

Appendix to reports for 10/00670/OUT and 10/01271/OUT

OFFICERS REPORT (06/01646/OUT)

Site Description

Mount Wise is a 10.4 ha (11.4ha, if Richmond Walk widening area included) former MoD owned site situated on the eastern side of Devonport. It forms the southern part of the 'green arc', an expanse of undeveloped land that extends from Mount Wise through Brickfields to Devonport Park and was historically a defensive line of fire for the town.

The site contains two important historic buildings: Admiralty House and Mount Wise House, both listed grade II. Admiralty House, is a large, freestanding late eighteenth century house (attributed at James Wyatt) located in sylvan parkland grounds. It occupies the most prominent location on the headland overlooking the Sound and the River Tamar, and despite unsympathetic modern extensions particularly to its western wing, it is an imposing building that dominates the site. Mount Wise House is a large, dual fronted, town house located on the north western fringes of the site, where it adjoins urban Devonport. It forms the southern most 'book end' building on the eastern side of George Street, a terrace of substantial Georgian houses. Internally it has been much altered for military purposes, but externally it makes a contribution to the overall character of the site and the adjoining townscape.

The 200+ year military use of the site has left a mixed and varied legacy: from the archaeological remnants of the historic 'Devonport lines' (defensive positions, which include the last Bastion built in England) and St Georges barracks, to the massive subterranean bunker complex and the former officers' cricket pitch which is of minor counties standard and of ongoing importance to the city.

As a military enclave the site was separate from the city, divided from it by high railings with limited, and restricted, access points. This legacy remains. The main access is from Devonport Hill/Cumberland Street (A374) to the north, and sweeps into Admiralty House past the cricket pitch via the avenue of mature trees. The far southern part of the site, containing the bunker complex and fruit orchard, is accessed off Richmond Walk via a narrow ramp.

The immediate surrounding area is also of varied character. The tight urban grain of terraced streets: George Street, Clowance Close, Pembroke Street and recent Barrett's development at Cumberland Close adjoin to the north and west. Mount Wise Park and waterfront open space, the southernmost tip of the green arc, are located to the south west; and ziggurat style flats of Ocean Court and boatyards, on lower ground, to the south and east.

Owing to its prominence the site is visible on the skyline from Mount Edgecumbe; the Sound; the Royal William Yard and Stonehouse Creek and is a focal point for key strategic views. Indeed the military celebrated and used this prominence with a flagpole, known as 'The Admiral's Salute'.

Proposal Description

In its amended form the application seeks outline planning permission for a mixed use redevelopment of 450 dwellings (139 houses, 231 flats, 20 sheltered units and 60 care homes), 9,580sqm. of commercial floor space including extension and conversion of Admiralty House, Mount Wise House (both listed grade II) to a hotel and offices respectively, a café, gym, convenience store and associated roads, car parking and landscaping. The outline application includes details of layout, scale and access

As can be surmised from the description, the site contains a number of natural and man made features that act as constraints on its development potential: significant differences in levels (especially in the eastern and southern sides); it is the focus of key strategic views; mature parkland landscape; limited access points; important listed buildings; one of the best cricket pitches in the city and archaeological remnants.

The proposal seeks to respond to these constraints by concentrating relatively high density development in four areas: the North West corner, the area immediately to the north and around Admiralty House, the far north east corner of the site and to the south off Richmond Walk around the military bunker and entrance. This leaves three areas of relatively untouched open space in between: the cricket pitch and surrounds; the area in front of Admiralty House and the centre of the lower garden, a secluded area in the far south west.

The applicants have identified four character areas within the site: area A - Lower garden off Richmond Walk; area B – Admiralty House and environs; area C -The North West Corner and Area D - North East corner/ cricket pitch. It is envisaged that, if approved, the site will be developed in phases starting with area C, followed by areas B, A and D.

Area A

The proposal shows 91 dwellings (19x3 bed houses and 72 flats/ maisonettes); 810sqm of commercial space and 4,650sqm of data storage space and 80 parking spaces located in the lower garden accessed from Richmond Walk.

The existing nuclear bunker is utilised to provide data storage with other uses contained in five new buildings. The main ones are an eight storey block rising from Richmond Walk to provide two storeys of car park and six storeys of flats above. This building divides into two unequal wings above the parking to provide a pedestrian / vehicle route way into the site and a vista towards Stonehouse Creek.

To the north a new marine employment building 810sqm is proposed at the entrance to the site from Richmond Walk.

To the west of this block, within the 'bowel' of the lower garden, two crescents are shown opposite one another, forming a kind of amphitheatre around communal open space that provides a seaward vista to the south west. The northern crescent building would comprise 32 flats arranged on three storeys

with parking to the rear. It would screen the unsightly concrete elevation of the nuclear bunker. The southern crescent is shown comprising of 19 three storey townhouses, with integral garages and small rear yards.

Vehicular access to this part of the site is only achievable from Richmond Walk. It is proposed to widen a section of this road, in front of Bakers Place cottages to cope with additional traffic generated improve the road junctions and provide vehicular access to the residential property via a ramp, to the east which turns through the flat blocks. Pedestrian access to this part of the site is shown from Mount Wise, via the Rose Garden (daylight hours only) and from Richmond Walk via a new ramped access.

The centre of the 'amphitheatre' feature is shown as a communal garden, open to the public to avoid creation of a gated community, and a private play space is shown in the far south eastern corner.

Area B

The proposal shows 70 dwellings (39 houses and 31 flats); a 46 bed hotel, a 60 unit care home and 972sqm of commercial office space located in the environs of Admiralty House.

Admiralty House is left intact by the proposal except for the removal of the twentieth century accretions and the large 1970s extension on the western side. Indicative drawings have been submitted that demonstrate how it might be converted into a 46 bed boutique hotel with minimal changes to its appearance and historic features. A few three storey town houses are shown either side of the house, in alignment with it, beyond the existing lodges. The established gardens to the south are retained. They are to be divided into two with the upper gardens and lawns, containing the Admiral's Salute, becoming the grounds of the hotel and the lower gardens, separated by a 'ha ha' (ditched boundary treatment), available to the public on a controlled basis between dawn and dusk.

To the north of Admiralty House, in the area currently occupied by the sweeping entrance approach and tennis courts, a three sided 'quadrangle' measuring approximately 80 x 70m is proposed open at the north. It is envisaged that this would have a focal feature in the centre and parking for the hotel and residencies. On either side of the 'quadrangle', deliberately aligned with the lodges two rows of two storey terraced town houses would extend northwards. In the indicative plans and drawings that accompany the application these appear in contemporary architectural style with mono pitch roofs and uniform repetitive features that provide some rhythm to their frontages. Irregular shaped, three storey, blocks visually contain these terraces at the northern end, opposite the cricket pitch and Mount Wise House, the eastern one contains 12 flats and the western one 972sqm of commercial floorspace.

