

**ITEM: 8**

**Application Number:** 10/01047/FUL

**Applicant:** Wharfside Regeneration (Devon) Ltd Plymouth

**Description of Application:** Erection of a multi-storey carpark for 627 spaces, B1 Offices, retail units entrance foyer, temporary access and widening of Morlaix Drive. (Amended scheme of planning permission 08/01418)

**Type of Application:** Full Application

**Site Address:** NORTH WEST QUADRANT, DERRIFORD ROAD  
PLYMOUTH

**Ward:** Moor View

**Valid Date of Application:** 08/07/2010

**8/13 Week Date:** 07/10/2010

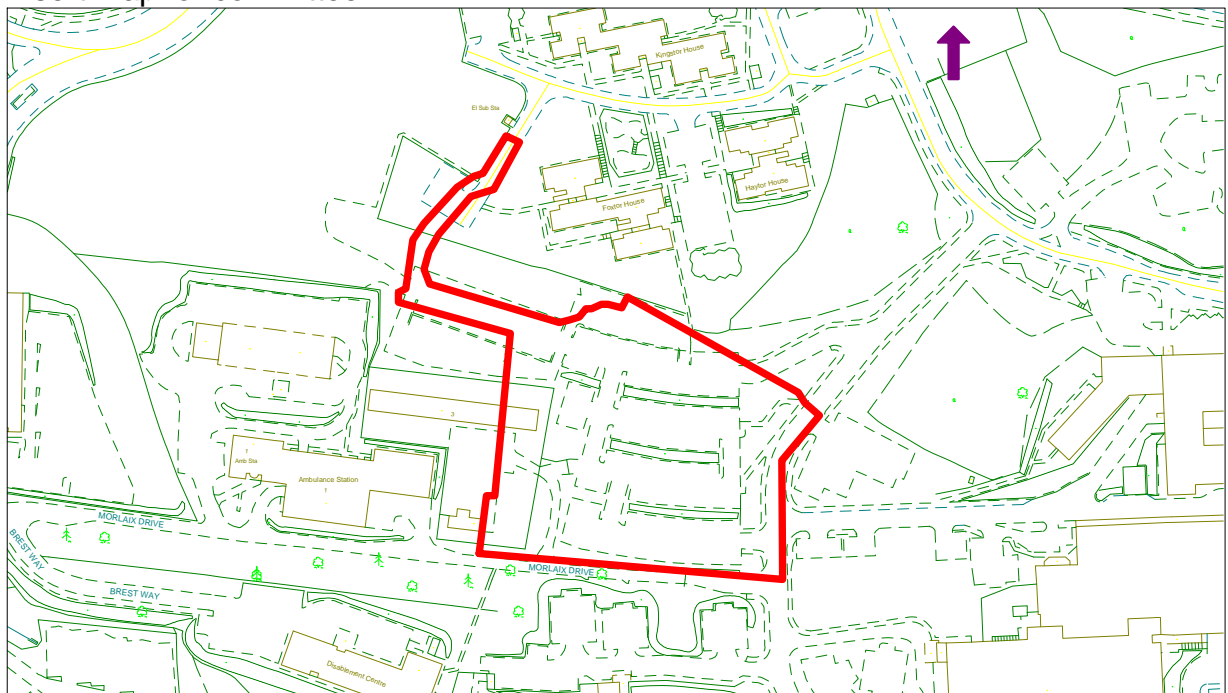
**Decision Category:** Major Application

**Case Officer :** Robert McMillan

**Recommendation:** Grant Conditionally

**Click for Application Documents:** [www.plymouth.gov.uk](http://www.plymouth.gov.uk)

Insert map for committee.



(c) Crown Copyright. All rights reserved. Plymouth City Council Licence No. 100018633 Published 2010 Scale 1:2500

## OFFICERS REPORT

### Site Description

The site is one of the car parks (car park E – lower) that is formed in a series of terraced levels to the west of the main hospital building. It is bounded by the hospital perimeter road, Morlaix Drive, a band of trees and the access road to this car park and other car parks to the north and west. The site area is 0.97ha. The frontage with Morlaix Drive is 111 metres and 75 metres with the perimeter road. It was formerly part of Plymouth Hospitals NHS Trust's (PHT) estate but has been sold to Wharfside Regeneration (Devon) Limited the developers of the North West Quadrant of which this site forms a part. Wharfside Regeneration is contracted to provide the multi storey car park (MSCP) for PHT. There is a car park, former residential blocks and a copse to the north, the cleared copse, small car park to the north-east which form the site for the proposed new entrance, reference 08/0971, and the main hospital building on the east, the Glenbourne Unit to the south, former PHT offices and the ambulance station to the west. The land falls 7m from north to south. There is also a pending major application for the mixed use redevelopment of the NWQ also made by the Wharfside Regeneration, reference, 09/01899.

