southern side. At the northern end a priority junction would connect the link with Embankment Road. The existing junction of Embankment Lane/Embankment Road would be realigned with a new off slip extending back toward the railway bridge. The right turn into Embankment Lane from Embankment Road would no longer be permitted with access to that area being achieved instead from Laira Bridge Road. The road would be lit and have a 30mph speed limit. At the eastern end the link road would join Laira Bridge road via a new traffic signal controlled junction incorporating pedestrian crossing facilities.

The Embankment Lane scheme that is the subject of this application is designed to continue to provide access to the former bus depot redevelopment site, but it would involve the loss of some of that site making it a smaller area for redevelopment. The scheme is also designed to continue to provide access to the utilities apparatus and Network Rail land from the construction of a new turning head (close to the existing one in the south western corner of the site).

The applicants state that the proposal would require the felling of the Ash tree and demolition of the existing buildings to the south of Prince Rock Playing Fields in order to allow for working space to construct the embankment that would support the link road. A new means of vehicular access would be created in this area for the Prince Rock Playing Fields along with the provision of a new car park with capacity for around 25 to 30 cars although it is proposed that the spaces are unmarked. The car park would also provide access to the playing field for grass cutting etc.

The applicants state that Prince Rock Playing Fields would be re-fenced using suitable material to be agreed with PCC's Leisure / Education departments. The fencing would be 'ball stop' type fencing to prevent balls from leaving the playing area and entering the carriageway (in keeping with the existing fencing on the site). The new fencing would be designed such that it maintains forward visibility for vehicles using the new link road.

A landscape design has been proposed as part of the Environmental Report contained within the planning application submission. The sides of the proposed embankment are identified as areas to be grass seeded with planting such as trees to be incorporated where they do not interfere with site

lines and visibility. An area of bramble scrub south of the existing Judo club building and the proposed car park is suggested as being maintained as far as possible in terms of its natural ecological value. This would be maintained where possible although there would be a need to access a strip of this land in order to construct the embankment.

The natural ecological value of the application site and adjacent land has been assessed. Further environmental survey work that followed the original submission of the application discovered a roost for a bat (a European protected species). This has been detected within one of the buildings to be demolished.

This additional survey has influenced the applicants proposed mitigation measures for reptiles and bats. An updated 'Embankment Lane Link Road Mitigation and Enhancement Strategy' and Mitigation Plan drawing has been submitted as the applicants propose to provide bat boxes and a reptile re-location area as part of the proposal.

The Design and Access Statement' of the planning application includes information relating to the construction methodology and the commitment to recycling of materials and limiting the amount of material being taken off the site to tip. 68m³ of topsoil would be required to be brought to the site from external sources to be used on the Embankment and supporting works. A further 10,800m³ of topsoil would be required to be brought to the site from external sources in order to re-grade the football pitch within the corner of the amenity area that is within the application site. The applicants point out that this regrading would help to hide the embankment.

Relevant Planning History

1. There is a complex site history on the 1.98ha former Western National bus depot site and the most relevant decisions would appear to be:

093/1263 -Appeal upheld for the erection of 4,645sqm (50,000sqft) non-food retail warehousing (5 units) on 1.92ha with associated car parking for 250 cars and junction improvements and off-site highway works APPROVED 21st December 1994.

099/0863 -Planning permission for the erection of 6,433sqm non-food retail units and a fast food outlet (7 units) on 1.98ha with associated car parking for 332cars and junction improvements and off-site works APPROVED 21st January 2000.

04/00603 – Application for the renewal of the unimplemented planning permission 99/0863 by a 2yr extension of time for commencement –Appeal registered in respect of non-determination and the Planning Committee resolved in September 2004 that had the Council determined the application it would have REFUSED the application. The Planning Inquiry was cancelled when the appellants withdrew the appeal in July 2005.

(The appellants made a notional start on site to activate 99/0863)

04/00664 -Variation of condition 18 of planning permission 99/0863, relating to erection of six non-food units and a fast food outlet, so as to allow a different type of pedestrian crossing in Laira Bridge Road –APPROVED June 2009 .

2. In respect of the Embankment Lane premises the most relevant decisions would appear to be:

01/01106/FUL – Demolition of 4 industrial units at the north end of Embankment Lane and erection of 575 sqm non-food retail unit -REFUSED March 2002.

87/02303 - Change of use of warehouse (Class B8) at southern end of Embankment Lane to light industrial (Class B1). (Full) - GRANTED.

04/01415 - Installation of doorway with security shutters, and security shutter over existing window (in association with new mezzanine floor) within the above Unit at southern end of Embankment Lane .(Full) – REFUSED and revised application 04/01845/FUL GRANTED November 2004 .

06/02061 - Change of use to vehicle leasing (Unit 11) – GRANTED December 2006.

