

ITEM: 02

Application Number: 08/01989/FUL

Applicant: Tesco Stores Limited

Description of Application: Demolition of existing district centre and erection of class A1 retail store, A1, A2, A3 units, 745 car parking spaces, bus waiting area, improvements to the junction of Crownhill Road, Transit Way and ancillary works.

Type of Application: Full Application

Site Address: TESCO TRANSIT WAY HONICKNOWLE PLYMOUTH

Ward: Honicknowle

Valid Date of Application: 21/11/2008

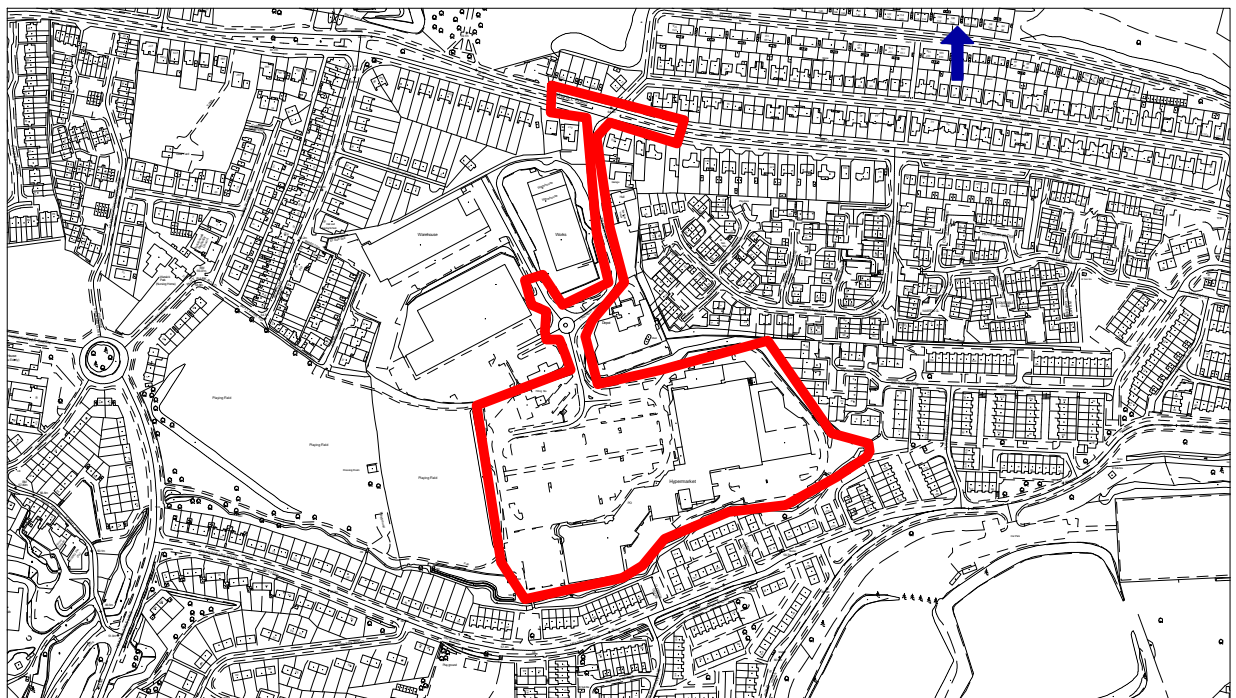
8/13 Week Date: **20/02/2009**

Decision Category: Major Application

Case Officer : Mark Evans

Recommendation: Grant conditionally subject to S106 Obligation, delegated authority to refuse if S106 not signed by 17 December 2010

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OFFICERS REPORT

Site Description

Transit Way District Centre is located approximately 6.5km to the north of Plymouth City Centre and 1.5km to the west of Tavistock Road (A386). The centre is accessed via a signal-controlled junction from Crownhill Road (B3413), situated to the north.

The application site is broadly rectangular and extends to approximately 5.5 hectares bounded to the south by Honicknowle Stream, beyond which lie the residential properties of Shakespeare Road. To the east, beyond a large retaining wall, lie further residential properties. To the west lies a playing field and to the north a number of retail and commercial premises, including an ARC car wash, Matalan, Magnet, Argos and Lidl foodstore.

The Tesco store is located at the eastern end of the mall facing in a westerly direction, with customer car parking and a bus stop situated to the front. Staff and visitor parking is provided to the east and south of the store, giving a total of 477 parking spaces.

The remaining commercial units lie in a linear arrangement along the south of the application site, the majority fronting the car park to the north.

The site is occupied by the existing Tesco store of 3,629 sq m net (39,063 sq ft), petrol filling station ("PFS") and thirteen units, which at the time of application submission comprised the following:

- Co-op Pharmacy;
- Timpsons;
- Optical Express;
- Motor World;
- Co-op Household Goods and Electrical Appliances;
- Post Office;
- Staysmart Dry Cleaning;
- Snips Hair Dressing
- Betfred Bookmakers;
- Travelcare Travel Agents (Co-op);
- Mostyns Curtains & Fabric Shop;
- The Ark Pet Shop; and
- Vacant car showroom.

Proposal Description

Demolition of existing district centre and erection of class A1 retail store, A1, A2, A3 units, 745 car parking spaces, a new bus waiting area, and improvements to the junction of Crownhill Road, Transit Way with associated ancillary works.

The application proposes to relocate the district centre facilities to the western end of the application site to provide a Tesco store of 7,877 sq m (84,788 sq

ft) net together with A1/A2/A3 units totalling 1,442 sq m (15,522 sq ft) net, accessed through shared entrances at ground and first floor level.

The Design and Access Statement submitted with the application states that the proposal will facilitate major improvements to the district centre and shopping provision in the locality. Additional sales floorspace will allow Tesco to provide an increased number of tills and enhance the depth of its food offer, providing wider ranges of goods and larger quantities of stock on display. The replacement centre and unit shops will also allow for an increase in the quality and range of comparison goods sold. The proposed units will facilitate a mix of Class A1, A2 and A3 units suggested as being in "a modern and flexible arrangement to suit occupiers, better related to the 'anchor' Tesco store".

The replacement centre will also deliver increased bulk storage areas, enabling the maintenance of higher "back of house" stock levels. This is stated as assisting in reducing the number and quantity of top-up deliveries to the centre.

The Design and Access Statement states that access to the car park will also be enhanced as pedestrians currently have little opportunity to safely cross Transit Way. The proposed arrangement will allow pedestrians to cross at the signals and at the pedestrian refuge at the bottom of Transit Way.

The proposed development will also incorporate a number of sustainable design features tailored specifically to the circumstances of the site and building including, amongst others: a hybrid timber frame; larch wooden cladding panel system; roof lights and clerestory glazing system allowing natural light into the building and enabling a reduction in artificial lighting; roof wind catchers; digital addressable lighting and rain water harvesting will also be used in the development.

It is proposed that access and egress to Transit Way District Centre will be improved through the modification of the junction between Transit Way and Crownhill Road.

The improvements to the Crownhill Road/Transit Way junction will incorporate signalised crossing facilities for pedestrians who wish to cross Transit Way and Crownhill Road, a new pedestrian crossing facility across Old Woodlands Road and advanced cycle stopline on Crownhill Road east. In addition, pedestrian links to the surrounding area will be maintained and improved, together with the introduction of a bus waiting facility with real-time bus information.

The district centre development will increase car parking provision to a total of 745 spaces including 29 parent and toddler spaces, along with 33 spaces for use by the disabled, and 683 for general use.

It is stated that the proposal will generate approximately 200 additional full time equivalent jobs and that the majority of these will be recruited locally.