### Proposal Description

Permission was granted for a similar proposal last year, 08/01418. The applicant is re-applying because PHT is not going ahead with the children's nursery on the first floor. This has led to changes to some of the use of the building, while still remaining primarily as a multi storey car park (MSCP). There are alterations to the appearance and the northern access from the High Street.

The proposal is to build a multi-storey car park with over 600 spaces in a broadly rectangular shape with a wider western side (a trapezium). The floor plan at its largest on the first floor would be 68 metres by 72 metres (57 metres on the east). Owing to the slope across the site from north to south and the varying roof heights the height of the building above ground level would vary from 19 metres at the southern elevation to 11 metres on the northern facade.

The proposal comprises:

- A seven storey multi storey car park (MSCP) providing approximately 627 car parking spaces. This would include 44 disabled parking, 70 cycle parking spaces and 24 motorcycle spaces. The proposals will not increase the overall car parking numbers spaces at the hospital;
- A total of 820 sq m gross external of active ground floor commercial units within Use Classes A1: Retail, A2: Financial Services and A3: Restaurant/Café. These ancillary uses are incorporated on the northern and western elevations of the car park.;

- 1,053 sq m of B1 offices on the fourth floor (first floor from the High Street);
- A large foyer area for the MSCP is located on the north eastern elevation to connect with the proposed pedestrian crossing serving the new main hospital entrance;
- Other functional space relating to the MSCP including a manager suite, public toilet, plant, refuse and foyer area;
- There are two vehicular accesses on the north and south elevations. The northern one served by the perimeter road and the new “High Street” and the southern one from the widened Morlaix Drive;
- A public terraced area along the western boundary of the MSCP that fronts onto the future landscaped green link. This is at ground floor level at its northern end and 1-2 floor height at the southern end. It is 7.5 – 9 metres wide. It wraps around the southern and eastern elevations into a narrow footway 1.6 metres wide providing an alternative route to the main hospital entrance;
- There are three lift and stair well cores in the north west, north east and south west corners and two pedestrian accesses from the terrace on the second floor;
- The main materials are “green walls” which comprise Boston Ivy planting around steel wires, powder coated steel bars and timber cladding. The shop fronts on the northern and western elevations would be glazed as would the offices above fronting the High Street;
- There would be a part green sedum roof performing the functions of surface water attenuation and drainage, recreational, ecological and visual enhancement.; and
- Landscaping will be provided around the edges of the site.

## **Relevant Planning History**

### **Application site**

08/01418 – FULL - Erection of a multi-storey car park for 627 spaces a children's day nursery, retail units a temporary access and widening of Morlaix Drive – GRANTED.

### **North West Quadrant**

09/01899 – OUTLINE - mixed use development including: 356 dwellings, D1 non residential institutions including healthcare, C2 residential institutions, A1 retail foodstore, smaller A1 shops, A2 financial and professional services, A3 restaurants and cafes, A4 bars, A5 hot food takeaways, B1 offices, C1 hotel, car parking, highways and accesses, public open space, landscaping, transport infrastructure and pedestrian links and cycle provision – PENDING DETERMINATION.

### **Derriford Hospital**

08/00971 - Erection of a new western main entrance and bridge link to the hospital and reconfigured public transport drop-off and new vehicle drop off area – GRANTED subject to a Section 106 Agreement. This is still to be implemented but the bus lane the subject of the section 106 agreement has been constructed.

### **Consultation Responses**

#### **Highways Agency**

No objection and directs that a condition be attached requiring a construction management plan.

#### **Environment Agency**

No objection subject to conditions relating to surface water management, contaminated land and avoidance of pollution during construction.

#### **Highway Authority**

No objection subject to conditions.