In the extreme east of the site, above the cliff face, a 60 unit care home is proposed. This is shown as a wedge shaped, four storey, building containing rows of single aspect flatlets, separated by a large central atrium, tapered to reflect the shape.

Area C

The proposal shows 133 dwellings (81 houses and 52 flats)]; 20 category 1 elderly units; 1,668 sqm of commercial space and 290sqm of retail space and parking area located in the north western part of the site.

Most of the new family housing proposed on the site is concentrated in the north western area arranged in a series of streets and crescents round the principle of perimeter blocks with abutting rear gardens/ yards. The urban pattern is high density residential designed to match that existing immediately outside the site and provide an attractive frontage to the cricket pitch. Road and pedestrian connections also integrate with the existing, even to the extent of providing a pedestrian route way through from the cricket pitch, past the above ground archaeological remnant, to Clowance Close to the west.

Three storey blocks of flats are shown located at either end of this part of the site, adjacent to the Cumberland Road frontage in the north and an area of trees and communal parking in the south.

Mount Wise House occupies the far south western extremity of this part of the site. In its amended form the proposal shows it retained and converted into commercial offices, its' later additions removed and replaced with subservient extensions to provide a modern, DDA compliant lift/stairwell, and a '1.5' storey rear extension.

Area D

The proposal shows 76 dwellings all flats; 500sqm café/bistro; 270 sqm gym and 470sqm of cricket pavilion / community room together with 120 parking spaces/bike and plant store in the podium located in the north east.

The cricket pitch is retained as part of the Devonport 'green arch'.

A single, podium building, is proposed in the northern part of this area containing a café/bistro gym opening towards the cricket pitch and parking, bike and plant store on the ground floor together with three six storey blocks of flats on the upper floors. The blocks are shown rising from a podium feature which rises from the cricket pitch over the roofs of much of the ground floor. They are arranged as radiating spokes, or fingers, opening from Devonport Hill to maximise aspect, minimise direct overlooking and, for safety, provide mostly end elevations to the pitch.

The cricket pavilion and community facility is shown in a new stand alone, pavilion style building to the south of the cricket field, with associated parking and a fenced play area located under the tree canopies to the west.

A number of topic reports have been provided in support of the application covering: Design & Access Statement; Heritage Assessment & Heritage Statement; Planning Statement,; Planning Statement; Archaeology Report; Arboricultural Design / Preliminary Method Statement (including tree survey); Flood Risk Assessment; Flood Risk Emergency Plan ; Landscape Appraisal;

Transport Assessment; Initial Survey for Protected Species; Further Survey for Protected Species and Land Quality Assessment.

Since submission the applicants have amended the proposal chiefly in relation to the main building in area D; the extensions to the Admiralty and Mount Wise Houses and ramped access arrangement into area A. They have also provided a draft Section 106 Agreement, detailing the clauses covered, and suggested contribution figures. This is supported by a confidential viability assessment.

Relevant Planning History

The site has been a military enclave outside the remit of civil control for over 200+ years. This has both preserved its unique landscaped character and led to some unsympathetic changes such as the 1960s extensions, developments in its grounds including, of course, the huge concrete bunker complex built outside Local Planning Authority control. Since the site has been decommissioned the new owners have successfully applied to English Heritage for a Certificate of immunity from listing in respect of the former HMS Vivid; and, legally, demolished it along with a number of other freestanding twentieth century buildings located in the grounds. Most recently the whole site has been included in the extended Devonport Conservation Area.

Consultation Responses

Environment Agency (EA)

The Environment Agency is satisfied with the amended proposal on flood risk grounds.

In view of the position expressed by the Council having considered Parts A & B of the exceptions test outlined in PPS25 the EA is of the opinion that the relevant parts of the test have been satisfied. The EA is content to remove its previous objection.

Environmental Services

Make comments and recommendations about the following matters: Land Quality – Before development commences seek site investigation report documenting the ground conditions of the site incorporating a 'conceptual model' of all potential pollutant linkages and an assessment of risk to identified receptors. Construction Noise – Seek Code of Construction Practice to be agreed with Council prior to commencement. Noise & Odour from commercial premises – seek control of ventilation and extract systems from commercial premises and restriction on opening hours. Refuse and litter – seek details of arrangements for both commercial and domestic buildings. Deliveries – seek control over day and time of deliveries and refuse collection. Drainage details commercial buildings – seek details (note Building Control matter). Light – Control sought over future floodlighting.

South West Water – Have no objections subject to foul and surface water generated by the development being kept totally separate.

Natural England - Based upon the information provided, Natural England has no objection to the proposed development. It is their view that, either alone or in combination with other plans or projects, it would not be likely to have a significant effect on the interest features of Plymouth Sound and estuaries special area of conservation(SAC) or any of the features of special scientific interest of the Tamar-Tavy Estuary Site of Special Scientific Interest (SSSI). However, Natural England advice that all recommendations in the protected species are carried out.

Highways Agency

Have maintained their Direction that the Planning Authority shall not grant planning permission for a further period of 6 months from 8th May 2007:- 'to give the applicant time to submit a revised Transport Assessment and Travel Plan to enable the Highways Agency to assess the impact of the development on the safety and free flow of traffic on the A38 trunk road.'

Highway Authority

The Transport Assessment (TA) and audit of the TA plus two addendum reports have overcome most of the transport concerns. Subsequent discussions have related to the extent of Section 106 contributions that should be made.

Traffic Generation

The development is located on a site previously used by the Ministry of Defence. Whilst the TA suggested various amounts of traffic that could be attributed to this use the eventual traffic analysis did not actually take this former use off the network.

The proposed development for the application (as detailed in the TA) comprises 374 residential units, 4800m² of commercial, 4650m² of data storage, 76 care home/elderly units, 42 room hotel, pub, gym and 290m² retail. All of this development is forecast to generate around 300 2-way traffic movements in both the AM and PM peak hours. It should be noted that an amendment to the schedule was received at an advanced stage of this process, and this indicated that there would be 450 residential units. (it is noted that additional information was supplied by the applicant relating to the transport effect of this extra housing).

Traffic Impact

The TA undertook junction capacity analysis of the proposed site access junction, Pembroke St/Cumberland Rd and Devonport Hill Roundabout junctions. The Pembroke/Cumberland priority junction is forecast to operate without problems. The Site Access junction is shown to be operating above its capacity in the PM peak with the development and 25% of Millbay traffic. However, the arm with most difficulty would be the site road, and thus it is not forecast to result in wider traffic problems at the junction.