Relevant Planning History

There is a detailed planning history associated with this site. In 1993 following an appeal, Plymco were permitted to open between 0830 - 2100 Mon-Sat and 10.00-1700 Sundays. Those decisions of relevance are:

83/04228/OUT – Outline application to develop land by the erection of superstore, garden centre, parking, service yard and highway improvements – APPROVED

84/02906/REM – Erection of superstore, garden centre, ancillary parking and service yard - APPROVED

88/01317/FUL –Erection of non food retail warehouse together with shopping mall with seven shop units and associated car parking and service areas – APPROVED

91/00701/FUL – Extension to superstore - APPROVED

94/01519/FUL –Alterations and extension to superstore to provide increased sale space and two shop units – APPROVED

95/00643/FUL – Alterations and extension to superstore to provide increased sale space, three shop units and link walkway – APPROVED

01/00248/FUL –Variation of condition 10 of Notice No.4228/83 to now allow new Tesco store to open between 8am - 10pm Monday to Saturday (Sunday unchanged (10.00am - 5.00pm) – APPROVED

01/00249/FUL – Variation of 4228/83 to allow deliveries by HGVs between 0900-1600 on Sundays and alterations to service yard - GRANTED CONDITIONALLY

01/00250/FUL – Variation of condition 2 (0941/86) to allow petrol filling station to operate between 0700 - 2300 Mondays to Saturdays (Sundays unchanged 10.00 - 1700) - GRANTED CONDITIONALLY

02/00913/FUL – Variation of condition 1 (appeal decision - T/APP/C/93/C1120/627877/P6) to allow 24 hour trading Monday to Saturday inclusive - WITHDRAWN

06/01852/FUL – Creation on a home delivery facility within the existing service yard. Creation of a delivery van loading facility within the rear car parking. Weather enclosing of the existing loading bay areas - APPROVED

07/01459/FUL – Replacement Petrol Filling Station – GRANTED CONDITIONALLY (With no hours of use restriction)

Consultation Responses

Environment Agency

No objections subject to conditions

Highway Authority

No objections subject to conditions

Highways Agency

No objections.

Public Protection Service

No objections subject to conditions.

Representations

27 Letters of representation (26 raising objections or concerns, 1 in support) have been received, together with one petition against the development.

Third party objections can be summarised as:

1. Principal objection is that the proposals by Tesco are not remedying the identified gap in convenience provision, which is central to the retail hierarchy in the Core Strategy; do not contribute towards a sustainable pattern of development and that the level of new comparison floorspace is so significant that it will undermine the ability to attract tenants to the new district centre at Derriford. Derriford (and the retail strategy of Plymouth as a whole) should be planned for strategically and not driven by short-term commercial considerations.
2. The application documents provided with the application by Tesco completely fail to assess the impact of the proposals on the carefully planned and balanced retail hierarchy for Plymouth, as set out in the recently adopted Core Strategy. An extension of Transit Way district centre will not address the Core Strategy policy to address existing food shopping deficiencies in Plymouth, and will in fact exacerbate the existing problem through increasing reliance on shopping facilities which are not well related to the communities that they serve.
3. An extension at Transit Way will prejudice the Core Strategy objective of delivering a bi-nodal economy for Plymouth with Derriford as the priority secondary location for investment, by directing significant investment elsewhere.
4. The proposal fails the impact tests in PPS4 as it has unacceptable impacts in terms of planned investment in centres in the catchment area of the proposal, it is not of an appropriate scale and it will prejudice the delivery of the development plan strategy.
5. The Council's retail consultants have assessed the "need" for convenience floorspace at 2016 and do not identify sufficient expenditure to accommodate the level of floorspace proposed at Transit Way in addition to the new district centres at Derriford and Weston Mill. The proposals therefore cannot fail to have a detrimental impact on the viability of the proposed district centres. The

6. Development is considered to be over-development of the site and will have a detrimental impact on small businesses in the Honicknowle, West Park, Chaucer Way and Crownhill areas.
7. Concern is expressed that this proposal will prejudice the potential future development of a major foodstore in the South Western quarter of the city where such facilities are considered to be currently lacking.
8. Concerns about increased traffic, resultant congestion and associated traffic noise and air pollution adversely affecting residential amenity, and the health of local residents, and causing damage to property. It is noted that the existing Crownhill Road junction is already extremely congested to the brink of gridlock on occasions, and does not have the capacity to cope with the anticipated additional traffic that the development will generate. Drivers, including large HGV's, already use surrounding streets as a rat run to avoid the queues causing further congestion on residential streets in the locality and causing considerable damage to the road surfaces. It is therefore suggested that traffic calming and traffic management measures are introduced to the surrounding streets.
9. It is considered that it would be beneficial if Tesco provided a new vehicular entrance/exit to relieve traffic flows on the Crownhill Junction.
10. Concern about car parking pressures on Shakespeare's Road particularly apparent during school opening and closing times.
11. Concern at loss of western pedestrian footway along Transit Way.
12. Concern that revised pedestrian access will adversely affect access to adjoining retail unit.
13. Concern about effect of proposed highway works on stability of embankment adjoining the highway along Transit Way to the Tesco Store.
14. Concern about increased rubbish and trolleys being dumped in the locality.
15. Concern about 24 hour trading causing unreasonable noise and increased traffic disturbance to local residents.
16. The proposed two-storey car park is considered to have the potential to attract additional anti-social behaviour and due to the raised positioning of surrounding residential properties that overlook the site it is noted that noise echoes around the site particularly in the early morning and late evening. The proposed flooring of the car park could therefore generate unacceptable nuisance caused by screeching vehicular tyres and concerns are also expressed regarding potential increased carbon monoxide levels.
17. Concern about potential noise nuisance caused by the proposed recycling facilities.
18. Megastores with such bland and uniform design are considered to be a blight on the whole country.
19. Environmental concerns - it is considered to be neglect by Plymouth City Council to allow any more development in Transit Way that already draws increasing carbon footprint from hundreds, if not

20. Concern that the proposed new pedestrian walkway from Garrick Close will increase potential anti-social behaviour in this area which already experiences relatively high levels of crime and anti-social behaviour. Elderly residents would also be adversely affected by increased noise and rubbish and increased cyclists causing a hazard.
21. Concern about the safety of cyclists on the highway network and particularly around the revised junction. It is recommended that the road markings and layout be improved to improve cyclist and pedestrian safety.
22. Concern that the development with only one vehicular route in/out could create a transportation Health and Safety risk should an overturned lorry or vehicle fire block the road junction preventing emergency services access to the site. In addition it is considered on this basis that the development would make a prime target for a co-ordinated terrorist attack. It is recommended that the Emergency Planning Committee's advice be sought in this respect.
23. It is noted that the garden wall of a residential property adjoining the road junction has been knocked down by vehicles on several occasions and it is therefore suggested that Tesco be required to provide a safety barrier at the pavement edge to prevent vehicles breaching the pavement at this location.
24. It is stated that Community Noise levels within properties adjoining the Crownhill road junction already exceed World Health Organisation guidelines at peak times, and it is therefore suggested that Tesco should be required to install triple glazing and sound insulation to all residential properties within 250m of the road junction.
25. The proposed scale of the store is inappropriate and will not be in keeping with the role and function of the development as a District Centre. The proposal is therefore considered contrary to guidance contained within PPS6 and policy CS08.
26. The significant increase in size will have a significant detrimental impact on the vitality and viability of adjacent District Centres notably Crownhill and St Budeaux which have a smaller convenience offer.
27. Concern about potential noise nuisance caused by plant area locations in close proximity to neighbouring residential properties.
28. Concern about potential noise and disturbance caused by the construction works.
29. Objection as site is home to a breeding colony of House Sparrows within eaves of building and car park walkway shelters and the demolition of the structures will have irreparable damage to this endangered bird.
30. A civil covenant exists restricting the materials that may be used in this area.

Support can be summarised as:

1. The proposal presents a much needed development to cater for today's shopping needs.

Analysis

The key issues of the development are:

1. The Impact of the proposal on existing, committed and planned public and private investment in the centre and on any future new district centre in the catchment area of the proposal.
2. The impact of the development upon the highway network and adequacy of highway improvement measures;
3. The impact of the development upon the appearance and character of the area;
4. The impact of the development upon neighbouring properties.

Policy Context:

The application should be assessed primarily against adopted Core Strategy Policies CS01 (Sustainable Linked Communities); CS02 (Design); CS04 (Future Employment Provision); CS05 (Development of Existing Sites); CS08 (Retail Development Considerations), CS12 (Cultural / Leisure Development Considerations); CS13 (Evening/Night Time Economy Uses); CS18 (Plymouth's Green Space); CS19 (Wildlife); CS20 (Resource Use); CS21 (Flood Risk); CS22 (Pollution); CS28 (Local Transport Considerations); CS32 (Designing Out Crime); CS33 (Community Benefits/Planning Obligations); CS34 (Planning Application Considerations) and the emerging Derriford and Seaton Area Action Plan and Cushman Wakefield "Report On The Proposed New District Shopping Centre" (November 2009) .