Consultation Responses

Environment Agency

No objections subject to conditions being imposed in respect of:

1. Flood Risk to prevent the increased risk of flooding and minimise the surface water pollution risk, and
2. Contaminated Land to prevent pollution of controlled waters

Western Power Distribution

No objection in relation to the design, construction and maintenance of the proposed Embankment Lane Link Road. They have provided guidance for stand off distances from the Pylons and power cables. They have also provided information relating to safe working practices during construction and demolition of the industrial units

Highways authority (PCC Transport Unit)

Comments of the Transport, Infrastructure & Engineering Manager (some comments are incorporated elsewhere in the Committee report):

The link is a key part of the overall Eastern Corridor Major Scheme which is aimed at delivering the infrastructure requirements for the overall growth forecasts for the east of the City at Langage, Sherford and Plymstock Quarry. The City Council is currently preparing a Major Scheme business case to be submitted to the Department of transport in 2010 to secure the necessary funding. This link forms a key part of the proposals to link these new developments with the City Centre and it city centre enabling the provision of a High quality public transport route and capacity improvements to the network.

The section of the Major Scheme bid west of Laira Bridge, known as the Community infrastructure (CIF) scheme, has already secured a £9.8m grant funding towards the early implementation of this scheme. A condition of the CIF funding is that it is spend prior to 2012.

This application forms part of the CIF scheme with the remainder of the works being carried out within existing highway boundaries and not included within this planning application.

The scheme is a key part of the CIF project and the wider Major Scheme Bid proposals. The purpose of the Major Scheme bid and CIF proposals are firstly the implementation of an High Quality Public Transport (HQPT) system to support projected growth in the Corridor as outlined in the AAP's together with environmental improvements in the East End area which currently experiences high levels of congestion and severance, problems which will be further worsened given the projected levels of development.

The key change will be that traffic originating from Marsh Mills travelling to Plymstock will be re-routed via the new link road rather than using Heles Terrace as it currently does. Access to the Prince Rock area and east end will now use Embankment Lane turning right at its eastern end and proceeding via Elliot Road with a re-instated right turn at its junction with Embankment Road.

The scheme also enables the provision of 2 way traffic on Gdynia Way by removing the conflict which would otherwise exists between Plymstock bound traffic and traffic running outbound on Gdynia Way. Plymstock traffic is transferred to the new link road providing a more direct route for traffic going to Plymstock and removing a vehicle conflicts which exist at both ends of Heles Terrace.

A Stage 1 Safety Audit has been undertaken as part of the scheme.

The existing right turn into Embankment Lane at the western end currently acts as a constraint to the area in that the right turn manoeuvre crosses a dual carriageway and a number of injury accidents have resulted. As a result of these safety concerns a right turn ban is in the process of being implemented to prevent this manoeuvre which will have an impact on existing access to Embankment Lane. Such a manoeuvre would also be prohibited under the proposed scheme.

The link will also facilitate access to the former bus depot site in the form approved under the previous planning application for that site Ref 99/00863/FUL although the design is flexible to allow access at various locations depending on the development requirements of the site. The final details of the access would need to be agreed prior to commencement of the scheme and following further discussions with the landowner.

Suggested changes

In terms of cycling a shared use facility is proposed along the link however given that there is already a duplicate cycle track along the old railway line running parallel to the new road it may be beneficial to provide a cycle lane on the carriageway itself which would require a narrowing of the shared use cycleway footway but would not require and increase in the land take. Other cycle priority carriageway markings would also be helpful throughout the scheme for example cycle boxes at the eastern junction. A condition is suggested. It might also be helpful if pedestrian crossing facilities could be provided across the link together with a pedestrian access to the playing field.

Conditions are suggested (incorporated in the recommendation).

Representations

The letters are all available to read in full prior to the Committee.

Prince Rock Primary School

No objection

The Head Teacher points out that they no longer use their allocated playing fields by Embankment Lane as they use Tot Hill fields. He says that as a result the proposal to use a small section of the field at the North end is not a problem for them. This has been more than countered by the proposed improvements to the route we use to the playing fields at Tot Hill.

He also points out that the proposals appear to remove a lot of traffic from outside the school itself on at least one side and states that this can only be a good thing for them in terms of noise, pollution and road safety. As a result they also have no objection to this section of the plan either.

Target Travel

No objection.

Target Travel is strongly in favour of the proposals as presented and believes that they will make a significant improvement to their ability to serve the area effectively as follows:

1. "Safety of passengers and pedestrians

The reduction in "through" traffic using Embankment Road will allow improvements to the operation of the "bus gate" for inbound services at the western end of Embankment Road. The proposed redesign of the junction at the northern end of Embankment Lane will significantly improve safety over the current arrangements. Finally, the restriction of traffic on Embankment Road eastbound around Prince Rock School will considerably aid the boarding and alighting of pupils from coaches at this point."

2."Journey time and punctuality of current operations

Delays are experienced westbound with a tailback of traffic approaching the bus gate at the western end of Embankment Road during the morning peak period and eastbound at this point during the afternoon peak period. The improvements to the bus gate, continuous bus lane onto and out of the eastbound bus stop and general reduction in traffic levels will considerably reduce delays experienced here for local bus services plus schools and works contract operations."