The TA indicates that the Devonport Hill Roundabout (Stonehouse Bridge/Richmond Walk) is forecast to operate satisfactorily with the development, but with the assumption that a 2-lane traffic discharge is

possible. The TA recognises that the roundabout is unlikely to receive an equal distribution of traffic per lane, and thus has produced a revised assessment (without 2-lane discharge), which indicates there would be operational problems. However, the applicant's consultants state that with appropriate works the 2-lane discharge would actually be possible to achieve. A drawing of a roundabout improvement has been produced by transport consultants as part of the adjacent South Yard site. The applicant's transport consultants has undertaken revised assessment based on this drawing, which indicates the roundabout would work with their development. There are some residual concerns about the modelling approach used, but agree that there is a basis for a roundabout scheme to be constructed and for the traffic to be accommodated. The Council are currently undertaking a study which aims to produce a roundabout improvement proposal that would accommodate all planned development traffic in the area, and would require a contribution from Mount Wise. It should be noted that this design improvement would also seek to improve safety and accessibility for vulnerable road users (pedestrians and cyclists).

Car Parking

The TA indicates that a total of 550 parking spaces will be provided at the site, the majority of which will be for residential use (374 spaces). The proposals therefore are for each dwelling (on average) to only have 1 parking space, which is within the Council's maximum standards. The majority of the rest of the parking spaces would be taken up by the proposed commercial developments (120 spaces), which coincide with the maximum allowable for this land-use. However, the amount of commercial parking could be deemed to be on the high side considering the low amount of traffic forecast to be generated by the 4650m² data storage unit. This could be considered further via the C060 condition below.

Access

Access to the site is primarily proposed via an amended junction on Devonport Hill, at the location of the existing Mt Wise access point. This access would include the provision of a right turn lane in order that main line traffic could continue to flow without impediment. This is acceptable in principle but there are some specific points (e.g. footway widths) that should be dealt with by planning condition.

The most southerly part of the site (Lower Garden) is proposed to be accessed via Richmond Walk. This is a cul-de-sac road, which is narrow in places, and which also has substandard footway. The application proposes an improvement scheme to widen the road for part of its length, in order to mitigate against the impact of the development. However, it is understood this requires 3rd party land, and in any case would need to be suitably conditioned. Mount Wise have also requested that they are allowed to build 49 housing units on this lower part of the site prior to the Richmond Walk improvements being constructed. It is understood that support for this was given by the planners at a relatively early stage of the process. Although the transport view is that the figure is too high, and something in the order of 20 units would be more reasonable, given the broader picture, and regeneration benefits of the scheme as a whole, we do not have overriding objections to

this planning officer led approach. It is considered that a possible alternative to the Richmond Walk improvement could be the provision of a 20mph zone for Richmond Walk, thus encouraging lower vehicle speeds and therefore pedestrian and cycle access. Such a scheme was not specifically discussed with the developer in the course of the application process, although this measure would be necessary for the route to form a strategic walking and cycling link as proposed in the Devonport Area Action Plan.

A new vehicular access into the site is also proposed off Pembroke Rd. This is acceptable subject to a planning condition.

Sustainable Modes

The Lower Garden part of the site is located more than a 400m walking distance from the nearest bus stops (on Devonport Hill), 400m representing the recommended maximum distance to a bus stop. Bus access is not as good as it could be, and measures are required to encourage bus use. Contributions are sought towards bus passes for residents, bus stop infrastructure and a Public Information Terminal. A pedestrian crossing on Devonport Hill is also required.

Section 106 contributions

The following s106 transport contributions:-

- Contribution of £22,800 towards upgraded/new bus shelters on Devonport Hill
- Contribution of £7000 towards provision of 2 new bus boarders on Devonport Hill
- Contribution of £2200 towards administration of the Travel Plan
- Contribution of £80,000 towards access to sustainable transport (made up of £45,000 towards Devonport Hill roundabout improvement, £20,000 towards pedestrian crossing on Devonport Hill, and £15,000 towards off-site cycle infrastructure).
- Contribution of £28,500 towards Public Information Terminal and maintenance of it.
- Contribution of £91,000 towards provision of bus passes for residents.

The applicants have offered a package of contributions that is £20,000 short of what is considered to be sufficient.

Queen's Harbour Master, Plymouth

The Queens's Harbourmaster is content with the outline plans. The plans outline a significant change in the volume of buildings on a site overlooking the Narrows, one of the most constrained sections of deep-water channel between Plymouth Sound and the Hamoaze. It will be important that the detailed lighting design is such that the conspicuousness of the existing navigation aids is not significantly degraded.

Crime Prevention / Architectural Liaison Officer

Make a number of comments and observations about the application that can be summarised as follows:-

- Support controlled public access to parts of the site in line with security issues of the commercial units, hotel, care home and gardens immediately to the front of the hotel.
- Suggest that the pedestrian entrance into Clowance Close is made as large as possible.
- Points out the high levels of car crime in Plymouth and raises concerns in relation to the shared /mixed underground car parking arrangements. Access needs to be controlled to prevent unauthorised entry with inward opening automatic gates; lighting and light coloured walls and ceilings.
- Points out the City' s obligations under the Crime & Disorder Act 1988, and that Plymouth's Crime Reduction Strategy (2005-08) is designed to build on the success of previous strategies , reduce crime within the city and make it a safer, more attractive place.

Devonport Regeneration Community Partnership (DRCP)

Commend the constructive way that the developers have responded to the concerns from stakeholders and the public. In overall terms the proposed balance of uses within the development, housing, employment and recreation is considered to meet DRCP objectives.

Welcomes improvements to permeability and avoidance of a 'gated community'; the extension of the 'green arch'; retention of the cricket pitch, with new community pavilion and the proposed new uses for Admiralty and Mount Wise Houses. Note favourably that the quantum of employment space, exceeds target; and do not have any objection, in principle, to the quantum of housing proposed, although would not wish to see density, access and traffic impact upon the environmental quality of the site. View these matters as appropriately judged by the Local planning Authority. Ideally would like to see more houses than flats, but appreciate the difficulties in achieve in this in areas A and D. The DRCP consultation response goes on to provide detailed comments upon the four characterisation areas, all generally supportive.

Plymouth Design Panel

Have considered the site three times during the course of the evolution of the proposal: on 25th April; 13th July and 18th October. Their comments have been highly influential in shaping the design of the proposal, particularly in relation to the area around Admiralty House and the tall buildings, which were a feature of earlier designs.

The comments of 18th October relate substantially to the proposal as currently submitted (there have been some amendments to Admiralty and Mount Wise Houses and to the large mixed use block in area D).