Government guidance contained within PPS1 (Delivering Sustainable Development), PPS4 (Planning for Sustainable Economic Growth), PPS9 (Biodiversity and geological conservation), PPS12 (Local Development Frameworks), PPG13 (Transport), PPS22 (Renewable Energy), PPS23 (Planning & Pollution Control), PPG24 (Planning and Noise), and PPS25 (Development and Flood Risk) together with the adopted Planning Obligations, Design and Development Guidelines Supplementary Planning Documents are also of relevance.

The Impact of the proposal on existing, committed and planned public and private investment in the centre and on any future new district centre in the catchment area of the proposal.

The key issue for consideration in retail policy terms is the matter of retail impact and in particular the impact on adopted planning policy objectives and allocations at this time.

Paragraph EC14.6 of PPS4 deals with the impact on existing and planned centre and is directly relevant to the proposals. Policy CS08 of the Core Strategy also requires retail impact effects to be demonstrated to ensure that existing centres are adequately protected. It should be noted that the adopted Plymouth Core Strategy proposes a new District Centre at Derriford to create a new heart for Northern Plymouth. This will be a focus for considerable

public/private investment and would fall within the catchment area of the enlarged Tesco store at Transit Way.

In order to assess these considerations, a retail impact assessment of the impact of the proposal on the trade and turnover of existing centres and on existing, committed and planned public and private investment in Derriford is a material planning consideration. PPS4 also suggests that impact assessment should focus on the first five years after implementation and that the assessment should be “proportionate to the scale and nature of the proposal and its likely impact”. The applicant suggests that trading will commence from the proposed foodstore in 2014. This would suggest that up to 2019 would be a reasonable timeframe to understand possible impacts.

In line with paragraph EC14.6 of PPS4, the applicant has submitted an assessment of the impact on existing centres in terms of anticipated trade draw from them. The applicant did not consider it possible to undertake a full assessment of the proposal's retail impact on planned centres such as Derriford.

The proposal for a new district centre at Derriford is defined in strategic terms in the adopted Plymouth Core Strategy (April 2007), Policy CS07. The detailed site location, mix of uses, floorspace requirements and implementation timetable will be defined in the Derriford and Seaton AAP, which is expected to be made available for pre-submission publication early in 2011. Without the certainty regarding the above matters, which would only be achieved upon the adoption of the AAP, there is no detailed information about the proposed Derriford district centre for the applicant to feed into an impact assessment.

Trade-draw assumptions and trading impact –

It is apparent that store location / convenience to home, coupled with ‘new store’ attractiveness is likely to significantly influence trade-draw patterns.

It is noted that some of the stores from which trade would be diverted are in out of centre locations, and thus not protected in planning policy terms. Looking at those stores that the proposal could be expected to divert expenditure from, it can be concluded that none, nor their host centres e.g Lee Mill (Tesco Extra), would suffer any harmful diversion of trade as a result of the proposal, in convenience goods terms.

In relation to comparison goods, it is not anticipated that the trade diversions will cause significant adverse impacts on existing centres. The only exception to this could be the comparison performance of the Tesco store at Roborough, however the applicant has confirmed that the future of that store would not be threatened.

Policy Impact

As noted above, given the lack of detailed information on the detailed form of the proposals for Derriford district centre as adopted policy at this stage, it has not been possible to assess the impact of the application on the proposed district centre. In terms of PPS4, the proposals for a Derriford district centre

are still at a relatively early stage in the Local Development Framework process.

Nevertheless, it is legitimate to consider the impact in broad terms of an enlarged Transit Way Tesco store on the Core Strategy's aim to create a new district centre at Derriford. The Council's retail consultants, Cushman and Wakefield LLP have therefore commented that the timing of the Tesco proposals, when considered against the potential timing of the delivery of a new district centre at Derriford, is such that the impact on the proposed Derriford district centre does not have sufficient weight to be a reason for refusal. Given this advice, your officers do not believe that Tesco's application will jeopardise the delivery of Derriford district centre.

Scale and form

It is considered that the foodstore of scale proposed will operate at a scale which serves the neighbourhoods in wider north and west Plymouth unlike a 'typical' district centre. Indeed, the applicant assumes that impact will be likely across a broad area of Plymouth (Saltash to Lee Mill). Although the overall scale of retail floorspace at the District Centre is likely to be comparable with other Centres, the foodstore itself will not be comparable.

It is considered that, in certain circumstances, the development proposal if implemented could change the character of the district centre to that of an out of centre retail development. Critical will be the overall range and blend of goods and services available to the public. It is noted that the applicant has confirmed that the Tesco store itself can be expected to include a pharmacy and optician.

The potential loss of the number of other retailing units at the Centre will mean that Transit Way may not serve the neighbourhood in a sustainable way (allowing 'joined up' shopping trips) and as intended by the definition of District Centres in PPS4 (which includes banks and restaurants for example). Therefore, it is important that suitable planning conditions are attached to the grant of any consent to ensure (so far as possible) that a more typical blend of goods and services for a District Centre emerges.

It is not clear, for example, how existing tenants are being handled within the proposals. The applicant provides for some non-foodstore retail floorspace throughout the construction phasing process (as indicated on plan). The intention would be to ensure that the Centre provides no lesser diversity of retailers than exists, as a minimum. Clearly, the preference would be for a much greater mix of retailers / service providers to provide a genuinely sustainable District Centre in accordance with Strategic Objective 7 (4). Conditions are recommended to ensure that no merging of the main foodstore with the smaller side units occurs; an A3 use restriction is applied to Unit 13 to ensure that at least one commercial food and drink use is retained, and a condition is imposed to restrict sub-division or merging of these units.

Other matters

In respect of PPS4's Policy EC15, a sequential site assessment is not appropriate in this case given that the proposal falls within an existing centre and also there is no distinction in the hierarchy of district centres in the Core Strategy policy. Retail development within district centres is generally encouraged in Strategic Objective 7 and Policy CS08.

In accordance with Policy EC10 of PPS4, consideration has been given to the likely positive impacts of the proposal. Transit Way falls within an area of Plymouth which is highly deprived. A report of Plymouth's Local Strategic Partnership (Plymouth 2020 Partnership Neighbourhood Renewal Index of Deprivation, 2007) shows that Transit Way falls within the 9th worst performing Neighbourhood (of 43 Neighbourhoods) of Honicknowle. Two adjacent Neighbourhoods – Whitleigh and Ernesettle – are ranked 6th and 7th respectively.

The application forms state that there will be 593 jobs in total as a result of the application proposals. The covering letter submitted with the application states that the proposal will safeguard existing jobs and create 200 new full and part time jobs. This will be a relatively significant level of job creation. It is noted that it is Tesco's policy to seek local recruitment and local job development where possible.

Summary

It is concluded that it is not necessary for the applicant to have to demonstrate either a need for their proposal, or that there are not any sequential preferable sites. This is by virtue of the District Centre status of Transit Way and follows Government guidance set out in PPS4.

Retail impact remains a key consideration for the proposals. There is the potential for some significant diversion of trade from the Tesco store anchoring the district centre at Roborough, however the applicant has commented that the future of this store would not be threatened.

It is considered that the proposal needs to be weighed carefully against the Core Strategy objective to create new district centres at Derriford and Weston Mill. However, considering the policies on balance, it is considered in this instance that a retail impact reason for refusal could not be supported for this current proposal. Appropriate conditions are recommended to ensure that the potential impacts are managed and that the form of development continues to provide for the District Centre function as currently designated.

The impact of the development upon the highway network and adequacy of highway improvement measures

The application is accompanied by a 'Transport Assessment' (TA), a 'Design & Access Statement', and a 'Retail Assessment'; all of which provide further information relating to transport and highway impacts. The highway design proposals have been subject to a number of technical audits and revisions.

The Highway Authority does not raise any objections in principal to the proposal as it is considered that a satisfactory access/egress to serve the proposed development is provided. It is necessary that the application demonstrates that the proposal includes measures to sufficiently mitigate against the proposed intensification in the use and the associated increased vehicle trips.