3"Passenger Infrastructure and Severance Improvements

The opportunity for public realm improvements through release of road space and the removal of the central barrier on Embankment Road will be useful to improve passenger facilities. The outbound stops at Langham Place and Grenville Road could now have sufficient space for shelters while the In bound stop at Sutton Road will benefit from a better layout.

Finally, the removal of the physical central barrier will present much less of a barrier to the access to and use of public transport in the area. If a right turn out of Sutton Road can be allowed for buses in the new arrangement, then an improved frequency of service is likely to result for the housing area to the south of Embankment Road"

Commercial Director - First Devon & Cornwall

No objection.

“As in October last year First Devon and Cornwall welcomes and supports the CIF scheme and the improved public transport access between Plympton, Plymstock and Plymouth City Centre.

The route through the East End is an important public transport corridor for both local city routes and services operating throughout Plymouth’s eastern corridor.

As Plymouth expands, in line with the aspiration of both the City Council and the region, traffic congestion will rise. Without the appropriate mitigation the increased traffic volumes will detrimentally affect our services. Through providing priority for public transport along Embankment Road and reducing traffic on the trunk network through the construction of the Embankment lane link road, the subject of this planning application, it will allow us to maintain our current, high, service frequencies on our routes operating into Plymstock and the Park and Ride at Marsh Mills as well as on new services recently introduced into Plympton.

We believe that through the reliability improvements associated with the holistic scheme proposals bus services will be more attractive to the residents of the new communities planned for the eastern corridor, hence encouraging the use of sustainable travel. This is why we support the current planning application even though it is not directly delivering new bus priorities.

In summary we believe that the scheme as presented to First Devon and Cornwall in October 2008 will improve the efficiency of public transport in the East End. This in turn will encourage more people to use the bus and improve the local environment whilst allowing current network performance to be maintained despite growth in traffic. We therefore support this planning application.”

CityBus

No objection

Similar views as above supporting the CIF scheme and improved efficiency of public transport in the East End and support the planning application.

ForstersLLP representing Osprey, the owners of the former WN Bus Depot Site

Object

The letter is available to read prior to the Committee. The essential points include the following points:

There needs to be both a primary and secondary access to the retail development site which can be used from both directions. The proposal would have an adverse noise and air quality impact upon the proposed retail development site where development has commenced and where the proposed primary access from Laira Bridge Road would be lost and not replaced meaning that a proposed fast food outlet area would become isolated and landlocked. The proposed development would then become reliant on a secondary access limiting future development potential. The Environment report noise analysis should be a subjective one as the position will be harmful to potential occupiers and users of the development site and the proximity of the proposed new link road would reduce the attractiveness of

the development site and its retail offer. There is an omission in the application as future occupiers should have been identified as receptors for the purpose of the air quality assessment. There is also an omission in assessing the visual impact as the raised link road would also have an adverse impact on the prominence of the development site.

Their client is unaware of any flooding having taken place during its ownership of the development site and is concerned that the Flood Risk Assessment indicates that there would be an adverse flooding impact as a result of the scheme and mitigation measures such as pumping are recommended (in one section of the report) or “considered” in another. They suggest that an appropriate planning condition requiring sufficient pumping measures is essential to satisfactorily mitigate the identified significant impact.

They point out that their client has constructed a bund to deter travellers from accessing the site and request imposition of a condition for suitable boundary treatment prior to the completion of works to deter trespassers.

They point out that if permission is granted their client will be unable to complete its own approved retail development, and would have uncertainty that any new application would be granted –which would be contrary to the objective of encouraging regeneration in this area and would not be good planning.

They state that alternatives proposals have not been fully explored in the environmental report which may have avoided bisecting the development site.

Analysis

1. The strategic need for such infrastructure improvements.

The Area Vision for the East End in the Core Strategy (CS) 2006-2021 includes the objective to deliver strategic transport solutions for the Eastern Corridor, ensuring that local priorities for transport and infrastructure improvements are also addressed as part of any scheme. The proposal would accord with this objective.

Investment in key infrastructure involving improvements to junctions along the Eastern transport corridor are of strategic importance for the growth of Plymouth in accordance with Regional Planning Guidance (RPG10) (the development of Plymouth as a Principal Urban Area) and the Draft Regional Spatial Strategy (RSS)(the development of Plymouth as a Strategically Significant City in the South West). The proposed link road scheme can be regarded as a key infrastructure investment scheme in accordance with the RSS (policy SR35). It would facilitate safe and convenient pedestrian, cycling and road traffic movements in accordance with Core Strategy (CS28).

The Major Scheme bid is mentioned in the comments of the comments of the Transport, Infrastructure & Engineering Manager. This is the City Councils bid to the government to secure funding for the implementation of transport infrastructure in the eastern corridor. There is a need for improved transport links along the corridor and infrastructure works are considered essential for delivering major development to the east of Plymouth to enable the authority to deliver a high quality public transport service to the City Centre. This will help ensure transport mode shift along the corridor, improve accessibility, reduce traffic congestion, improve road safety and ensure sustainable growth.