In general the Panel were pleased with the progress of the scheme, but retained some concerns about the amount of development proposed taking into consideration the unique assets of the site, given its location, the stature of Admiralty House , and the open landscape that it holds. It considered that these issues would be more satisfactorily resolved if the quantum of

development were reduced. Comments relating to specific areas can be summarised as follows:-

Area A (Lower garden) - Welcomed the two viewpoints, but felt that the allocation of space within this area lacked a clear strategy in relation to vehicular and pedestrian movement. Overall thought the design in this area had not yet yielded its full potential and that the density sought was a factor in this.

Area B (Admiralty House and Quadrangle) – Sought further details of quality of architecture. Commented that the precise nature of the rhythm and hierarchy of the architecture of Admiralty House needs to be recognised and respected in the responses to the adjacent buildings. Raised concern about the lack of private / secure garden for the care home / sheltered housing, considering this essential.

Area C (North West & Mount Wise House) – Sought a sensitive architectural approach to the extension to Mount Wise House (subsequently revised) and raised concerns about private garden sizes backing onto Pembroke Street, as this might indicate overdevelopment.

Area D (Fingered mixed use buildings) – Welcomed the omission of the tower building, but found that the apparent remoulding of this element in the form of a plinth and three fingered block was overtly complex and represented a serious negative impact on one of the most important assets of the site, namely the generosity of the open landscape and sense of connection to the sea experienced on approach to the site along Devonport Hill. Expressed the view that this was another indication of overdevelopment and disliked the free standing entrance stair towers and considered there to be confusion over public and private territory. (Note:- subsequent amendments have deleted the freestanding entrance towers, integrating them into the towers; and have improved the definition of the public and private territory).

English Heritage

Have not been invited to comment directly on this application as none of the listed buildings are grade I or II*. They did issue a Certificate of Immunity from listing prior to the demolition of Vivid House.

Sport England

Objects to the proposal raising the following concerns:-

- i) The retention of the cricket ground is welcomed however, it is a little disappointing that the 'current deal' is only for a 21 year lease. We would strongly recommend that this part of the site is given to the community / cricket club in perpetuity secured by a S106.
- ii) All new homes around the cricket ground should be far enough away as to not cause a health and safety issue, now and in the future. The final layout of the site should reflect the needs of amenity of the future residents which does not conflict with the needs of cricket and the cricket club.

- iii) Sport England are very concerned over the proposed loss of numerous tennis courts on the site and wish to see them reinstated or replaced off-site at a suitable location secured by a S106.
- iv) Up to 2016 the Council have identified the evidenced key shortages of sports facility and playing pitch provision and according to their developer contribution calculators, 500 new homes in this part of the City could generate a total contribution of £689,599 which should be secured by an s106.

England & Wales Cricket Broad (ECB):

Supports the continued use and modification of the cricket pitch within the scheme, which fits within their standards. Understand that Mount Wise Ltd. will be committed to a 21 year lease to as local cricket club, which will assist the club to obtain grants for various other funding organisations in the future. Support the redevelopment of the cricket pavilion which will help with the future expansion of the club and are fully supportive of the principle of outfield being used for public open space provided the square remains dedicated to the club in the leasehold arrangement

ECB see this development as a positive contribution towards cricket in Plymouth and the wider surrounding area. Historically the ground has been in private ownership, however, through the club this facility will be able to be enjoyed by players and spectators alike.

Ministry of Defence

Have no comments to make on this application

Civil Aviation Authority

No comment received

Health and Safety Executive

No comment received

Representations

Consultation letters have been sent to surrounding properties, four site notices posted and a press notice. This has resulted in receipt of ten letters of representation (LOR's), including one from the Devonport Planning Forum. All letters object to the proposal, although most only object to a particular aspect of it. The grounds of objection can be summarised as follows:-

Devonport Planning Forum - Object to the 8 storey block of flats on Richmond Walk. This is the only green area in Richmond Walk and has never been developed if flats are allowed to be built there it will be the end of conservation and nature there.

Grounds of objection:-

The proposed extension to Mount Wise House will block all direct sunlight to rear gardens of properties in George Street and considerably reduce the amount of natural daylight to rear rooms and tenement kitchens. Proposal has the potential to overlook rear gardens if windows are shown in rear elevation.

The proposals diverge from the Deposit Local Plan, Devonport Development Framework and from the Devonport Action Area Plan Issues & Options/ Preferred Options as the parkland is not preserved to preserve a green arc and the number of dwellings proposed is 6 times the number in the Preferred Options Report.

Developer ignored the Council's intention to extend the Devonport Conservation area, by demolishing buildings on site before designation, notably Vivid House.

- The proposal is so large in scope and so widely different from previous objectives that, if pursued, there must be a public inquiry.
- I object to any more than 80 dwellings. I object to high rise buildings being used for dwellings unless they are of exceptional quality suitable for affluent occupiers. If they are not they will encourage development of a sink estate, of which Devonport has enough. I object to buildings south and south east of the block-houses because they will incur a materially significant increase in traffic in Richmond Walk both during construction and subsequent occupation.
- Build a building same proportions as Mount Wise House huge building will affect the amount of sunlight Being a widow and a pensioner spend a lot of time in garden
- Concerned about potential disruption that business may experience during the construction process. Access route from Richmond Walk is not the best solution in the longer term for the area
- A better road solution required disturbance during building works Better access could be provided through the Jewson's site that is believed to be for sale
- Loosing parking outside Bakers Place totally unacceptable
- Concerned that the widening of Richmond Walk will would cause the boatyard to extend into Stonehouse Creek on piles and that piling work will cause vibration damage to old buildings.
- The plan is extremely bad for Richmond Walk being only a quick fix devaluing the quality of life of the existing residents rather than bring forward looking and working towards raising the area.

Two further letters of representation have been received following consultation into the latest amended plans. Both raise objections to the proposal that can be summarised as follows:-

'The Voice of Devonport' organisation, raises concerns about the height of some of the buildings on grounds of: light; being overlooked; and views obscured and compromised.

The second letter is more detailed and extensive. It reiterates objections previously raised, cross referencing back to them and raises the following more detailed points- of which this is a summary:-

- Inaccuracies - There are inaccuracies and inconsistencies in the drawings and labels.
- Contrary to policies. – Approval of this proposal would represent debasement of the planning process. The increase in density from 50 units in the First Deposit to 84 in the Devonport development Framework; to 80 in the local Development Framework (issues and Options) to 300 in the LDF (Preferred Options) and now 450 in the current proposal represents a nearly six fold increase with inevitable consequences of completely ignoring the character, preservation and improvement provision of the FLDP, DDF and the study. Approval would make a mockery of 6 1/2 years of consultation.
- Loss of 'Green Arch' – The 'Green Arch' would be more or less completely destroyed as parkland and open space in favour of dense urban development. This would not do anything for biodiversity or protection of habitats.
- Richmond Walk - Increased vehicular traffic in Richmond Walk should be revisited. Parked cars effectively narrow it to a single carriageway; the junction with Devonport Hill is hazardous and would require extensive improvement. Improvement is not achievable without the loss of marine businesses or compulsory purchase.