In respect of highway alterations there are a number of considerations, but it is important to safeguard the functionality and public safety of the street and essential to balance the increased vehicle trips and movements with the need to encourage and facilitate more sustainable modes of travel. In this respect the latest proposed highway alterations would maintain and acknowledge the accepted order of priority of, walking, cycling, public transport, and private cars in accordance with this Authority's pedestrian strategy, which is a key component of the Local Transport Plan; also supporting Corporate Improvement Priority 11; Improving access across the city.

The development proposal allows for highway alterations and works, including; a redesign of the Crownhill Road signalised junction to increase the vehicular capacity; the redesign of the small roundabout at the south end of Transit Way; improved pedestrian crossing facilities, and pedestrian and cycle links to the south.

The necessary works in the public highway require technical approval from the City Council, and may only be carried out by way of a legal agreement between the developer and the City Council as Highway Authority in accordance with Section 278 of the Highways Act 1980. The essential off-site highway improvement works, including the highway Section 278 agreement, would need to be secured conditionally through the planning process and a condition is recommended accordingly.

Highway Capacity and layout

It is accepted that currently the signalised junction of Crownhill Road and Transit Way is unable to cope with the vehicular demand associated with the District Shopping Centre as a whole.

In respect of the proposed redevelopment of the District Centre, extensive modeling work has been carried out for the signalised junction and the roundabout to inform the proposed upgrading of the highway capacity to meet the increased demand associated with the redevelopment of the application site. This would include upgrading of CCTV traffic monitoring camera equipment, and an electronic processor upgrade of the proposed new traffic signals, to be secured conditionally, with Microprocessor Optimized Vehicle Actuation (MOVA) that would be expected to give efficiency gains and some extended capacity.

Section 5 of the Transport Assessment predicts a relatively small increase in vehicle attraction and peak period trips, and further suggests that, 'there is unlikely to be a significant increase in the quantum of traffic associated with

the proposed store redevelopment'. Also the development is conveniently located to benefit from cross shopping trips with the other surrounding retail outlets. It is also expected that developing the dot-com element of the business currently operating from the store may also result in some small reduction in private car trips to the site. Overall the proposal is expected to meet the modest increased vehicular demand associated with the new development.

Pedestrian facilities

The application site and the District Shopping Centre as a whole have good pedestrian permeability and links to the wider footway network and the surrounding residential conurbations; Crownhill Road and beyond to the north; Shakespeare Road and beyond to the south; and the local primary school and beyond to the west.

Controlled pedestrian crossing points would be provided at the Transit Way/Crownhill Road junction, with uncontrolled pedestrian refuge type crossing points in the vicinity of the roundabout at the south end of the road. It is considered that the proposed alterations to the roundabout design would further assist pedestrian ease of movement, where currently the vicinity of the roundabout is considered to be a poor pedestrian environment where pedestrians are likely to feel vulnerable.

Cycling facilities

Cycle storage facilities for cyclists would be provided for both staff and customers within the application site with provision of enhanced facilities for staff. It is intended that the access for cyclists from Shakespeare Road would be improved and this would be welcomed. Unfortunately there isn't any scope to significantly improve upon the current situation regarding access specifically for cyclists from Crownhill Road due to the restricted space available within the highway.

Bus provision

Setting-down and picking-up provision for bus passengers would be provided close to the main entrance to the proposed retail centre, with buses following a circulatory route through the frontage of the site, with roundabout type turning arrangement at either end of the layout. High level bus boarders would be conditionally required at the bus stops within the application site.

An integrated covered waiting area for bus passengers is indicated at the main entrance, and the application indicates that Real Time Passenger Information (RTPI) would be provided. This would be secured conditionally as a useful and worthwhile element in encouraging the use of public transport and to assist in achieving a real modal shift by providing real time information for bus passengers, with the comfort of a direct link and information indicating the frequency and reliability of the bus services at the shopping centre.

The applicant has entered into discussions with the bus operator in respect of the bus services. Consideration is being given to extending the bus timetable to give staff and customers the opportunity to travel to and from the shopping

centre by bus. It is understood that the enlargement of the Tesco store would attract the provision of a shoppers bus service, similar to that of other Tesco stores at Roborough and Ivybridge, and this would be welcomed and should be a feature of the Travel Plan condition. It is important that the applicant continues to work closely with the bus service operators.

Parking

Motor cycle parking is proposed and shown conveniently placed in relation to the entrance of the store, and shall be provided at the ratio of 1% of the overall parking level, in this case 8 spaces shall be sought. A condition to secure the delivery of this parking is recommended accordingly.

Car parking would be provided on two decks in a two storey car park structure. The number of car parking spaces has been revised and slightly reduced (by 168) in number from the original proposal and now proposes a total of 745 parking spaces including 29 parent and toddler spaces, along with 33 spaces for use by the disabled, and 683 for general use.

A car parking accumulation study indicates that the proposed level of car parking would be expected to meet the higher seasonal demands of the district centre.

Concern about car parking pressures on Shakespeare's Road, particularly apparent during school opening and closing times, is addressed by the recommended Section 106 clause requiring a financial payment in the form of a Negotiated Element of the Development Tariff. This will pay for new signage to restrict general parking on a limited number of residential parking areas on and around Shakespeare Road, Garrick Close, Denham Close, Milton Close and Ruskin Crescent, to enable the use of those parking spaces to be restricted to resident parking only.

Travel Plan

It is considered that the Travel Plan for the district centre needs to be particularly robust in order to achieve the necessary tangible, demonstrable, and measurable modal shift toward sustainable travel associated with the district centre, and much further details and work are required in this regard. Customer travel should also be considered with a view to promoting and encouraging site inclusive sustainable modes of travel.

It is considered that the current travel plan is not sufficiently robust or stretching enough to bring about a tangible and demonstrable shift toward sustainable modes of travel. Both the Highway Authority and the Highway Agency are very keen that the development should implement a robust and site inclusive travel plan, to emphasise and promote multi-modal sustainable means of travel, and secure travel patterns that would assist with easing congestion and improving air quality.

A condition is therefore recommended to ensure the submission and implementation of a suitable Travel Plan.

Health and Safety

Third party concerns regarding the existence of only one vehicular route providing access to the site area in terms of potential increased terrorist attack or impact on emergency services during a “blue light” emergency within the site is noted, however the proposed development is not considered to materially change the existing situation. The site is considered to have adequate pedestrian access/escape routes to enable adequate evacuation procedures to be carried out in the event of any such emergency or terrorist attack. Specific evacuation procedure is a matter covered under the Health & Safety at Work etc Act 1974. On this basis the development is considered to be acceptable.

Conclusion

There has been ongoing comment and exchanges of information in respect of the detail of the transport elements of the application that has resulted in a number of revisions to the highway proposals, forecasts and calculations, along with some alterations to the redesign of the road layout and junctions.

The Highway Authority considers that, on balance, the proposal would be acceptable and should provide a well balanced solution for all modes of travel whilst respecting the accepted travel mode priority.

It is considered that the redesign of the road layout and signalised junction of Transit Way and Crownhill Road with improved efficiency should sufficiently mitigate against the increase in vehicle attraction and trips associated with the redevelopment of the district centre, and the proposals would provide safe access, egress, circulation, parking, and also importantly improve pedestrian crossing facilities and pedestrian safety.

The need to achieve a tangible and measurable modal shift toward sustainable means of travel cannot be over emphasised, and in this regard robust sustainable travel plans and initiatives need to be secured by planning condition in order to assist in mitigating the result of the associated intensification of the application site and deliver a successful development in the long term.

The Highway Authority therefore supports the proposed car parking and access arrangements associated with the development and on this basis the development is considered to be acceptable and accords with adopted policies CS28, CS34 and relevant Central Government advice contained in PPG13.

The impact of the development upon the appearance and character of the area

The proposed siting, scale and design is considered to be in keeping with the appearance and character of this District Centre with the height of the building being broadly similar to that of the existing building.

The modern design incorporating the use of a hybrid timber and steel frame, larch timber/composite cladding and colour coated metal cladding together

with a curtain walling glazing systems, is considered to be acceptable, and in keeping with the existing “retail-park” character of the District Centre.