#### **Public Protection Services**

No objection subject to conditions relating to the reporting of unexpected contamination and a code of practice.

#### **Representations**

None.

#### **Analysis**

The main issues with this application relate to: relationship with the phased development of the North West Quadrant (NWQ); relationship with Derriford Hospital; design; traffic movement and parking; nature conservation; and sustainability

#### **Background**

This application must be considered in the context of its relationship with the North West Quadrant and Derriford Hospital particularly the proposed new western entrance. It is similar to the multi storey car park (MSCP) members granted permission last year – 08/01418.

#### **Main changes from the previous scheme**

The main differences have been brought about as Plymouth Hospitals Trust (PHT) no longer wish to use part of the building for a children's nursery together with other changes. These comprise:

1. Substitution of the nursery space with 1053 sq m of B1 office space on the northern side of the fourth floor (first floor from the High Street);
2. Increase in the A1 – A3 shops, financial and business services and restaurant and café floorspace by 150 sq m from 670 sq m to 819.7 sq m;
3. Car park entrance from the northern 'high street' widened from two to three lanes;

4. Addition of a plant room to the fifth floor on the north side;
5. Changes to the northern elevational treatment from the patterned metal work to glazing given the change from nursery to offices; and
6. Changes to the internal layout and servicing arrangements.

### **North West Quadrant**

The joint applicant and developer, Wharfside Regeneration acquired the North West Quadrant site (NWQ) from the Plymouth Hospitals Trust (PHT), the other joint applicant. This land comprises former staff accommodation, The Rowans and car parks. It is the land bounded by Derriford Road, the hospital western loop and perimeter roads, Morlaix Drive, the Ambulance station and the Norwich Union building. The application site for the Multi Storey Car Park (MSCP) is in the south east corner of the NWQ site opposite the main hospital building and close to the proposed new main entrance.

Wharfside Regeneration has a contractual obligation with Trust to provide the car park for the Trust originally by 2010 which presumably has been extended. It is the first phase of the development of the NWQ. The applicant made an the outline application for the masterplan development of the NWQ wider area last year – 09/01899. It has been deferred at the applicant's request and in response to a holding direction from the Highways Agency until November 2010. This is sensible as the Council are preparing a revised version of the Derriford and Seaton Area Action Plan Issues and Preferred Option (DSAAP) that as anticipated to be reported to Cabinet at the end of the year. The current proposals are for a major strategic mixed use development of housing, medical and health care related uses commercial and retail. If it obtained permission and given the current economic circumstances, it would built in phases.

The design of the MSCP is influenced by the emerging masterplan especially in terms of the structure of spaces, street hierarchy, movement and access, design and landscaping to ensure that this proposal is fully integrated with the wider masterplan. This is why there are active frontage on the northern and western facades and the routes to the MSCP and accesses are where they are.

### **Further development above the MSCP**

It is important that members appreciate that this is the first phase not only of the wider NWQ area but of this building too. The applicant intends to extend over the roof of the car park on the western and eastern sides by an additional four to five storeys. The current intended uses would be a nursing/care home, flats and/or offices. This would be subject to a separate planning application.

### **Relationship with Derriford Hospital**

The MSCP will be built by the developer but managed on behalf of PHT and will be the main public car park for patients and visitors to the hospital. It is a key component of the PHT's development programme and is closely related to the proposed new entrance nearby. This was granted permission last year but the start has been delayed.

These two proposals are closely inter-related. The access to and from the car park and hospital entrance must be considered comprehensively. The area will undergo major change within the next 15 years, not least with fundamental modifications to the highway network including a re-modelling of the Derriford roundabout junction and routes in and around the area. The details of these will emerge in the evolving Derriford and Seaton Action Area Plan (DSAAP). New temporary and permanent solutions will be needed to cope with the new developments. One of these includes the new bus lane constructed from the proposed public transport interchange (PTI) to Derriford Road alongside the western loop road. The PTI formed part of the scheme for the new hospital entrance. The bus lane was an obligation in the section 106 agreement for the new hospital entrance affecting land owned by both applicants. The access arrangements, bus movements, pedestrian and cyclist facilities must be considered jointly by Wharfside Regeneration, PHT and PCC to ensure that workable solutions are achieved.