Analysis

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

The key issues in this case are:-

- The principle of mixed use redevelopment of the area (policy CS01 of the Core Strategy and DP06 of the Area Action Plan [AAP])
- The dwelling mix and residential profile (policy CS15 of the Core Strategy and DP06 of the [AAP])
- The design and appearance of the proposed new buildings (policies CS02 and CS32 of the Core Strategy and DP06 of the [AAP])
- Open space –sporting facilities, public access, trees play space and wildlife habitat (Policy CS30 of the Core Strategy and DP06 of the [AAP])
- The impact upon the historic environment including archaeology and listed buildings (Policy CS03 of the Core strategy and DP06 of the [AAP])

- Impact upon the amenities of neighbouring properties (policy CS01 of the Core strategy and DP06 of the [AAP])
- The proposed employment uses (Policy CS04 of the Core strategy and DP06 of the [AAP])
- Off site impact and mitigation measures/ contributions (policies CS33 and CS34 of the Core strategy and DP06 of the [AAP])
- Highway implications; parking and impact upon the surrounding road network and sustainable transport (policy CS27 and CS28 of the Core strategy and DP06 of the [AAP])

The principle of mixed use development of the area

The long military occupation of the Former MoD site Mount Wise has contributed towards the traditional isolation of Devonport. Its availability for inclusion within the fabric of the city represents an important opportunity to improve the permeability connections through the site linking Devonport with Stonehouse and the wider city beyond and achieve a high quality mixed use development.

Proposal DP06 of the Devonport Area Action Plan (Which has reached an advanced stage following the Inspector's Hearing and is timetabled for adoption December 2007) sets out comprehensively the Council's objectives for the site. It states:-

"the land at the former Ministry of Defence Mount Wise will be developed as a high quality mixed use scheme, ensuring the sensitive restoration of the site having regard to its historical significance, and the integration of the site into the wider community. The development will provide for :-

- 7,500 sqm of employment uses (to include marine office, creative and cultural sector industries)
- In the region of 300 dwellings, of a mix of house types and sizes and of which at least 90 will be affordable and 50 built to Lifetime Homes standard; at least 50 per cent should be houses.
- Non –residential institutional uses , including health or educational / training facilities, indoor and / or outdoor sporting facilities and hotel

The scheme will also deliver:

1. public access through all parts of the site (the creation of a private gated community on the site will not be acceptable)
2. an overall comprehensive and integrated scheme for the site which is acceptable in environmental terms
3. development in the context of a Conservation Plan for the site
4. a safe, convenient community and sustainable movement and transport network for all within and, where appropriate, beyond the new development with local vehicular access which enables public transport linkages through the site, and into the existing residential areas of south Devonport to be realised
5. a high quality transport interchange at a convenient and accessible location within or adjacent to the development

6. pedestrian and cycle access through the site along Mount Wise headland, providing a link in the 'green arc'.
7. the preparation of Design Codes that must be submitted prior to the submission of reserved matters applications and will form a key element in the consideration of these applications, to cover high quality public realm, open spaces and architecture
8. sensitive restoration and reuse of Admiralty House and Mount Wise House and their attractive landscaped setting
9. public realm enhancements to the George Street approach to Mount Wise Park
10. restoration of historic surfaces
11. protection for other historic assets and archaeological features on the site, and their setting and opportunities for presentation, interpretation and promotion of these features
12. protection of habitats and the incorporation of a wildlife corridor
13. the protection of important trees
14. the retention of the cricket pitch, which should be brought into community use, complementing the proposed new recreational facilities at Brickfields
15. the development of HMS Vivid site to provide attractive frontage to the cricket pitch
16. an assessment of land contamination and implementation of appropriate mitigation
17. assessment of the risk of flooding - the development should be designed to avoid unnecessary development in areas of high risk and to minimise the impact of development on flooding, or provide mitigation measures to reduce the impacts of potential flooding
18. re-connection to the waterfront
19. the protection of important views through, into and beyond the site

The proposal represents a mixed use development that contains most of the elements identified in DP06. It broadly accords with the Council's, in principle, objectives for the site.

Your officers have looked again at the capacity of the site and are now satisfied that it can accommodate 450 dwellings, despite this being 50% higher than the figure suggested in DP06. Government and local authority policy is to maximise the use of previously developed land and, it is considered that the overall package of community benefits arising from the proposal outweigh any concerns about overdevelopment. Other issues raised by DP06 are considered in the relevant sections.

The dwelling mix and residential profile

The dwelling mix proposes a 60/40 split in favour of flats over houses, if the care home and Category 1 elderly units are excluded from the calculation (these are all flats, and including them tips the ratio further in favour of flats). The mix also includes 19.5% affordable housing in a mix of 60% rented and 40% shared equity housing (raising to 22% on a 60:40 split if anticipated Housing Corporation grant levels are provided)

Although Devonport currently has a high number of flats (82%), and it was hoped that the proposal could include more houses and make a larger contribution towards addressing this imbalance in the wider area, it is now accepted that the physical characteristics of the site do not lend themselves easily to the provision of houses at the density sought (average 43 units per hectare + other uses and green space) and that it is much better developed at this ratio.

The site's main contribution towards improving the range, quality and choice of housing in the area will be a significant increase in the number of private sector dwellings within the area. Excluding the 60 unit care home, it is proposed that 304 dwellings (67%) are full owner occupied/ private rented and a further 34 (7%) are shared equity (with the care home units included the amount of private sector housing rises to 80%) The owner occupied tenure is currently underrepresented in Devonport– only 18% compared with 69% nationally. The proposal will extend the housing market locally and promote choice for those who can afford it.

The design and appearance of the proposed new buildings

The design, layout and appearance of the proposed new buildings is considered to be acceptable. Admiralty House is kept as the pre-eminent building on the headland and changes to key strategic views from Mount Edgecumbe, The Hamoaze, Stonehouse Creek and peninsula are limited; the southern arm of Devonport's strategic 'green arc' which runs through the grounds of Admiralty House and the cricket pitch before extending, outside the site on into Brickfields and on into Devonport Park beyond, is substantively retained in sporting or amenity use along with most of the mature trees, parkland setting and wildlife habitat; the three sided 'quadrangle', and development either side, proposed in area B, to the north of Admiralty House is subservient to, and appropriate in scale to, the approach to this important historic building. Similarly the pattern of traditional style perimeter blocks proposed in area C relate well to the neighbouring George Street and Pembroke Street, outside the site, provide active frontage to the cricket pitch and have the potential to integrate well into the existing urban grain of this part of Devonport.