The design is therefore considered to be acceptable and is supported by Core Strategy policies CS01, CS02, CS34 and Government guidance contained in PPS1.

The impact of the development upon neighbouring properties

The siting and design of the development is not considered to have a significant adverse impact upon neighbouring properties. It is however considered necessary to impose hours of delivery restrictions, in addition to conditions to limit the potential noise levels associated with the impact of general car park use, from mechanical plant and regarding the proposed details of the sound mitigation measures to address potential noise from the service yard, in order to ensure that noise from the development is limited to an acceptable level with respect to the residential amenity of neighbouring properties.

Noise from Deliveries and Service Yard

Noise nuisance from the servicing of the store, in particular noise from Heavy Goods Vehicle (HGV) deliveries within the service yard at night (23:00hrs to 07:00hrs) has the potential to disturb residents in the vicinity. Deliveries up until the night time hours and in the early morning, also have the potential to cause disturbance.

The submitted Noise Impact Assessment considers the ambient background noise levels at the nearest residential properties to the proposed new service yard and concludes that the proposed night time deliveries will not unacceptably impact upon the amenities of nearby residential properties in terms of noise or sleep disturbance.

Independent night time monitoring, undertaken by the Public Protection Service at the two, albeit limited, locations used in the noise assessment, established similar background noise levels.

The Public Protection Service has considered the submitted information and notes that monitoring has not been undertaken during actual deliveries and therefore the delivery noise levels at the nearest noise sensitive locations carry only ‘predicted’ status.

It is therefore recommended that a six month temporary permission be granted for 24 hour deliveries at the store to enable the impact of the proposed 24 hour deliveries to be assessed on nearby noise sensitive properties at night, (23:00hrs to 07:00 hrs). In addition the amount of deliveries overnight during this period should be restricted to a maximum of two (two in and two out). This will be further assessed at the end of this period along with the effectiveness of the suggested management controls.

The assessment further recommends a series of management controls to limit any noise impact from delivery vehicles during the night time hours.

Should no significant noise nuisance be identified within this period, 24 hour deliveries at the premises will be permitted. Alternatively, if during this period, significant noise nuisance is identified, the permitted delivery hours will be restricted to the following hours: 07.00 to 23.00 Mondays to Saturdays, and 09.00 to 16.00 Sundays, in order 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 adopted Policies CS01, CS02, CS08, CS22 and CS34 and Government guidance contained in PPS1 and PPS4.

In order to control and limit noise generating activities from the servicing of the store and deliveries, it is recommended that a condition be imposed requiring the submission of a site specific Service Yard Management Plan prior to the commencement of development detailing all measures necessary to limit and control noise generating activities from the servicing of the store and deliveries.

Impact of the Proposed 24 hour use on neighbouring residential properties. The Public Protection Service has previously objected to the principle of 24-hour opening of the store largely through concerns about night-time disturbance arising from the car park. Similarly, a number of third party representations have been received by local residents on this issue.

Analysis of the acoustic report indicates that due to the drop of noise levels with distance, adjoining residents are unlikely to be disturbed by shoppers. The applicants have proposed a voluntary restriction whereby the upper deck of the car park will only be used during day time hours.

A condition is therefore recommended to enable the new foodstore to be opened on a 24 hour basis for a temporary six month period to allow the impact of the proposed 24 hour use to be assessed further by the Local Planning Authority. Should no significant noise nuisance be identified within this period, 24 hour use of the premises will be permitted. Alternatively, if during this period, significant noise nuisance is identified, the opening hours of the store shall be restricted to 07.00-23.00 hours Mondays to Saturdays inclusive and 10.00-17.00 hours on Sundays and Bank or Public Holidays.

The provision of a car park management plan is also required prior to commencement of development. The plan must describe the measures that will to be taken to prevent vehicles parking on the second deck of the car park at night, and mitigation measures to prevent or minimise noise from the car park in zones close to nearby existing noise-sensitive buildings and residential properties.

Upgraded Pedestrian Routes

It is noted that the area has been the subject of particularly high levels of anti-social behaviour, particularly during the evenings. A condition is therefore recommended to ensure that the existing pedestrian routes to the site, accessed over the stream from Shakespeare's Road, are re-designed with

improved lighting and lockable gates during the late evening to assist with reducing potential anti-social behaviour in the locality and in the interests of the residential amenity of neighbouring residents.

The applicant has also been requested to increase the extent of natural surveillance of the proposed staff car park and pedestrian route along the southern and eastern elevations of the building by maximising the extent of ground floor glazing along these elevations and revised plans have been received which are considered to more satisfactorily address this matter.

In terms of the impact on neighbouring properties, the development is therefore considered to be acceptable and accords with Core Strategy policy CS02 and CS34 together with Government advice contained in PPS1 and PPG24.

Sustainable Resource Use

Adopted policy CS20 requires that the development incorporates on-site renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the period 2010-2016.

In accordance with this, a condition is recommended to ensure that appropriate on-site renewable energy systems are integrated into the development taking into account the site constraints and / or specific energy characteristics of the development and to ensure that the development accords with the requirements of Policy CS20 and Government advice contained within PPS22.

Other Matters

A third party representation reporting a covenant restricting the materials that can be used in the locality is a civil matter and not an over-riding material planning consideration.

Third party environmental concerns expressed regarding the potential increased carbon footprint generated by the development are considered unfounded on the basis that the new building will be designed so as to be more thermally and energy efficient than the existing building and on this basis would be expected to have a smaller carbon footprint.

As stated above under “Sustainable Resource Use”, a condition is recommended to ensure that appropriate on-site renewable energy systems are integrated into the development taking into account the site constraints and / or specific energy characteristics of the development and to ensure that the development accords with the requirements of Policy CS20 and Government advice contained within PPS22.

Regarding concerns about the impact of any demolition works on breeding colonies of House Sparrows reported to roost within the eaves of the building and car park walkway shelters, it is an offence under the Wildlife and Countryside Act to damage or destroy the nest of any wild bird while it is in use or being built and it is also an offence to disturb many species of wild bird

while nesting, an informative bringing this matter to the developer's attention is recommended accordingly.

Third party concerns regarding a possible increase in "Community Noise" levels within properties adjoining the Crownhill road junction" where levels are reported as already exceeding World Health Organisation guidelines at peak times are noted. Whilst it is recognised that community noise levels from road traffic at the existing junction have in fact been recorded as exceeding World Health Organisation noise guidelines, the proposed development is not considered to result in a significant increase in traffic related noise levels at the junction. It is not therefore considered justified to require the applicant to install triple glazing and sound insulation to all residential properties within 250m of the road junction as suggested. Such a proposal in the form of a planning condition would not be considered reasonable, necessary nor relevant to the development to be permitted and would therefore fail the general criteria for the validity of planning conditions as set out in Circular 11/95.

A Developer's Code of Construction condition is recommended to address any third party concerns regarding potential noise, vibration and general disturbance that may impact on neighbouring properties during the construction works.

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.

Equalities & Diversities issues

The redevelopment of this site will provide upgraded shopping facilities to all age groups.

No negative impact on any of the equality groups is anticipated.

Pedestrian and disabled access to the site will be improved by the upgrade and improved accessibility of the existing public walkways from Shakespeare's Road.

Section 106 Obligations

The following community benefits and financial contributions are required in accordance with the adopted Planning and Obligations Supplementary Planning Document:

1. A financial contribution of £84,128 (eighty four thousand, one hundred and twenty eight pounds) towards the Plymouth Development Tariff broken down

as a Strategic Infrastructure Transport contribution to meet the strategic transport needs of Plymouth's population growth. This contribution to be payable upon commencement of development.

2. As part of a Negotiated Element to the Tariff, a financial contribution of £1,200 towards new signage to restrict general parking on a limited number of residential parking areas on and around Shakespeare Road, Garrick Close, Denham Close, Milton Close and Ruskin Crescent to enable the use of those parking spaces to be restricted to resident parking only. Payable upon commencement of development.

