

ADDENDUM REPORT PLANNING COMMITTEE 12th NOVEMBER 2009

Item: 05

Site: Plympton Cattle Market, Market Road, Plymouth.

Ref: 09/01432/FUL

Applicant: BDW Trading Ltd.

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One letter of support from the local MP, Gary Streeter has been received which welcomes the progress made on the proposed development and notes the large level of local support for the development. Mr Streeter states that he hopes that planning permission is granted for the project.

Correspondence has also been received from an adjoining resident raising queries regarding the impact of the proposed flood flow route on a shared boundary wall due to the close proximity of the floor flow route to the wall itself. It is therefore recommended that the wording of condition 14 be revised to ensure that detailed construction details of the flood flow route are submitted to the Local Planning Authority prior to commencement of development to ensure that the flood flow route does not cause any structural damage to the boundary wall.

The recommended wording of Condition 14 shall be revised to read as follows:

CONSTRUCTION OF FLOOD ALLEVIATION MEASURES

(14) Notwithstanding the submitted details, prior to commencement of development, construction details of the flood flow route in relation to the boundary of the site with Potters Way shall be submitted to and approved in writing with the Local Planning Authority. No residential unit shall be occupied until the flood alleviation measures shown on the approved drawings have been completed to the satisfaction of the Local Planning Authority. The flood alleviation measures shall thereafter be permanently retained and maintained.

Unless otherwise previously agreed in writing, the flood flow route adjoining Potter's Way shall be first constructed and subsequently maintained with a waterproof membrane.

Unless shown on the approved drawings, no structure, building, fence or trellis shall be located within any part of the overland flood flow route.

No residential unit shall be occupied until a management strategy for the maintenance of all flood alleviation routes has been implemented in accordance with details which shall have been previously submitted to and agreed in writing with the

Local Planning Authority. The management strategy shall remain in place in perpetuity unless written agreement is given to any alternative.

Reason

To enable the Local Planning Authority to consider the construction details of the flood flow route in the interests of the protection of the shared boundary wall with Potter's Way, and to ensure the flood alleviation measures are implemented on site in the interests of the prevention of flooding of the site and adjoining land in accordance with adopted Core Strategy policy CS21 and Government guidance contained in PPS25.

One late consultation response has been received from the Environment Agency which further confirms no objections to the proposed development, but requests that an additional condition is imposed regarding the treatment of surface water, and an additional informative is added regarding the requirement for the development construction to adhere to pollution prevention guidelines.

The recommended additional surface water condition and pollution prevention informative will read as follows:

SURFACE WATER DRAINAGE

(15) No development approved by this permission shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include :-

- details of the drainage during the construction phase;*
- details of the final drainage scheme;*
- provision for exceedance pathways and overland flow routes;*
- a timetable of construction;*
- a construction quality control procedure;*
- a plan for the future maintenance and management of the system and overland flow routes.*

Prior to occupation of the site 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 to minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development in accordance with adopted Core Strategy policy CS21 and Government guidance contained in PPS25.

INFORMATIVE 2 - FOUL DRAINAGE AND POLLUTION PREVENTION

The developer should adhere to advice in the Environment Agency's Pollution Prevention Guidelines which are available on the Environment Agency website. In particular, 'Working At Construction and Demolition Sites': PPG6 should be adhered to during the build. This guidance covers waste removal on site, drainage issues and pollution prevention on site. In addition 'Works and maintenance in or near water': PPG5 should be adhered to for any stream engineering that takes place.

Flood Defence Consent will be required under the Water Resources Act 1991 and associated byelaws for a number of aspects of the proposed works. Further detail will be required to be submitted to the Environment Agency including method statements prior to commencement of works.

Conclusion

It is recommended that the application be conditionally approved with the addition of the two abovementioned conditions and additional informative, subject to the satisfactory completion of the S106 Obligation. Delegated Refusal is sought to refuse the application by 23/12/2009 if the S106 Obligation is not completed by this date.