### **Principle**

The principle of the mixed use development including a modest amount A1-A3 shop, financial and professional services and restaurant/café uses around some of the edges of the building is established by the existing permission. This accords with the current DSAAP in paragraphs 4.51-4.52 which proposes a local centre at the NWQ of no more than 2,300 sq m so as not to conflict with the proposed district centre at Derriford.

The offices are a new element but comply with the economic strategy in the Core Strategy as Strategic Objective 6.5 promotes the development of a 'bi-polar' economy with strong and complementary employment centres at the City Centre and Derriford. Policy CS04.4&5 emphasises the importance of Derriford as a strategic employment area to enable it to become the City's secondary office location. The current draft DSAAP sets a figure of 1.200 sq m of business floorspace within the Central Area of which this site forms a part. If permitted it would leave a balance of 146 sq m. This amount could be reviewed in the forthcoming version of the DSAAP.

### **Design**

The broad principles of the design of the the MSCP in terms of layout, bulk, height, massing and appearance are established by the existing permission. This followed considerable debate and negotiation on design matters with that proposal. Officers had urged the applicant to provide more active frontages to the southern and eastern elevations. This accords with The English Partnerships document "Car parking, what works where", endorsed by CABE. Such an approach contributes to a more lively street scene and provides more overlooking to improve security.

The applicants have provided active frontages on the northern and western elevations the foyer on the north eastern corner and shop/A2 office/café use in the south west corner. More active frontage would improve the scheme but officers believe there is sufficient active frontages to comply with policy CS02.

The main changes from the approved scheme are:

- The widening of the northern vehicular entrance from two lanes to three lanes;
- Alterations to the elevational treatment on the northern elevation; and
- Treatment of the plant room on the sixth floor

The northern entrance has been widened to increase the capacity to reduce the level of queuing that would cause congestion on the 'High Street' and perimeter road. In design terms this does create a conflict with pedestrians using the footway on the south side of the 'High Street' but there will be a footway on the north side with crossings provided. This is unfortunate but to be expected as the main function of the development is as a car park. In the future the Morlaix Drive entrance could become the major entrance. If that happened there could then be scope possibly to reduce the width of the northern entrance.

The sedum roof of a covered play area on the sixth floor has been replaced with a plant room. Officers have negotiated with the applicants to screen the plant room with timber cladding which will provide an acceptable appearance.

The northern façade was proposed to have an interesting treatment for the nursery of part glazing and part patterned perforated screen panels. Now the use has changed to offices the treatment will be glazing. This is not as imaginative as the previous proposal particularly at the north east corner but is functional.

Officers are still negotiating on these three issues and will update members at the committee meeting.

The principle of the design and imaginative use of materials for a building with a main use as a car park is satisfactory and complies in general with policies CS01, CS02 and CS34.

### **Transport**

The main change from the previous application in transport terms is the change of use of the nursery to offices. This generates less traffic generation so there are no objections in principle.

The parking charging regime shall be managed so that it does not encourage all-day parking by people working in the offices. The new lane at the northern entrance from the 'High Street' is acceptable in highway terms. The dedicated loading/unloading bay on the High Street will require a Traffic Regulation Order.

The drawings must be consistent with those prepared by the applicants' consultants for the discharge of conditions relating to the access arrangements on Morlaix Drive for the existing permission as this part of the development has not changed. The five cycle spaces serving the offices should be secure and located together and only accessible for staff at the offices. The proposal subject to conditions is acceptable and complies with conditions CS27, CS28 and CS34.

### **Nature conservation and trees**

The hedgebank and trees to the west of the site will have to be removed owing to a gas main passing through the land and the need for soakaways and further drainage infrastructure for this scheme and later phases of the NWQ development. It is used as a flight path and foraging area for bats. A nature conservation and landscape mitigation programme was agreed for the recent permitted development. This will be in two phases. Phase one includes a new hedgeline of native species north of the protected Plymouth Pear. Phase two will be further landscaping after the drainage infrastructure has been installed and will be provided as part of the larger NWQ development. If this development does not happen condition 8 safeguards its implementation.

The mitigation measures and planting will mature over time to improve the quality of the green space, retain the protected bats' habitat and provide biodiversity enhancement to comply with policies CS18 and CS19.