3. A Section 106 Obligation Management Fee of £4,266. Payable upon completion of the Legal Obligation.

The above obligations have been assessed against Regulation 122 of the Government's Community Infrastructure Levy (CIL) 2010, and it is considered that the financial obligations required by the Plymouth Development Tariff meet the 3 CIL tests and that the obligation is therefore considered necessary to make the development acceptable in planning terms; is directly related to the development and is fairly and reasonably related in scale and kind to the development.

The above details have been agreed with the applicant.

Conclusions

In terms of the retail impact of the proposal, on balance, it is considered that the timing of this proposal against the likely timing of the Core Strategy objective of the delivery of a new district centre at Derriford and Weston Mill is such that the potential impact on the relevant Core Strategy Objective and Policy does not have sufficient weight to be a reason for refusal. The development is therefore considered to accord with Core Strategy Strategic Objective 7 and Policy CS08 together with Government advice contained in PPS4.

The proposed siting, scale and design is considered to be in keeping with the appearance and character of this District Centre and the impact of the development on the appearance and character of the locality is therefore considered to be acceptable and accords with Core Strategy Policies CS01, CS02 and CS34 together with Government advice contained in PPS1.

The siting and design of the development is not considered to have a significant adverse impact upon neighbouring properties. It is however considered necessary to impose conditions to ensure that noise from the development is limited to an acceptable level with respect to the residential amenity of neighbouring properties. On this basis the application is acceptable and accords with Core Strategy Policy CS02 and CS34 together with Government advice contained in PPS1, PPS4 and PPG24;

The impact of the development upon the highway network - The proposed redesigned junction, highway infrastructure and proposed car parking will enable the impact of the development on the highway network to be accommodated and will provide a well balanced solution for all modes of travel. On this basis the development is considered to have an acceptable impact on the highway network and therefore complies with Core Strategy Policies CS28 and CS34 together with Government advice contained in PPS4 and PPG13. On the basis of the above, the proposal is not considered to be demonstrably harmful.

Recommendation

Conditional approval subject to the satisfactory completion of the Section 106 Obligation. Delegated authority to refuse the application if the Section 106 obligation is not completed by 17th December 2010.

In respect of the application dated **21/11/2008** and the submitted drawings, **562904/17 (Location Plan), 1214 54 D (Proposed Site Layout Plan), 1214 49 P (Proposed Ground Floor Site Layout Plan), 1214 50 M (Proposed First Floor Site Layout Plan), 1214 53 C (Proposed Roof Plan), 1213 55E (Proposed Elevations), 1214 23 G (Context Plan), 1214 57 C (Proposed Buildings and Site Sections), 1214 60 B (Proposed Phasing Plan), 1214 61 (3D View 1 - Illustrative Purposes Only), 1214 62A (3D View 2 - Illustrative Purposes Only), Revised Design and Access Statement (Jan 2009), Landscape Supporting Statement (August 2008), Aboricultural Impacts Report (Jan 2010), Transport Assessment and Addendums, Planning & Retail Assessment, Ecological Report, Flood Risk Assessment, Sustainability Statement** , it is recommended to: **Grant conditionally subject to S106 Obligation, delegated authority to refuse if S106 not signed by 17 December 2010**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 5 YEARS

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

Reason:

To comply with Section 51 and S91(b) of the Planning & Compulsory Purchase Act 2004.

ACCORD WITH PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 562904/17 (Location Plan), 1214 54 D (Proposed Site Layout Plan), 1214 49 P (Proposed Ground Floor Site Layout Plan), 1214 50 M (Proposed First Floor Site Layout Plan), 1214 53 C (Proposed Roof Plan), 1213 55E (Proposed Elevations), 1214 23 G (Context Plan), 1214 57 C (Proposed Buildings and Site Sections), 1214 60 B (Proposed Phasing Plan), 1214 61 (3D View 1 - Illustrative Purposes Only), 1214 62A (3D View 2 - Illustrative Purposes Only), Revised Design and Access Statement (Jan 2009), Landscape Supporting Statement (August 2008), Aboricultural Impacts Report (Jan 2010), Transport Assessment and

Addendums, Planning & Retail Assessment, Ecological Report, Flood Risk Assessment, Sustainability Statement and Ground Condition Survey.

Reason

To ensure that the development accords strictly with the submitted plans hereby approved in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CODE OF PRACTICE DURING CONSTRUCTION

(3) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LAND QUALITY

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

1.Site Characterisation

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

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

(ii) an assessment of the potential risks to:

human health,

property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

adjoining land,

groundwater's and surface waters,

ecological systems,

archeological sites and ancient monuments;

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

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

2.Submission of Remediation Scheme

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

3.Implementation of Approved Remediation Scheme

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

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4.Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of point

1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of point 2, which is subject to the approval in writing of the Local Planning Authority.

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

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CS22 of the adopted Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government guidance contained in PPS23.

SUSTAINABILITY

(5) Notwithstanding the submitted information, and unless otherwise agreed previously in writing with the Local Planning Authority, no work shall commence until the applicant has provided to the Local Planning Authority a report for approval identifying how a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by on-site renewable energy production methods.

The approved on-site renewable energy production methods shall be provided in accordance with these details prior to the opening of the main foodstore to the public and thereafter retained and used for energy supply for the lifetime of the building hereby approved.

Reason:

To ensure that, taking into account the site constraints and / or specific energy characteristics of the development, the development incorporates, onsite renewable energy production equipment to off-set at least 15% of the carbon emissions for the period 2010-2016 in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and relevant Central Government guidance contained within PPS1 & PPS22.

BIODIVERSITY

(6) Notwithstanding the submitted information, prior to any demolition or development taking place, updated bat surveys shall be undertaken of all the buildings and trees identified as having suitability as bat roosts in the Ecological Assessment (2008).

Building Surveys will be limited to one updated dawn survey and one updated dusk survey unless evidence of bats is found.

The results of the building surveys shall be submitted to and approved in writing by the Local Planning Authority prior to any works taking place.

Immediately prior to felling trees, dusk emergence and dawn swarming surveys shall be undertaken and a brief letter report submitted to the LPA detailing results and action taken.

Following the completion of the bat surveys and prior to any development taking place, an Ecological Mitigation and Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority. This should address how all the ecological receptors identified in the Ecological Assessment (2008) will be protected during construction (nesting birds, trees, hedgerows and watercourse) and shall provide full details of how the site will be enhanced for wildlife and demonstrate how net biodiversity gain has been achieved in accordance with adopted Core Strategy policy CS19 and CS34 and Government guidance contained in PPS9.

For the avoidance of doubt, net biodiversity gain should be demonstrated by means of a biodiversity assessment which compares the quantity and quality of habitats on site both before and after development.

The approved details shall be strictly adhered to during the course of development and thereafter so retained and maintained.

Reason

The bat surveys undertaken in 2007/2008 require updating in order to ascertain whether or not there are currently any roosting bats on the site. The proposed wildlife enhancement measures listed in the Ecological Assessment (2008) need to demonstrate that the provisions ensure that a net biodiversity gain will be achieved in accordance with Policy CS19 and CS34 of the adopted Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government guidance contained in PPS9.

HABITAT AND EXCEEDANCE FLOOD FLOW ENHANCEMENTS

(7) Unless otherwise agreed previously in writing with the Local Planning Authority, no development shall commence until measures to undertake habitat and exceedance flood flow enhancements to the adjoining watercourse (including details of future management regime) have been submitted to and agreed in writing by the Local Planning Authority. Such agreed details shall be strictly adhered to during the course of development and completed prior to any use of the new foodstore commencing, and shall thereafter be so retained and maintained.

Reason

To enable the Local Planning Authority to consider suitable measures for habitat and exceedance flood flow enhancements to the adjoining watercourse in the interests of the prevention of flooding and biodiversity enhancement in accordance with Core Strategy policies CS01, CS02, CS21, CS34 and Government guidance contained in PPS9 and PPS25.

SURFACE WATER DRAINAGE

(8) No development approved by this permission shall be commenced until a detailed scheme for the provision of surface water drainage works including:-

overland flow routes, construction quality control procedure, a timetable of construction, and details for the maintenance and management of the scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the drainage during the construction phase to prevent pollution from the site. 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, quality control procedure and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal in accordance with policy CS21 and Government advice contained in PPS25.