High density townhouses with compact gardens and blocks of flats are shown in areas B and C. Overall, in these two areas, it is considered that the application proposal provides a robust framework on which to design a modern interpretation of the terrace, the crescent, and apartment block.

The development potential of site A is restricted by its access. Some the site is an undercliff car park, but most of this part of the site is an elevated 'amphitheatre' constrained on the northern side by the cold war bunker and on the southern side by Ocean Court marina and the surrounding retaining wall. Pedestrian access from the main part of the site, to the north, is limited, and vehicular access is only achievable from Richmond Walk, via a ramped access.

Concerns that the development of an eight storey block of 42 flats and a double Crescent of 49 houses and flats in the amphitheatre area represents

overdevelopment of this part of the site have been put aside and it is now accepted that development proposal represents the best use of previously developed land and would help deliver the wider benefits to the city which accrue from approving the overall development package. Technical issues concerning the access to this part of the site and flooding have been resolved.

The proposed flat block has been designed so that it does not exceed the height of the existing trees. It maintains the strategic views and the setting of Admiralty House; and the commendable maximisation of views from the proposed development within the 'amphitheatre'. Given that the height of the flat block has been amended, so that it is below the tree crown, and has the support of the Plymouth Design Panel; it is, on balance, considered to be acceptable to develop a block of this height in this location.

In area D, the North East corner adjacent to Devonport Hill, the proposed plinth like structure with partly subterranean service road/ car park running through the centre and three medium height slab blocks would create the single biggest building on the site. The post submission amendments partly address the issues raised by the Plymouth Design Panel, in respect of the flat entrances and some improved definition between public and private space. Their concerns about the form of development and relationship to the landscape, particularly Devonport Hill of such a monolithic building remain. However, it is quite difficult to design a high density residential scheme in this part of the site that relates well to the cricket pitch, historic landscape and Devonport Hill frontage. On balance, the current proposal is considered to be acceptable. The residential accommodation is above the plinth, on the first floor and presents 'end' gables to the cricket pitch. The likely hood of conflict between the cricket pitch use and residential use is minimal.

Since the application was previously reported to Committee the proposed commercial office space has been relocated to a three storey block in area B, adjacent to Mount Wise House and reduced in size. This reduces the scope for conflict between the residential and commercial uses – although the shared use with the café / bistro means that the parking area would still need to be properly managed.

Open space –sporting facilities, public access, trees and play space

The former garrison cricket ground is the most important sporting facility on the site. Its retention, and managed availability to the wider public, fulfils a key objective of DP06/14 and is a feature of this proposal, welcomed by ECB and your officers.

The proposed Section 106 legal agreement contains clauses that would secure the cricket ground hinterland and informal public open space and the outfield as informal open space when cricket is not being played. The agreement also commits the applicant to secure a minimum 21 year lease with a cricket club and through this provides for public use of the ground and community room within the pavilion. The minimum 21 year period is critical because this is the length of time required to support cricket club grant applications to the ECB. The proposal meets the policy aspirations to secure the continued use of the ground as an important sporting facility (DP06 -14);

provide managed public access to the site (DP06 -1) and make a contribution towards preserving the 'green arc'.

The loss of the existing tennis courts to the north east of Admiralty House is regrettable, but there are others in the area and they were never available to the wider public anyway. Retention of the cricket pitch and provision of a new community pavilion, (managed by the cricket club, but available for other community uses) is considered to be sufficient Section 106 contribution towards sporting facilities within the city. Sport England's request for a £689,000 contribution towards off site sporting facilities is not supported.

Securing public access to the site, and avoiding the creation of a gated community are the first in the 14 point list of objectives in DP06. In its most recent amendment, which deletes the gated community concept in the far south, the proposal substantively satisfies this objective. Areas B and C, in the centre and north western parts of the site, are shown permanently integrated into the surrounding street network, with new vehicular accesses proposed onto Pembroke Street and pedestrian accesses onto Clowance Close and George Street. These streets and route ways would become part of the wider cityscape, always accessible, linking Devonport to the wider city and contributing towards providing permeability through the site and addressing the historical problem of severance.

In the proposed plan, the eastern side of the site and gardens to the south of Admiralty House contain areas that are not immediately overlooked, commercial uses that are not always occupied and other institutional type uses, such as the care home and hotel, that are difficult to secure. Access to this area provides a route way through the site from Cumberland Street/Devonport Hill to Mount Wise Park and, of course, grand seascape vistas. But it is not a primary route, and is likely to be used mainly for pleasure. If unrestricted public access has to be provided for this area, the developer, with Police Architectural Liaison officer support, would seek secure fencing and lighting. This would diminish the experience of the sylvan landscape and headland and, possibly, conflict with the setting of Admiralty House. A Section 106 clause, to secure permanent public access to this space, between dawn and dusk, is considered to represent a satisfactory compromise between the objectives of providing public access to this magnificent site and ensuring that it is safe and the landscape not compromised by inappropriate security fencing and lighting.

The concentration of mature trees representing a wide diversity of species (45) is the site's most significant natural feature beyond its inherent elevated headland location. The proposal retains most of these trees, but does seek the removal of approximately 24% for arboricultural reasons and to facilitate the development. Most of the trees that it is proposed to remove are low or poor quality. Only 8% are quality specimens and only one of the very best specimens, a sycamore in the middle of a proposed formal quadrangle, would be lost. It offers protection from construction damage for the retained trees; relocation, where feasible, and replacement planting for those lost. As all the trees are covered by a group TPO (No. 22), and located within the extended Devonport Conservation Area, the underlying assumption of policy AEV4 of

the superseded local plan first alteration and Strategy Objective 11 of the Core Strategy is to require retention. However, it is acknowledged that, inevitably, some trees will have to be lost to fulfil the wider policy objectives for the site.

The proposal has been designed to retain the sylvan setting of the site and ensure that mature trees remain the dominant feature of the landscaped setting of Admiralty House.

As expected, the site exceeds many times over the casual play space requirements set out in Supplementary Planning Guidance Note 11 (SPG11), but the provision of equipped play space is still required. The proposal would provide a significant number of family sized dwellings which will generate a demand for equipped play space in accordance with SPG11. It is considered that this should be provided on site, in accessible and safe locations.

The proposal shows two equipped play areas: under trees in the SE corner of area A, and on the eastern side of area D. The play areas proposed satisfy the policy considerations of SPG11. The two play areas will be leased by the council and the applicants will pay appropriate maintenance payments.