Traffic congestion is currently experienced in the corridor, in particular on the approaches to Laira Bridge.

The information submitted by the applicants indicates that unless the proposed highway improvements are carried out then there will be excess queues over the whole network (am peak). Furthermore, there are also problems in the

PM peak, with significant excess queues at Laira Bridge Road / Heles Terrace junction. The Transyt model indicates that unless the proposed highway improvements are carried out then there will be excess queues over the Eastern Corridor network.

Significant vehicle queuing currently exists on the A374 outbound along Embankment Road and inbound on A379 Laira Bridge Road with implications for public transport, air quality and general accessibility of the area.

It is considered that the proposed development would improve traffic movements by enabling Embankment Lane to function as a strategic route in Plymouth's road network carrying traffic from Marsh Mills towards Plymstock (in accordance with Core strategy CS28).

The scheme would remove some of the main vehicular conflicts which cause the queuing currently experienced at peak times while at the same time enabling the significant housing growth forecast along the Eastern corridor by providing highway capacity to implement HQPT (in accordance with CS 27, and CS28).

Although there is considered to be a strategic need for the scheme, and this particular scheme would be in accordance with the Area Vision, CS27 and CS28, alternative alignments have been explored and rejected by the applicants. Three alternative alignments were rejected for reasons given in the submitted Design and Access Statement. This planning application relates to this particular alignment and the material planning considerations also include consideration of the environmental and socio-economic impact of this particular proposal. The scheme details for this particular alignment would result in safe and satisfactory access and meet parking requirements in accord with CS34. It is considered that the scheme design that is now suggested would promote the provision of a safe walking and cycling route in accord with CS28 .

2. The development of an employment site and access to adjacent retail development land.

Development of sites with existing employment uses for alternative purposes will be permitted where there is clear environmental regeneration and sustainable community benefits from the proposal. In making the assessment in accordance with CS05 information has been submitted to demonstrate that the neighborhood has a good range of opportunities available for local people and the proposal would not result in the loss of a particularly viable employment estate that is necessary to meet the area's current or longer term economic development needs.

A list of 20 currently vacant industrial units owned by Plymouth City Council that may be of interest to some of the tenants on Embankment Lane has been

submitted (6 in the local area). A further table of 24 commercially available industrial facilities that are currently available within the local area are also submitted. These two tables demonstrate that a range of available units are available both in the area local area and within the remainder of the City. The applicants give an assurance that they would be working closely with the tenants of the industrial units to help them find alternative accommodation.

This linear industrial estate is in need of investment and is not in an ideal location for traffic safety. The current access to the industrial units is poor as it is compromised by only being served by a single entry point at its junction with the busy Embankment Road. This location is a known accident problem with seven Personal Injury Accidents between 2003 and 2007 (collision record taken from Committee Report January 2009 submitted).

A road safety scheme is due to be implemented imminently to help this situation through the prohibition of right turn from Embankment Road into Embankment Lane.

The applicants have submitted evidence to show that the buildings are only in a reasonable state of repair. The external claddings are now generally over 25 years old and are in need of replacement. The brick elevations are in need of some repair/re-pointing. The roller shutter doors require repair if not renewal.

It is to be expected that the interiors are "tired" and in need of overhaul and redecoration. The services are dated and likely to need upgrading.

In respect of units 1- 8 the sheet covering is starting to fail and small pieces have fallen off. There is an area to unit 8 where the sheeting is starting to lift.

On unit 11 part of the metal trim to the gable / ridge is missing and a section of edging flashing is missing.

The applicants point out that the scheme would support the development of the new strategic employment area at Langage (potentially 20ha.), by implementing the first phase of the public transport infrastructure required further downstream. There would be a realistic and viable alternative to the private car in accessing that area. On balance, and mindful that the proposed link road scheme could result in strategic benefits of wider economic value in reducing congestion and facilitating growth, it is considered that this proposal would largely accord with CS05 .

The Scheme would require the permanent loss of a strip of land that is currently part of a potential 1.98ha development site --the former bus depot site where an initial start on development was made some years ago in respect of the permission for non-food retail warehouses and a fast food outlet (7 units). However, the applicants point out that the scheme maintains access to the majority of the remaining potential development site via a new access from the link road. It is maintained by the owners of the former bus depot premises that both accesses granted within the previous planning permission (99/00863) are necessary to provide access to the site and that no access from Laira Bridge Road would be available in this scheme. However the applicants point out that this is not the case (see Transport views above). They state that consideration has been given to maintaining access to this site and full access will be provided, and largely replicate previously approved access arrangements, by providing for access to and from Laira Bridge Road and Embankment Road. The only difference would be that access would be

achieved from the new link road rather than directly onto these routes from the site.

It would not however be possible to turn right onto Embankment Road from the link road. However this can effectively be achieved via the Laira Bridge Road and Heles Terrace route. The applicants state that a number of other options also exist for providing access to the development site from the link road which could be agreed with the landowner.