IMPROVEMENT TO PEDESTRIAN ACCESSES

(9) Unless otherwise agreed previously in writing with the Local Planning Authority, prior to the opening of the proposed development to the public, the design of the two pedestrian accesses to the site over the stream accessed via Shakespeare Road to the south of the site shall be upgraded in accordance with details which shall have been previously submitted to and agreed in writing by the Local planning Authority such that they are fully accessible to persons with disabilities in accordance with the approved plans and to ensure they are compliant with the Disability Discrimination Act 2005 and are able to be securely gated and lockable. The development shall be carried out strictly in accordance with the approved details and unless otherwise agreed previously in writing with the Local Planning Authority, the two pedestrian accesses over the stream shall thereafter only be open to the public during the hours of 07.00 - 23.00 with the access gates being locked outside these times.

No work shall commence on the upgrading/improvement of the existing pedestrian accesses/routes and cycle links to the south of the site until details of the lighting have been submitted to and agreed in writing with the Local Planning Authority. The new lighting shall comply with BS5489. Such agreed details shall be implemented prior to the opening of the upgraded pedestrian accesses/routes and cycle links to the south of the site to the public.

Reason

In the interests of highway and pedestrian safety; to ensure the pedestrian access to the site accords with the Disability Discrimination Act 2005 and to help reduce anti-social behaviour within the site and locality, all in accordance with Core Strategy Policy CS02, CS28, CS32, CS34 and Government advice contained in PPS1, PPS4 and PPG 13.

ACCESS / HIGHWAY IMPROVEMENTS

(10) Unless otherwise agreed previously in writing with the Local Planning Authority, prior to the opening of the proposed development to the public, the proposed access and improvements to the existing highway shall have been completed in accordance with the approved plans, (with the requirement to

meet safety and technical approval). The developer shall enter into a Section 278 Agreement with the City Council to facilitate and implement the highway alterations on Transit Way and Crownhill Road, including the junction and roundabout, incorporating MOVA and existing bus priority facilities, pedestrian facilities, and all associated infrastructure requirements to the satisfaction of the City Council.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PUBLIC TRANSPORT PROVISION

(11) Prior to opening of the new foodstore to the public, details of the proposed bus shelters, stops and other associated provisions shall have been approved in writing by the Local Planning Authority; and the building(s) shall not be occupied until such infrastructure provisions have been constructed in accordance with the approved plans.

Reason:

To improve access to the site by public transport, without which the proposed development would not be acceptable, as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXTERNAL MATERIALS

(12) 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

(13) No development shall take place until details 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.

FURTHER DETAILS

(14) Notwithstanding the submitted information, no work shall commence on the proposed boundary treatment to the service yard and plant areas until details of the siting, design and method of construction of the proposed acoustic screen fence and any other sound attenuation structures required has been submitted to and agreed in writing by the Local Planning Authority.

The agreed details shall be strictly adhered to during the course of development, shall be put in place before the service yard and plant areas are brought into operation, and shall thereafter be so maintained and retained.

Reason

To enable the Local Planning Authority to consider the details of the proposed acoustic screen fencing in the interests of the appearance and character of the area and to ensure that adequate noise mitigation measures are incorporated to ensure that noise levels are maintained at an acceptable level in the interests of the residential amenity of neighbouring properties in accordance with Core Strategy policies CS02, CS22 and CS34 together with Government guidance contained in PPS1 and PPG24.

LANDSCAPE DESIGN PROPOSALS

(15) 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; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant].

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].

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 commencement of trading of the proposed main foodstore or in accordance with the programme agreed with the Local Planning Authority.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18, CS32 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE MANAGEMENT PLAN

(16) A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, 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, CS32 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

TREE PROTECTION DURING CONSTRUCTION

(17) The existing trees and/or hedgerows shown to be retained on the approved plans shall be properly protected with appropriate fencing during construction works. The erection of fencing for the protection of any retained tree or hedgerow shall be undertaken in accordance with Section 9 of BS 5837:2005 (Trees in relation to construction - recommendations) before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall an excavation be made, without the written consent of the local planning authority.

Reason:

To ensure that any trees or hedgerows to be retained are protected during construction work in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXISTING TREE/HEDGEROWS TO BE RETAINED

(18) 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 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.

CAR PARKING PROVISION

(19) Prior to opening of the new foodstore to the public, space shall be 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 745 cars to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear.

The foodstore shall not be open to the public until a site specific Car Parking Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall provide confirmation in relation to the control and management of the on-site car parking areas on the site, detail all measures necessary to limit and control noise generating activities for example the collection and stacking of trolleys and detail of all measures necessary to ensure the closure of the second floor car park deck within night time hours (23:00 to 07:00)..

Unless otherwise agreed previously in writing with the Local Planning Authority, the upper deck of the car park shall be closed to the public outside the hours of 2300 and 0700 Monday to Sunday.

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 and to ensure the use of the car park does not cause unacceptable noise or disturbance to residents of neighbouring properties in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in PPS1, PPG13 and PPG24.

CYCLE PROVISION

(20)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 61 bicycles to be parked (35 for staff and 26 for customers).

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

MOTORCYCLE PROVISION

(21)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 8 motorcycles to be parked.

Reason:

In order to promote motorcycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021)2007.

LOADING AND UNLOADING PROVISION

(22) Before the development hereby permitted is first brought into use, adequate provision shall be made to enable goods vehicles to be loaded and unloaded within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To enable such vehicles to be loaded and unloaded off the public highway so as to avoid:- (i) damage to amenity; (ii) prejudice to public safety and convenience; and (iii) 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.

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 DETAILS

(24) Unless otherwise agreed previously in writing with the Local Planning Authority, the uses hereby permitted shall be carried out in accordance with details of a site inclusive Travel Plan, which shall be submitted to and approved in writing by the Local Planning Authority prior to the development opening for trade. The Travel Plan shall include the following elements:-

- The provision of secure and convenient cycle parking facilities
- The provision of shower and changing facilities for staff
- Measures to regulate the management and use of car parking areas to be permitted
- The appointment of a suitable on-site co-ordinator to monitor and record occupiers' progress in meeting the objectives of the plan. An initial survey of staff travel patterns to/from the site shall be carried out and the results, together with proposed targets for staff cycle and public transport usage and car sharing, submitted to the Local Planning Authority within six months of the development opening for trade. A report shall be submitted to the Local Planning Authority every two years monitoring the progress of the plan and achievement of the identified targets
- Measures for enforcement of the plan, should agreed objectives and targets not be met.

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 in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DEVELOPMENT PHASING

(25) Unless otherwise agreed previously in writing with the Local Planning Authority, the demolition and construction of the development shall be carried out on a phased programme strictly in accordance with the submitted plan number 1214 60 B.

Reason

In order to ensure that the development continues to serve the neighbourhood in a sustainable way by providing a suitable range of goods and services to maintain its District Centre character and to control the potential trading impact of the development on existing and new centres, in accordance with Policy CS01 and CS08 of the adopted Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in PPS4.

FLOORSPACE RESTRICTION

(26) The gross internal floorspace of the food store unit as shown on the submitted plans [drawings 1214 49P and 1214 50M] including any mezzanine floors shall not exceed 11,016 square metres.

Reason

In order to ensure that the development continues to serve the neighbourhood in a sustainable way by providing a suitable range of goods and services to maintain its District Centre character and to control the potential trading impact of the development on existing and new centres, in accordance with Policy CS01 and CS08 of the adopted Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government guidance contained in PPS4.

RESTRICTION ON SUBDIVISION OR MERGING OF UNITS 1-13

(27) Unless otherwise agreed previously in writing with the Local Planning Authority, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (and any Order revoking or re-enacting that Order), no merging of units contained within the non-food store commercial/retail units (Units 1 - 13 as detailed within drawings 1214 49P and 1214 50M) shall be carried out where this results in less than 7 (non-food store) commercial units available at any one time.

For the avoidance of doubt, the maximum floor area of any merged unit shall not exceed 550 square metres gross at any time.

Reason

In order to ensure that the development continues to serve the neighbourhood in a sustainable way by providing a suitable range of goods and services to maintain its District Centre character and to control the potential trading impact of the development on existing and new centres, in accordance with Policy CS01 and CS08 of the adopted Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government guidance contained in PPS4.