### **Sustainability**

With the approved scheme applicants agreed to providing 10% on site renewable energy for the shop and nursery uses but not to the car park which would be lit and ventilated but not heated. Neither did the applicants agree to make a contribution for off site renewable energy schemes in accordance with policy CS20 on grounds of viability. The local planning authority agreed to this approach.

With the current proposal the applicants are still proposing to provide 10% on site renewable energy production for the non-car park uses. But they have reduced the amount of photovoltaic panels and provided air source heat pumps but these are not recognised by this authority as full on site renewable energy production. Also the percentage requirement has now increased from 10% to 15%. The on-site renewable energy production issue still needs to be resolved and it is proposed to do this by condition in order not to delay the decision.

This was a controversial matter as there are no exceptions and the policy if strictly applied relates to all non-residential developments over 1,000 sq m. But the applicant's position is understood. Car parks in city centres such as London and Bristol can command high values and profitable revenue streams. This is less so in suburban locations for a hospital car park for mainly public



use. It is a sensitive issue with hospital parking where charges must be set at reasonable rates. This case can be distinguished from commercial uses and will not set a precedent for future commercial and residential schemes at the NWQ. In these special circumstances a relaxation of the policy is considered to be acceptable.

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

### **Section 106 Obligations**

None required as the applicants have provided the bus lane in the section 106 agreement attached to the permission for the new hospital entrance and public transport interchange, 08/00971.

### **Equalities & Diversities issues**

The development will be available for all equality groups and will have full accessibility and provides 44 parking spaces for people with disabilities. It will not have a negative impact on any group.

### **Conclusions**

This application for a multi storey car park (MSCP) is another key development in the Derriford area as the first phase of the North West Quadrant (NWQ) site. It is integral to Plymouth Hospitals Trust's ambitious development programme and the new main entrance to the hospital. It has been developed to ensure that it fits in and complements the masterplan for the NWQ with the High Street on its northern side with retail units that will draw people from the hospital up the street to other retail and commercial uses that will be provided in later phases. It complements the proposed new hospital entrance and the links and routes will be strengthened when the pedestrian crossings across the roads have been fully designed and installed.

The design would have been improved further if the applicant had been able to provide more active frontages on the southern and eastern elevations but the applicant believes it has provided sufficient activity under the constraints of the site and PHT's requirements. The treatment of the southern façade and most of the eastern elevation has not changed from the approved scheme and is satisfactory. The skilful and imaginative use of materials will soften the impact of a large MSCP and the design is acceptable. The proposal will have little or no effect on traffic generation on the congested Derriford road network. But the change in flows with much more traffic using the western junction with Derriford Road would have local impacts especially on buses unless mitigation measures are provided. The applicants have provided a new bus lane from the proposed public transport interchange to Derriford Road.

This has improved the bus services at the hospital by reducing delays and queuing. A signing strategy and possible detailed changes at the High Street entrance should ease movements in busy times when queuing could occur.

In summary the benefits of the application particularly in relation to PHT's development programme and integration with the proposed future phased development of the NWQ outweigh the sustainability shortcomings and the application is acceptable.

### **Recommendation**

In respect of the application dated **08/07/2010** and the submitted drawings, **1200-10-001, 1200-11-001, 1200-11-002, 1200-11-003, 1200-11-004, 1200-11-005, 1200-11-006, 1200-11-007, 1200-11-008, 1200-11-009, 1200-12-001, 1200-12-002, 1200-12-003, 1200-12-004, 1200-12-005, 1200-11-010-landscape plan, 1200-11-011-landscape plan, 1200-13-001, 1200-13-002, 1200-13-004, 1200-13-005, addendum to previous design and access statement, addendum letter to previous flood risk assessment, addendum to previous energy statement** , it is recommended to: **Grant Conditionally**

### **Conditions**

#### **DEVELOPMENT TO COMMENCE WITHIN 3 YEARS**

(1)The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

#### **SURFACE WATER DRAINAGE**

(2)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 ;-

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

Prior to occupation 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 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 by ensuring the provision of a

satisfactory means of surface water disposal to comply with policy CS21 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

#### UNIDENTIFIED CONTAMINATION

(3) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

#### Reason:

To prevent pollution of the water environment. Although the intrusive investigation has not revealed significantly elevated contaminant concentrations, a small risk remains that contamination not previously identified will be encountered during construction to comply with policy CS22 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

#### CONSTRUCTION MANAGEMENT PLAN

(4) The construction of the development hereby permitted shall not commence until there has been submitted to and approved in writing by the local planning authority (in consultation with the Secretary of State for Transport and Plymouth City Council) a construction management plan. The plan shall include construction vehicle movements, construction operation hours, construction vehicular routes to and from site, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts in pursuance of the Environmental Code of Construction Practice and a scheme to encourage the use of Public Transport amongst contractors. The development plan shall be carried out strictly in accordance with the approved construction management plan.