On balance, and mindful that the proposed link road scheme could result in strategic benefits of wider economic value in reducing congestion and facilitating growth, it is considered that the loss of part of this potential retail development site is warranted, that the potential remains to design a new retail development scheme without prejudicing adequate access and that is of an appropriate scale and function to its location in accordance with CS08.

3. The loss of some recreation facilities and leisure buildings

In accordance with policy CS30 there is a presumption against any development that involves the loss of sport or recreation facilities except where it can be demonstrated that there is currently an excess of provision or where alternative facilities of equal or better quality will be provided as part of the development.

The applicants maintain that there is no alternative to the demolition of the two vacant leisure buildings and the third building used by the Judo Club. A 2006 survey indicated that the two vacant buildings were in a very poor condition both internally and externally and should be demolished. No 23 [the judo club] was in a fair condition internally but required extensive repairs and redecorations externally.

The Judo club have been included in the consultation for the proposals as set out in the submitted Statement of Stakeholder Community Engagement' included within the planning application. The applicants state that work has already been undertaken to help the Judo Club tenants find alternative accommodation. Subsequent to the submission of the planning application, a meeting was held with the Judo Club representatives in order to understand their requirements in order that PCC can assist them in relocating. The applicants point out that as a result of this meeting they are now in a position to undertake a full review of all buildings owned or managed by the authority to ascertain if they will be a suitable alternative to their existing premises.

Meetings between Plymouth Transport and Highways, and the Headteacher of Prince Rock Primary School, have confirmed that the school no longer uses the Prince Rock Playing Fields as they prefer to use the alternative facilities at Tothill Park with improved access. The letter of support from the Headmaster of the local school is mentioned in the Representations section above.

The wider scheme could make a significant contribution to improving the pedestrian environment between the school and Tothill Park including upgrades to footpaths, crossing points and lighting. One of the greatest benefits of the link road for Prince Rock Primary School is that it would enable the reallocation of traffic movements in the East End area which in turn allow for the removal of traffic from in front of the school on Embankment Road.

This would also help to improve noise and air quality for the children and staff of the school in accordance with CS22.

The proposed car park, along with the wider pedestrian improvements above, could be considered to be adequate mitigation for the loss of the thin section of playing field land (275m²) on the northern boundary of the playing field which is required to accommodate a deceleration lane on Embankment Road. Officers of the PCC Culture, Sport and Leisure Unit of the Community Services Directorate have considered the potential loss of this green space forming part of the Prince Rock playing field and also the loss of the accommodation used by the judo club. No objections are raised to this planning application on the basis that impact is minimised and mitigated for by the provision of the new car park –allowing for improved access for both sports pitch users and maintenance vehicles.

It is considered that these mitigation proposals would be warranted and acceptable and their provision would not compromise CS30 or CS18.

Although there would be a loss of the small amount of green space (275m²) to provide the deceleration lane, there would be improved accessibility to the green space and remodelling within the application site at the corner of the playing field to provide improved appearance and the possibility of landscaping to add to the network of green space in accordance with CS18

4. Biodiversity

It is considered that the application has adequately considered the impacts of the proposed scheme on wildlife and natural resource use in accordance with policy CS34.

The applicant's consultants originally assessed all habitats as being of 'negligible intrinsic nature conservation value' on the basis that they are 'locally abundant' The presence of bat activity was noted but there were a limited number of features suitable to support bats and the building were considered to have a low potential to support bats. The site is fairly isolated due to its urban location and width of the River Plym. It has a low value for foraging and commuting bats with the potential for the occasional itinerant roosting bat. A further survey revealed the need for mitigation measures for a roost found within a building that would be lost, and for site invertebrates, and the applicants agree to the proposed mitigation measures.

The applicants' intentions to protect Bats from disturbance are considered to accord with CS19. A European Protected Species development licence would be applied for from Natural England to cover the loss of the small bat roost when the bungalow style building on site was demolished. To maintain the value of the site for bats the licence to destroy the bat roost would require the provision of alternative roosting sites. The applicants point out that bat boxes are to be placed in suitable locations to provide alternative roosting opportunities for bats and mitigate the loss of the roost.

Furthermore it is proposed that an Ecologist would check trees / buildings for presence of bats prior to clearance and lighting would be designed to reduce light spillage into areas of value to bats which would accord with policy CS22 (the detailed design of the lighting scheme would be reviewed by a suitably qualified ecologist prior to being finalized).

To enhance the area for bats the Landscaping Plan would need to incorporate diverse array of native, local provenance tree and shrub species known to support invertebrate populations.

The applicants Environmental Mitigation Plan also contain proposals for protecting reptiles from disturbance and these are also considered to accord with CS19. The applicants confirm that to maximise the potential habitats created trees and shrubs that are felled will be dealt with in an appropriate sustainable manner, for example mulching/bark chipping, retained on site for habitat creation for invertebrates / reptiles (in accordance with CS20).