Impact upon Historic Environment

The listed buildings, surviving archaeological remnants and modern bunkers of Mount Wise reflect developments in 200+ years of defensive strategy. Whilst the thickness of the concrete, and prohibitive cost of removal, is likely to substantially preserve the modern bunker complex more proactive protection is required to preserve the earlier remains and buildings. A comprehensive protective regime is provided by the listing of the historic buildings. There is also a specific reference to the archaeological remnants of Devonport Dock Lines (defensive positions) and Georges Square barracks in Local Plan First Alteration; and inclusion within the recently extended Devonport Conservation Area.

The archaeological evaluation conducted by Exeter Archaeology, the applicants consultants, has confirmed the presence of well preserved archaeological remains on site, particularly in areas B and C. The proposal has been informed by these remains with mitigation measures, preserving in situ where possible and comprehensively recording where the development would result in removal. Two of the above ground features in area C have been incorporated into the design, one as a feature of the pedestrian walkway from the cricket pitch to Clowance Close, and a visitor interpretation board is sought for the Admiral's Rose garden (historic gun battery/ magazine site). The Council's archaeological officer is satisfied that a conditional regime can be put in place to secure a programme of archaeological work and control the method of construction to satisfactorily mitigate the impact of the proposed development upon archaeological remains.

The application has been submitted in outline, but involves change of use, partial demolition and extension to both listed buildings in addition to significant development within the grounds. These changes will require specific listed building consent, and are the subject of separate Listed Building

applications (ref. 07/00011 Admiralty House & ref. 07/00014 Mount Wise House). These applications are under separate consideration, reported elsewhere on the agenda.

It is axiomatic that neither Admiralty or Mount Wise House are going to be used for the purposes for which they were first built, military residencies. A hotel and commercial office use, respectively, is supported, in principle, as alternative uses capable of safeguarding their retention by meeting the costs of their future upkeep, and accords with DP06 and PPG15. After considerable discussion, revision and amendment, the proposal, as currently submitted, demonstrates that Admiralty House can be satisfactorily converted into a 46 bed boutique hotel without inappropriate subdivision of the main reception rooms or jarring external changes; and that Mount Wise House can be converted and extended into 1,668sqm of commercial offices, including DDA compliant access, without a large extension that would compromise its appearance and adversely impact upon the amenity of neighbours.

The appearance of both buildings would benefit from the removal of inappropriate twentieth century additions, with the demolition of the 1970s office block attached to Admiralty House particularly welcome.

Assessment of the impact of the proposal upon the setting of the listed buildings, is a more subjective judgement; but, in this case, is supported. With the removal of the proposed tall buildings from the proposal, Admiralty House is shown retaining its position as the pre-eminent building on the Mount Wise headland. Its southern elevation gardens and the historically significant Admiral's Salute remain virtually unchanged. The proposal, does however, introduce a three sided 'quadrangle' feature of high density housing on the northern elevation. Constructed in contemporary architectural style, and subservient to the historic house, this would considerably alter the main approach to the building, focusing views, claim the applicant's architects and historic environment consultants. This opinion is supported by the Plymouth Design Panel, who having successfully sought amendments to delete the fourth side of the quadrangle from the scheme and secure a better relation of the far western terrace to George Street/ Mount Wise Park, are in principle supportive about this element of the proposal. Your officers do not dissent from the consensus view and are satisfied that the setting of the listed buildings will not be adversely affected by the proposal.

Impact upon the amenities of neighbouring properties

As a longstanding Military enclave the site is somewhat separate from Devonport and only really interfaces with neighbouring property in the north west corner, around Pembroke and George Street and in the far south adjacent to Ocean Court. This particular proposal also includes widening to Richmond Walk, impacting on residential properties in Bakers Place and adjoining commercial properties.

As a result of pre-application community consultation, and subsequent post submission amendments, the access into the site from Clowance Close is pedestrian only and the size of the proposed extension to Mount Wise House has been reduced to 1.5 storeys to address concerns about overlooking and

overshadowing. In its amended form the proposal provides a satisfactory relationship with properties in George Street, Clowance Close and Pembroke Street and satisfies the policy requirements of AEV14 (Privacy and overlooking) and AHR5 (Character of Residential Areas).

Additional plans have been provided showing the proposed road widening and remodelled resident parking on Richmond Walk. These show a satisfactory arrangement that helps satisfy DP09 (Richmond Walk objective of the Action Area Plan by providing improved connectivity to Mount Wise). Residents maintain concerns about additional traffic, construction traffic and potential damage from pilling in Stonehouse Creek, necessary to compensate for the road widening. Where these are planning matters, appropriate conditions can be appended to any approval granted

Employment

A key objective of DP06, and Core Strategy Policy CS01 (Development of Sustainable linked communities) is to secure a mixed use development that provides jobs as well as residential and leisure facilities on site.

This proposal seeks to satisfy this objective by providing a total of 9,580sqm of employment space primarily in two locations within the site: around Mount Wise House and off Richmond Walk. The conversion and extension of Mount Wise House into 1,668 sqm of commercial office space with a three storey commercial building providing a further 972sqm of commercial office space in a three storey building opposite represents one cluster. The other is area A where a new building providing 810 sqm of commercial office space is planned to join the 4,650sqm of data storage space off Richmond walk in area A. There is some concern that, the data storage element, which generates few direct jobs and little on site activity, represents such a large percentage of the total employment space on site. However, this is tempered by an appreciation that the underground bunker presents a challenge to finding a purposeful use owing to its severely restricted access, lack of natural light and, in part damp conditions. The proposed use of nuclear bunker, the most modern dry part, for 4,650sqm of data storage, despite its limited employment potential, represents a suitable use of this area and is supported.

The proposed employment space within area A accessed off Richmond Walk, is particularly welcomed. Policy DP09 (Richmond Walk) of the Area Action Plan sees this area remaining in employment particularly marine related uses

Off site impact and mitigation measures/ contributions

Policy CS33 (Community Benefits /Planning Obligations) of the Core Strategy sets out the overarching framework for negotiation of planning obligation and agreements. The basic premise is that obligation requirements are intended to offset the impact of the development upon the local area; are reasonable within the terms of Circular 05/2005; and, in broad terms, fair in relation to comparable development elsewhere in the city.

In many instances there are formulae and standard charges relating to impacts, such as IPS4 (affordable housing); IPS4 (Educational Needs) and

SPG 11 (play space). It is expected that development proposals will normally provide public goods on site, or off site contributions in accordance with these formula and only if there are exceptional constraints will reductions be given consideration. The process for assessing such claims is submission of a (confidential) Viability Assessment, otherwise known as an 'open book' approach.