#### Reason:

In the interests of highway safety and the efficient operation of the trunk road network to comply with policies CS27 and CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

#### LANDSCAPE DESIGN PROPOSALS

(5) No development shall take place until full details of both hard and soft landscape works 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; hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.)

#### 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.

#### SOFT LANDSCAPE WORKS

(6) Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; the implementation programme].

#### 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 WORKS IMPLEMENTATION

(7) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with 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.

#### LANDSCAPING FOR PHASE TWO OF THE GREEN LINK

(8) If the landscaping scheme for the proposed later masterplan phase of development of the North West Quadrant, that also includes the green link to the west of the development hereby permitted, is not implemented within five years from the date of this permission, details of the landscaping for phase two of the green link shall be submitted to and approved by the local planning authority within five years from the date of this permission. The details shall include the matters set out in condition 5. The scheme shall be carried out in the planting season following the approval of the details.

#### Reason:

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

#### DETAILS OF FLOODLIGHTING

(9) Details of any floodlighting shall be submitted to and approved in writing by the Local Planning Authority before the use hereby permitted begins. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### LANDSCAPE MANAGEMENT PLAN

(10)A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

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.

#### MAINTENANCE SCHEDULE

(11)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

(12)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.

## EXISTING TREE/HEDGEROWS TO BE RETAINED

(13) In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with BS 3998:1989(Recommendations for Tree Work).

(b) If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or is lopped or topped in breach of (a) above in a manner which, in the opinion of the Local Planning Authority, leaves it in such a poor condition that it is unlikely to recover and/or attain its previous amenity value, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of fencing for the protection of any retained tree or hedgerow shall be undertaken in accordance with the approved plans and particulars (or in accordance with Section 9 of BS 5837:2005 (Guide for Trees in relation to construction) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground areas within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

### Reason:

To ensure that trees or hedgerows retained in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 are protected during construction work and thereafter are properly maintained, if necessary by replacement.

## STREET DETAILS

(14) Development shall not begin until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority.

### Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to satisfactory standard in accordance with Policy CS28 of the Core Strategy adopted April 2007.

## ACCESS (CONTRACTORS)

(15) 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.

#### PEDESTRIAN/CYCLE ACCESS

(16)The use of the multi storey car park shall not commence until a means of access for both pedestrians and cyclists has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity in accordance with Policy CS28 of the Core Strategy adopted April 2007.

#### DETAILS OF NEW JUNCTION

(17)No work on the construction of the multi-storey car park shall commence until details of the junction between the existing Hospital Perimeter Road and North West Quadrant High Street including the pedestrian crossings have been submitted to and approved in writing by the Local Planning Authority; and the use of the facility shall not commence until that junction has been constructed in accordance with the approved details.

Reason:

To ensure that an appropriate and safe access is provided for all users of the highway in the interests of public safety, convenience and amenity and to comply with policy CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

#### CAR PARKING PROVISION

(18)The development shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a maximum of 627 cars to be parked.

Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices to comply with policy CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

#### CAR PARKING MANAGEMENT STRATEGY

(19)Prior to the commencement of the use of the multi-storey car park a site-wide Car Parking Management Strategy shall be submitted to and approved by the Local Planning Authority. The said strategy shall provide information in

relation to the allocation and use of car parking across the entire Derriford Hospital site and include specific measures relating to the use and control of the proposed multi-storey car park (enforcement, charging, hours of operation etc) taking into account future demands of any adjoining development sites

Reason:

To ensure that the level of car parking provided and the use of those spaces is properly controlled in order to support the aims and objectives of the Derriford Hospital Travel Plan in securing a greater level of modal shift towards the use of sustainable modes of transport and hence reduce the number of single car journeys being made on the highway network to comply with policy CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

#### SIGNING STRATEGY

(20)The use of the multi-storey car park hereby proposed shall not commence until a Signing Strategy has been implemented in accordance with details submitted to and approved in writing by the Local Planning Authority. The said strategy shall include the provision of Variable Message Signing (VMS) to control the movement of traffic to and from the multi-storey car park.