It is considered that a condition is warranted to require that the development is carried out in accordance with the revised Ecological Mitigation and Enhancement Strategy (in accordance with CS01, CS19, CS34 and Government advice contained in PPS9).

The applicants propose to prepare a biodiversity budget following preparation of a detailed landscape scheme. The biodiversity budget would provide information on the quantity and quality of habitats lost and created as a result of the scheme. In this way the applicants intend to ensure the Scheme provides a net gain in biodiversity (in accordance with CS19).

5. Loss of trees

The proposal would involve the loss of an established ash tree on Embankment Lane and ash saplings at the north end of the football field.

The overall effect of the loss of the tree and saplings would be to make the appearance of the existing poor quality townscape character harsher, which, the applicants admit in their submission, would be a slight adverse impact This would be contrary to policy CS34.

A tree condition survey has identified that the established Ash tree is in an overall good condition. The applicants have been asked to consider revisiting the detailed design to determine if it is possible to retain the Ash tree in the scheme. They have responded at the time of writing this report by stating that although at present the Ash tree is located within the embankment side slope construction, they will endeavour to retain it as the detailed earthworks design is yet to be finalised and they would need to try to design a detail that might allow the tree to be incorporated into the reinforced earthworks. An update on this matter will be given at your Committee meeting.

To mitigate for the loss of this established Ash tree (and some Ash saplings north of the site), the mitigation plan contained within the environmental report identifies the planting of a number of trees along the proposed embankment for the link road. This would contribute to policy CS19 for net biodiversity gain and would accord with CS18.

6. Flood Risk Assessment

Proposals for the drainage for the proposed link road are detailed in the submitted Design and Access Statement and have been the subject of discussion with the Environment Agency who raise no objections subject to conditions (incorporated into the recommendation). Proposals demonstrating that the scheme could be safe, without increasing the risk of flooding elsewhere accords with policy CS21.

The applicants point out that while the landowners of the former bus depot site may not be aware of any flooding having taken place during their ownership of the site (see objection letter in the section above), this does not preclude it from occurring in the future. The Planning Committee report in 2004 made it clear that the responsibility for safeguarding the retail development site from the risk of flooding remained with the landowner. This particular planning application for the link road includes information with details of how the embankment and road will be drained of surface water runoff to prevent flooding on the former bus depot site as a direct result from the scheme. A proposed pumping station was originally considered as an option to drain surface water that might have 'ponded' on the landward side of the new embankment but, the applicants point out, following discussions with the EA an alternative option, providing drainage culverts through the embankment was agreed to be more appropriate. It is this culvert option that is part of the proposal and such would accord with policy CS21.

Furthermore, it is considered that the proposals would further safeguard the adjacent remaining retail development site as it would provide a flood protection barrier, reducing the risk of tidal flooding to the major part of that site in accordance with policy CS21. Conditions are suggested.

7. Pollution –noise and air quality and visual impact

Both noise and air quality issues are addressed in the applicant's submitted Environmental Report'. This also includes the implications of such during the construction period. It is considered that the proposal will not cause unacceptable noise or air quality pollution, in accordance with policy CS22.

The Environmental Impact Assessment relates to Air Quality for the whole of the proposed Plymouth East End Community Transport Improvements scheme and therefore a holistic approach has been taken with air quality in the area. The assessment concludes that at all properties there is an improvement in air quality between the baseline and opening year, resulting from decreasing background concentrations and reduced emissions per vehicle. PCCs Public Protection Service accepts the conclusion of the Air Quality Assessment, in that the proposed road scheme does not have a significant negative impact at properties in the area and there is an overall improvement in air quality for the area. There is concern that some individual receptors will experience an increase in pollutant concentrations and that some are still predicted to be close to the 40ugm3 objective and a precautionary approach should be taken to air quality in the area. A strategy to monitor emissions or concentrations of pollutants at certain site locations around the new road scheme and throughout the wider East End Community Transport Improvement Scheme is suggested and the applicants confirm that consultation with the Service on noise and air quality monitoring will continue to be carried out by the Plymouth Transport and Highways department in consultation with PCC Environmental Services during construction and for a period of 12 months following scheme opening.

The concerns of the owners of the former bus depot site that their development site has not been identified as a receptor for the air quality assessment is noted. The former bus depot site has been a vacant plot of

land for many years and contains no retail buildings. Furthermore, in accordance with Government advice and guidance, the retail development site is not a sensitive receptor (whereas the facades of residential properties, schools, hospitals etc are, and it is these receptors that are shown in the submitted Air Quality Report).

There is potential for nuisance resulting from noise and dust emissions from construction traffic and demolition of buildings during the construction phase of the proposed road scheme, particularly on properties located at Heles Terrace and 225 to 223 Embankment Road. Conditions to mitigate nuisance during the Construction Phase are suggested and compliance with these would accord with policy CS22.