Affordable housing –

Policy CS15 of the of the Core Strategy states:-

'At least 10,000 new dwellings will be built in the plan area by 2016 and at least 17,250 by 2012, of which at least 3,300 will be affordable being delivered through the planning system. They will include a mix of dwelling types, size and tenure, to meet the needs of Plymouth's current and future population. In relation to private sector developments on qualifying developments of 15 dwellings or more, at least 30% of the total number of dwellings should be affordable homes to be provided on site without public grant (subject to viability assessment). In addition:

1. Affordable housing development will:-

- Be indistinguishable from other development on site*
- Reflect the type and size of the development as a whole*
- Incorporate a mix of tenures including social rented accommodation.'*

This policy objective is supported in Proposal DP06 of the AAP

'The development will provide for :-

In the region of 300 dwellings, of a mix of house types and sizes and of which 90 will be affordable.'

This policy replaces earlier policy requirements that 25% of the total number of units should be affordable.

The applicants have previously argued that they bought the site on advice that it was required to deliver 25% affordable units and that it is unviable to require 30% as per CS15. This has been accepted and a number of concessions made in response:-

- The provision of 25% , rather than 30%
- The exclusion of the care home units (making the total qualifying for affordable housing assessment 390, not 450)
- The provision of 20 units as category 1 elderly (smaller and less expensive units)
- The exclusion of affordable units from zones A and D

This allowed the applicants to provide a headline figure of 25% (97 of the qualifying 390 units) with the 60:40 tenure split sought by Community Services based on a grant of £4.2m. However, at the applicant's insistence, this was subject to a cascade clause allowing affordable housing provision be reduced by 5.5% (20-21 units) to 19.5% (76 units) in the event that no grant was forthcoming. This level of affordable housing provision was considered to be adequate by your officers and recommended for approval on 26th April Planning Committee. Nevertheless members deferred decision asking officers to explore with the applicants improvements.

Further discussions have taken place with the applicants and Housing Corporation in relation to affordable housing. This has resulted in clarification as to the likely level of support grant and a revised offer/ assessment of the number of affordable units that are likely to be delivered.

The Housing Corporation have advised that the £4.2m level of grant upon which this calculation was based is unrealistic (it would represent £200,000 for each additional affordable unit) and resulted from a misinterpretation of their advice. A total grant level of £1.8m is more likely. On this basis the applicants' have revised their offer to 22% affordable (86 units) on a 60:40 split in favour of social rented with a cascade clause to reduce to 19.5% in the event that no grant support is forthcoming.

Given the wider benefits accruing from the development and the precarious viability of the proposal as demonstrated by the submission of a viability assessment (examined by the Council appointed independent consultant) it is considered to be in the wider interests of securing regeneration of the site to accept the lower 22% level of affordable housing provision with cascade clause guaranteeing a minimum of 19.5% affordable housing on the site.

Education – Contributions towards the provision of education arising from residential development are assessed, in the first instance, against Interim Planning Statement 4 (IPS4), which works on the principle of only seeking contributions where a proposed development would exceed the capacity of local schools within the catchment area.

The Mount Wise site falls within the catchment area for Parkside secondary school; and Mount Wise and Marlborough Street primary schools (St. Joseph's RC primary school is also within the area, but it is small and entry is restricted). All three state entry schools currently have excess capacity, but it is expected that the excess capacity of the two primary schools will be fully exhausted by the Storage Enclave development, which already has permission.

As the AAP acknowledges: 'Devonport also has low educational attainment and is the sixth poorest performing neighbourhood in Plymouth for development at key stage 1 and 2, i.e. Neither of the Primary Schools meet key stage 2 targets for Maths or English, and this trend continues in the secondary school...'

Lifelong Learning and Asset Management officers are exploring the provision of new primary school within the area to replace both Mount Wise and Marlborough Street; but, to date, this is not a definite commitment. Securing contributions towards Educational Infrastructure is a Community Benefit priority of the Area Action Plan. The Plan makes clear that the contribution is sought for provision of a new primary school *or improvements to the existing primary schools in the area.*

The applicants have accepted the principle of providing a contribution towards education either to be spent improving existing schools or in the provision of a new school.

Transport – The package of contributions offered by the applicants satisfies the Highway Authority.

Highway Comments

There is a Directive from the Highways Agency preventing the LPA from approving the application. It is believed that this is a 'holding' objection that will be lifted once they have agreed the final negotiated overall contribution package towards sustainable transport. The following comments are predicated upon this assumption.

The main access to most of the site (Areas B, C and D) is from Devonport Hill, the established, formal entrance to the site. Providing it, and the wider road network, is upgraded and approved as set out in the proposal is considered to be capable of serving the site without adverse impact upon the road system.

Richmond Walk is currently considered capable of accommodating 49 of the proposed units in area A without widening or improvement. Full implementation of the 91 units in area A will, however, require off site improvements to Richmond Walk.

It is considered that subject to the imposition of recommended planning conditions, and the inclusion of appropriate provisions in the section 106 agreement, the Highway Officer's observations have been addressed adequately.

Section 106 Obligations

The applicants have submitted a 6th version of a 'skeleton' Section 106 Agreement. This is acceptable subject to phasing and timings when works/contributions are due and detailed wording of clauses.

- Play areas and open space
 - Play space – Two areas leased to the Council for 999 years at £1.05 pa & two emolument sums £18,930 + £24,070 respectively
 - Public access obligation in areas D and C dawn until dusk (note that the rest of the site is permanently accessible)
- Cricket Club/ community building- 21 year lease + community use of pavilion building.
- Highway
 - Highway works contributions £120,500
 - On site highway works, implementation
 - Sustainable Transport contribution – bus passes £91,000
 - Residential and commercial travel plan
- Affordable Housing
 - 19.5% (76 units) on 60:40 split with no grant

- 22% (86 units) with expected level of Housing Corporation Grant (£1.8m)
- Education Contribution -£288,540.52
- Phasing
- Administration Costs – Circa £28,000, based on 5%

Delegated authority to officers to refuse the application in the event that the agreement is not signed.

Conclusions

The redevelopment of the Mount Wise site provides an exciting opportunity for Devonport and the wider city.

The developers have made some changes to the proposal, mainly affecting areas A and D. In area A the ramped vehicular access has been relocated further to the east, outside the building envelope, and the employment moved to a separate building. In area D the employment space, proposed under the podium, has been removed and reproduced, in reduced size, in area B, opposite Mount Wise House. These changes are considered to be decisive. In the context of the wider benefits that this redevelopment proposal secures for the city - the re-use of the listed buildings; retention of most of the protected trees; preservation of the cricket pitch; provision of public access and securing a high density mixed use scheme that makes best use of previously developed land, this proposal is considered to be acceptable. The overall package of community benefits secured through section 106 is also considered to be satisfactory.

Provided that the Highways Agency removes its holding objection, as expected, the recommendation is to Grant conditionally subject to a S106 Agreement