Reason:

To ensure that destinations within the Hospital Campus are clearly signed from local highway network in order to adequately control the movement of all modes of transport on the site (including pedestrians and cyclists) in the interests of highway safety and convenience and to comply with policy CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

#### CYCLE PROVISION

(21)The use of the car park shall not commence until space has been laid out within the building in accordance with the approved drawings for 70 bicycles to be parked.

Reason:

In order to promote cycling as an alternative to the use of private cars to comply with policy CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

#### CYCLE STORAGE

(22)The secure area for storing cycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building. in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.



### USE OF LOADING AREAS

(23)The land indicated on the approved plans for the loading and unloading of vehicles shall not be used for any other purposes unless an alternative and equivalent area of land within the curtilage of the site is provided for loading and unloading with the prior consent in writing of the Local Planning Authority.

#### Reason:

To ensure that space is available at all times to enable such vehicles to be loaded and unloaded off the public highway so as to avoid:- a. damage to amenity; b. prejudice to public safety and convenience, and c. interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

### TRAVEL PLAN

(24)The use of the multi-storey car park hereby permitted shall not commence until an updated Derriford Hospital Travel Plan (TP) has been submitted to and approved in writing by the Local Planning Authority. The updated TP shall include those changes arising from the creation of the multi-storey car park and shall continue to encourage staff to use modes of transport other than the private car to get to and from the hospital. It shall also include measures to control the use of the permitted car parking areas (taking into account the Car Parking Management Strategy); arrangements for monitoring the use of provisions available through the operation of the TP; and the name, position and contact telephone number of the person responsible for it's continued implementation.

#### Reason:

In the opinion of the Local Planning Authority, such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices to comply with policy CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

### TRAFFIC REGULATION ORDER

(25)The use of the loading/unloading bay on the High Street shall not commence until the applicant has funded the implementation of a Traffic Regulation Order relating to the use of this facility.

#### Reason:

To ensure that the use of the proposed loading/unloading bay serving the retail units is properly controlled in the interests of highway safety and convenience to comply with policies CS28 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document 2007

### EXTERNAL MATERIALS

(26)No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local

Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### SURFACING MATERIALS

(27)No development shall take place until details and samples of all surfacing materials to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### CODE OF PRACTICE

(28)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:

In the interests of residential amenity to comply with policies 22 and 34 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

#### OPENING HOURS

(29)The use of the A1, A2 and A3 premises hereby permitted shall not be open to customers outside the following times: 08.00 - 23.00 hours Mondays to Saturdays inclusive and 10.00 - 22.00 hours on Sundays and Bank or Public Holidays.

Reason: To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### USE CLASS A1, A2 AND A3 FLOORSPACE

(30)The floorspace of the Use Class A1, A2 and A3 retail premises hereby permitted shall not exceed 820 square metres (gross external).

Reason:

To ensure that the amount of retail floorspace complies with the city's retail hierarchy and area vision for Deriford to comply with policy CS07 and AV9 of the adopted Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### SPECIFIED USE RESTRICTION - RETAIL USES

(31)The retail premises shall be used for Use Class A1 shops, A2 financial and professional services and A3 restaurants and cafes and for no other purposes including any other purpose in Use Class A4 drinking establishments or A5 hot food takeaways of the Schedule to the Town and Country (Use Classes) Order 1987 as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### B1 BUSINESS FLOORSPACE

(32) The B1 business floorspace hereby permitted shall not exceed 1053 square metres (external gross).

Reason:

To ensure that the local planning authority retains control over the size of the B1 business floorspace in the interests of highway safety and to avoid congestion on the surrounding to comply with policies CS27 and CS28 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

#### A1, A2 AND A3 UNITS

The four A1, A2 and A3 shop units on the second floor fronting the High Street comprising 336.4 square metres internal floorspace shall remain as four separate units and no parts shall amalgamate to form a fewer number of units and the space shall not be subdivided in a different layout from that shown on drawing number 1200-11-004 without the prior written permission of the local planning authority.