With regard to the issue raised in relation to any adverse visual impact of the new link road's prominence on the adjacent development site due to the raising of Embankment Lane, it is perhaps of relevant to consider that the embankment is to be landscaped and trees planted. The adjacent landowner's extant planning permission is for a development with a built form that would mainly comprise a long non-food retail block backing onto (and parallel to) the existing Embankment Lane industrial units (the proposed new link road alignment.) The replacement of a rear boundary wall of deteriorating industrial units with a belt of landscaping at a lower level than those buildings could be considered to be an enhancement of the attractiveness of the retail development site and a design opportunity. It is considered that effective landscaping could make a positive contribution to the urban scene and such would accord with policy CS34.

8. Sustainable resource use

The material required to construct the supporting embankment for the link road would be re-used locally from Embankment Lane and the wider East End Community Transport Improvements scheme. Compacted granular material would be derived from excavated materials from Embankment Lane and Gdynia Way such as rock, drainage, kerbs and road planings. This recycling of materials would accord with policy CS20.

9. Designing Out Crime

The concerns of the owners of the former bus depot site that boundary treatment needs to be put in place to protect their development from trespass (travellers) is reasonable and a condition is suggested in accordance with policy CS32.

The applicants indicate that the entrance to the proposed car park would be secured by a suitable swing gate in order to prevent overnight camping and misuse of the facilities. The gate would be lockable and the keys would be held and managed by PCC's Park Services in line with the existing arrangement for accessing the Playing Fields.

The area to the south of the proposed playing field would be protected by a steel security fence in keeping with the existing fencing to prevent overnight camping and misuse of the area.

It is considered that these proposals, together with the compliance with conditions, would accord with policy CS32.

10. 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.

11. Equalities and diversities issues

The proposed development would not particularly affect a particular equality groups but the proposal does facilitate provision for disabled parking, cycling and access to improved play space.

No negative impacts on any of the equality groups are anticipated.

12. Conclusions

The Embankment Lane Link Road would be key in helping existing travel movements in the East End, reducing congestion through residential and inappropriate areas and improving air quality for residents and the local school in accordance with Core strategy objectives and policies. It would be of strategic value in unlocking new development on the Eastern Corridor and provide improved cycle links and improved access to the Prince Rock playing field. It is considered that with adequate landscaping and the implementation of the suggested biodiversity and drainage measures in compliance with conditions, the proposal would not only be of wider strategic benefit, but it would be an enhancement to the local environmental and visual amenities in accordance with planning policies.

Recommendation

In respect of the application dated **07/09/2009** and the submitted drawings, **Site Location Plan (1:1250), Ref: 409822-P-100-003 Rev A: Planning Application Boundary, Ref: 409822-P—100-017 Rev. A: Existing Road Layout, Ref: 409822-P-100-002 (9) Rev. A: General Arrangement Plan, Ref: 409822-P-100-001 (9) Rev. C: Cross Sections Plan, Ref 409822-P-600-003 Rev. C: Longitudinal Plan, Ref 409822-P-600-004 Rev C : P B MITIGATION PLAN FIG 1 A :**

Planning statement,Environmental report, Flood risk assessment,transport Assessment,transport Statement,design and Access Statement,statement of Community and Stakeholder Engagement

Additional information and amended Environmental Mitigation plan - Further information received relating to the condition of buildings on the site and the safety of the access to the industrial estate; details relating to the proposals for the playing field; details of alternative accommodation in the area for industrial unit tenants; and details relating to noise and air quality monitoring, landscape/ecology, highway

junction performance, and construction. A revised Environmental Mitigation and Enhancement Strategy is submitted, and includes measures to mitigate for development impacts upon European protected species (in particular loss of a bat roost) (An amended Mitigation and Enhancement Plan includes additional information relating to bats and invertebrates on site). , 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.

PRESERVATION OF SIGHT LINES

(2)No structure, erection or other obstruction exceeding one metre in height shall be placed, and no vegetation shall be allowed to grow above that height, within the approved sight lines to the site access at any time.

Reason:

To preserve adequate visibility for drivers of vehicles at the road junction in the interests of public safety in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CODE OF PRACTICE DURING CONSTRUCTION

(3) 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 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 CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ACCESS (CONTRACTORS)

(4) Before any other works are commenced, an adequate road access for contractors with a proper standard of visibility shall be formed to the satisfaction of the Local

Planning Authority and connected to the adjacent highway in a position and a manner to be agreed with the Local Planning Authority.

Reason:

To ensure an adequate road access at an early stage in the development in the

interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

STREET DETAILS

(5) Prior to the commencement of development details of highway improvements along the new road shall be submitted to, and approved by, the Local Planning Authority. Details to be submitted should indicate pedestrian and cycle facilities in addition to details relating to the traffic signal design, line, level and width of the works, method of construction, the disposal of surface water, Traffic Regulation Orders and the provision of a satisfactory system of street lighting.

The agreed works shall be completed in accordance with the approved details.