Reason:

The local planning authority wishes to control the size of unit at this location so as not to have an adverse impact on the retail hierarchy of the city in particular the proposed Derriford district centre to comply with policies CS07 and CS08 of the City of Plymouth adopted Core Strategy Development Plan Document, 2007.

#### BAT MITIGATION STRATEGY

(34) Prior to commencement of development a detailed bat mitigation strategy shall be submitted to and approved by the Local Planning Authority in writing in accordance with the details proposed in the Drawing 'Landscape Plan' revision C. The mitigation strategy shall include detailed phasing of the mitigation, exact planting details, lighting strategy, and the long term management of the area.

#### Reason:

To ensure mitigation is established prior to the removal of the existing corridor feature and future management of this area is secured to comply with policy CS19 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

#### PHASING OF HEDGE PLANTING AND REMOVAL

(35) The existing hedgerow to the west of the proposed building hereby permitted on land controlled by the applicant shall not be removed until the replacement hedgerow as detailed on the Drawing 'Landscape Plan' revision C has been planted and is established.

#### Reason:

To ensure the continuation of a functioning bat corridor to comply with policy CS19 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

#### FURTHER DETAILS

(36) Notwithstanding the submitted drawings no work shall commence on site until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz:- the treatment of the northern vehicular access from the High Street and the treatment to the north east corner of the building hereby permitted. The works shall conform to the approved details.

#### Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they 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.

#### RENEWABLE ENERGY

(37) No work shall begin on the development hereby permitted until a report on on-site renewable production has been submitted to and been approved in writing by the local planning authority. The report shall identify how a proportion of the carbon emissions are off-set by on-site renewable energy production methods. The proportion shall be the same percentage as that agreed for planning permission 08/01418. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. If such requirements are to be provided by means of a biomass boiler in full or part, details shall also be provided to demonstrate that the boiler will be used, which shall include a commitment to maintain the

boiler and details of how a long term fuel supply can be secured and delivered. The proposed solutions should be considered in the light of the Derriford Sustainable Energy Strategy. The approved scheme shall then be provided in accordance with these details prior to the occupation of any building within that phase of development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To provide on site renewable energy production to off-set 10% to 15% of predicted carbon emissions comply with Policy CS20 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

#### CODE OF PRACTICE INFORMATIVE 1

The management plan shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web-pages, and shall include sections on the following;

- 1) Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information.
- 2) Construction traffic routes, timing of lorry movements, weight limitations on routes, initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, wheel wash facilities, access points, hours of deliveries, numbers and types of vehicles, construction traffic parking.
- 3) Hours of site operation, dust suppression measures, noise limitation measures.

#### **Statement of Reasons for Approval and Relevant Policies**

the main planning considerations, in this case are considered to be: relationship with the phased development of the North West Quadrant (NWQ); relationship with Derriford Hospital; design; traffic movement and parking; nature conservation; and sustainability. The proposal does not comply fully with policy CS20 as it will not provide 10% renewable energy production on-site. This is considered to be acceptable given the facts and circumstances of this case as the main use is as a car park mainly for public use for a hospital at a suburban location. 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  
PPS9 - Biodiversity and geological conservation  
PPS1 - Delivering Sustainable Development  
PPS22 - Renewable Energy  
CS32 - Designing out Crime  
CS34 - Planning Application Consideration  
CS22 - Pollution  
CS07 - Plymouth Retail Hierarchy  
CS08 - Retail Development Considerations  
CS18 - Plymouth's Green Space  
CS19 - Wildlife  
CS20 - Resource Use  
CS21 - Flood Risk  
CS22 - Pollution  
CS01 - Sustainable Linked Communities  
CS02 - Design  
CS04 - Future Employment Provision  
SO11 - Delivering a sustainable environment  
SO1 - Delivering Plymouth's Strategic Role  
SO2 - Delivering the City Vision  
SO6 - Delivering the Economic Strategy Targets  
SO7 - Delivering Adequate Shopping Provision Targets  
SO9 - Delivering Educational Improvements  
SO14 - Delivering Sustainable Transport Targets  
SO15 - Delivering Community Well-being Targets  
CS31 - Healthcare Provision  
CS27 - Supporting Strategic Infrastructure Proposals  
SPD1 - Development Guidelines  
SPD3 - Design Supplementary Planning Document  
PPS4 - Economic Growth