Reason: to ensure that appropriate and safe access is provided in accordance with

Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DIRECTION SIGNING STRATEGY

(6) Before the development commences a Signing Strategy shall be submitted to, and have the signed agreement of, the Local Planning Authority. The strategy shall detail how destinations within and external to the site are to be signed to vehicular, pedestrian and cycle traffic. All the recommendations contained within the Signing Strategy shall be implemented in accordance with

the details.

Reason: in order to reduce unnecessary journeys resulting from misdirection, reduce pollution and to reduce unnecessary street clutter due to the proliferation of signs in accordance with Policy CS28 and CS34 of the

adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007.

PRINCE ROCK PLAYING FIELDS

(7) Development shall not commence until a scheme designed to prevent ball egress from Prince Rock Playing field and suitable pedestrian access with the highway has been submitted to and approved in writing by the local planning authority.

Reason; to promote safe and convenient pedestrian access to and from and within the site in the interests of sustainability in accordance with Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007.

CAR PARK PROVISION

(8) The car park shall be constructed, drained and surfaced in accordance with details having the prior approval of the local planning authority and it shall be made available for use prior to the link road being brought into use and thereafter that space shall not be used for any purpose other than the parking of vehicles unless otherwise agreed. Details of boundary treatments and measures to prevent unauthorised use of the car park should also be submitted to and agreed in writing by the local planning authority prior to the car park being brought into use. The access to the car park shall be hard surfaced for a distance of at least 10m from the public highway to prevent loose material spreading onto the highway.

Reason: to enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interferences with the free flow of traffic on the highway in accordance with Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007.

FLOOD RISK - SURFACE WATER DISPOSAL

(9) Development shall not begin until details of the proposals for the disposal and management 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 brought into use. The details shall include details of the drainage during the construction phase; the final drainage scheme; the provision for exceedance pathways and overland flow routes; the timetable of construction; the construction quality control procedure; the plan for future maintenance and management of the system and overland flow routes.

Prior to the development being brought into use it shall be demonstrated to the satisfaction of the local planning authority that relevant parts of the scheme have

been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details

unless otherwise approved in writing by the local planning authority.

Reason

To prevent the increased risk of flooding and minimise the risk of pollution of surface water during and after development in accordance with Policies CS21, CS22, and CS 34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE WORKS IMPLEMENTATION

(10) All hard and soft landscape works shall be carried out in accordance with the approved details including those shown on the approved Mitigation Plan drawing. The works shall be carried out prior to the road being brought into use or in accordance with the programme agreed in writing by 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.

LANDSCAPE DESIGN PROPOSALS

(11)No development shall take place on construction of the car park until full details of both hard and soft landscape works for the boundary treatment and planting on land to the south east of the car park,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; vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting etc.); and proposals for restoration of land cleared of buildings and hard surfacing where relevant.

Reason:

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

MAINTENANCE SCHEDULE

(12)No development shall take place until a schedule of landscape maintenance for a minimum of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason:

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

TREE REPLACEMENT

(13)If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or

destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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 are subsequently properly maintained, if necessary by replacement.

DETAILS OF BOUNDARY TREATMENT

(14)the road shall not be brought into use until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the road is brought into use. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

BIODIVERSITY

(15) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy (dated October 2009) for the site. This document will be updated prior to commencement of works and will form the basis for the Construction Environment Management Plan for the site.

Reason

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in PPS9.

CODE OF PRACTICE DURING CONSTRUCTION

(16)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.

Land Quality conditions

(17) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until the conditions listed 1 to 4 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4 below has been complied with in relation to that contamination.

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

(To be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.)

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. (The scheme to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation).

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be

produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1 above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2 above, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3 above.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Risks to controlled waters

(18) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason

To protect controlled waters in accordance with Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE: NESTING SEASON AND BAT ROOST

(1) It is an offence under the Wildlife and Countryside Act to damage to destroy the nest of any wild bird while it is in use or being built and it is also an offence under the Habitats Regulations (1994) to damage or destroy a place of shelter for bats. A Protective species licence application should be made to Natural England prior to the commencement of development.

INFORMATIVE: ENVIRONMENT AGENCY

(2) The developer's attention is drawn to the comments and requirements of the Environment Agency, a copy of which will have been sent direct to the applicant or the applicant's agent.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: impact upon the environment, landscape and protected species ; , highway safety and the wider transport network; neighbourhood

amenities and economic and recreational facilities and the impact upon future development sites, 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:

- PPG13 - Transport
- PPG17 - Sport and Recreation
- PPG25 - Flood Risk
- PPS9 - Biodiversity and geological conservation
- RPG10
- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS08 - Retail Development Considerations
- CS18 - Plymouth's Green Space
- CS19 - Wildlife
- CS20 - Resource Use
- CS21 - Flood Risk
- CS22 - Pollution
- CS05 - Development of Existing Sites
- CS01 - Sustainable Linked Communities
- CS30 - Sport, Recreation and Children's Play Facilities
- SR35 - Transformational change in Plymouth
- CS27 - Supporting Strategic Infrastructure Proposals