UNIT 13 A3 USE RESTRICTION

(28) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (and any Order revoking or re-enacting that Order with or without modification), the use of Unit 13 shall be restricted to Class A3 (Food and Drink) only. No change of use falling within Class A and C of Part 3 of Schedule 2 to that order shall be carried out without the consent in writing of the Local Planning Authority.

Reason

In order to ensure that the development continues to serve the neighbourhood in a sustainable way by providing a suitable range of goods and services to maintain its District Centre character and to control the potential trading impact of the development on existing and new centres, in accordance with Policy CS08 of the adopted Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government guidance contained in PPS4

RESTRICTION ON INTERNAL ALTERATIONS

(29) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (and any Order

revoking or re-enacting that Order), no merging of the main food store with the non-food commercial/retail units (as detailed within drawings 1214 49P and 1214 50M) shall occur at any time.

Reason

In order to ensure that the development continues to serve the neighbourhood in a sustainable way by providing a suitable range of goods and services to maintain its District Centre character and to control the potential trading impact of the development on existing and new centres, in accordance with Policy CS08 of the adopted Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government guidance contained in PPS4.

OPENING HOURS

(30) Twenty four hour use of the new food store is only permitted for a six month period following the new foodstore first being opened to the public. Following six months of trading commencing at the new Tesco Store, unless otherwise agreed previously in writing with the Local Planning Authority, the new Tesco Foodstore shall not be open to customers outside the following times: 07.00-23.00 hours Mondays to Saturdays inclusive and 10.00-17.00 hours on Sundays and Bank or Public Holidays.

Reason

To enable the impact of a 24 hour use of the building on nearby sensitive buildings to be assessed in order 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 adopted Policies CS01, CS02, CS08, CS22 and CS34 and Government guidance contained in PPS1 and PPS4.

HOURS OF DELIVERIES

(31) For a period of six months only, commencing from the date of the new foodstore opening to the public, a maximum of two deliveries (two in, two out) per night shall be permitted between the hours of 23:00 and 0700 on Monday to Sunday nights. Following six months of the new foodstore being open to the public, unless otherwise agreed previously in writing with the Local Planning Authority, service / delivering times at the development hereby permitted (including the loading of vehicles and movement of stock) shall be limited to the following hours: 07.00 to 23.00 Mondays to Saturdays, and 09.00 to 16.00 Sundays.

Reason:

To enable the Local Planning Authority to assess the impact of the proposed delivery hours in order to lessen the potential for noise nuisance and disturbance to surrounding residential amenity, by ensuring that any activities carried out under the development hereby permitted, that have the potential to cause unacceptable noise nuisance, do not take place at inappropriate hours, in accordance with Policies CS01, CS02, CS08, CS22 and CS34 and Government guidance contained in PPS1, PPS4 and PPG24.

RECYCLING UNIT HOURS OF OPERATION

(32) Unless otherwise agreed in writing with the Local Planning Authority, the "TOMRA" recycling unit should not be in use/operated outside of the hours of 0800 - 2000 Mondays to Saturdays inclusive and 10.00 - 17.00 on Sundays and Bank Holidays.

Reason:

To control the noise levels generated by the use of this facility, so as not to disturb the amenity of the nearby residents in accordance with policies CS01, CS02, CS08, CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CAR PARK NOISE

(33) Noise identified from the car park should not regularly exceed the average L_{max} levels of 67 dB as measured at the façade of the nearest neighbouring noise sensitive properties along Shakespeare Road, Garrick Close, Denham Close, Milton Close, Ruskin Crescent, Yeats Close and Carroll Road, during the hours of 2300 - 0700. If the noise levels are identified as exceeding this level during the stipulated hours, then additional noise mitigation measures shall be implemented on site within a month of the noise level recording, in accordance with details which shall have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To protect the amenity of the nearby residents in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

MECHANICAL PLANT NOISE

(34) The rating level of noise emitted from the fixed plant and equipment on site shall not exceed L_{Aeq}(1hr) = 46dB during the daytime period of 07:00 hours to 23:00 hour, and L_{Aeq} (5mins) = 40dB during the night period of 23:00 hours to 07:00 hours as determined at the nearest noise sensitive premises. The measurements and assessment shall be made in accordance to BS 4142:1997. If the noise levels are identified as exceeding this level during the stipulated hours, then noise mitigation measures shall be implemented on site within a month of the noise level recording, in accordance with details which shall have been submitted to and agreed in writing by the Local Planning Authority.

Reason:

To control noise levels generated by the use hereby permitted, in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SERVICE YARD MANAGEMENT PLAN AND NOISE LEVELS

(35) A site specific Service Yard Management Plan (SYMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development. The plan must detail all measures

necessary to limit and control noise generating activities from the servicing of the store and deliveries including measures to:

1. Prevent delivery vehicles from waiting or parking anywhere outside the curtilage of the service yard with their engines idling or their refrigeration units running.

2. A curfew must be introduced on the use of any warehouse or store tannoy system. Any such tannoy is not to be used from 23.00-07.00hrs.

3. Acoustic prevention measures will be introduced to the service yard gates. This includes installing cushioned chains and rubber pads to reduce noise from the operation of the gates.

4. A process of identifying and replacing defective roll cages is to be put in place and monitored. The movement of roll cages outside in the service yard shall be prohibited between 23.00hrs and 07.00hrs Monday - Sunday unless otherwise agreed previously in writing with the Local Planning Authority.

5. The SYMP shall set out in detail instructions to drivers and store staff from the vehicle journey to the service yard, the unloading process, and the exit procedure from the store. This must include measures such as ensuring fridges are switched off on arrival at the store, ensuring vehicle radios switched off in the service yard and keeping engine revs to a minimum.

The SYMP must detail how the noise control measures will be closely monitored by local and regional Tesco management.

In addition, a 24 hour hotline must be made available for the handling of any complaints from residents.

Noise from unloading/loading of vehicles and associated activities in the service yard should not exceed 5dB above the background level at the façade of any neighbouring property. The measurements and assessment shall be made in accordance to BS 4142:1997. If the noise levels are identified as exceeding this level during the stipulated hours, then noise mitigation measures shall be implemented on site within a month of the noise level recording, in accordance with details which shall have been submitted to and agreed in writing by the Local Planning Authority.

All measures necessary to limit and control noise generating activities from the servicing of the store and deliveries identified within the SYMP shall be implemented on site prior to the main foodstore opening to the public and shall thereafter be so retained and maintained unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of nearby residents in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

WINDOW DESIGN

(36) Unless otherwise previously agreed in writing with the Local Planning Authority, at least 75% of each ground and first floor window shall be constructed so as to permit open views into the commercial unit. For the avoidance of doubt, no more than 25% of the total window area shall be obscured in whole or in part by walling, screening, obscure glazing, applied advertisements/logo or other such similar fixed or applied screening or internal structure or fitting.

Reason:

In order to maximise the extent of visibly active ground and first floor uses in the interests of the appearance and character of the building and locality and to maximise the level of natural surveillance of the surrounding car park and pedestrian routes in accordance with adopted Core Strategy policies CS01, CS02, CS32, CS34 and relevant Government advice contained in PPS1, PPS4 and PPG6.

INFORMATIVE: ADVERTISING

(1) This permission does not give or imply any consent for the advertising material shown on the approved plans. Such advertising is controlled under the Town and Country Planning (Control of Advertisements) Regulations 2007 and the applicants should obtain any necessary consent separately.

INFORMATIVE : CODE OF PRACTICE DURING CONSTRUCTION

(2) The management plan required in connection with the Code of Practice During Construction Condition should 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:

- a. Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information.
- b. 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, and construction traffic parking.
- c. Hours of site operation, dust suppression measures, and noise limitation measures.
- d. The frequency, duration and means of operation involving demolitions, excavations, drilling, piling, and concrete production operations;

INFORMATIVE: NESTING SEASON

(3) It is noted that the site is home to a resident breeding colony of House Sparrows within the eaves of the current buildings and the car park walkway shelters. It is an offence under the Wildlife and Countryside Act to damage or destroy the nest of any wild bird while it is in use or being built and it is also an offence to disturb many species of wild bird while nesting.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be: The retail impact of the proposal on existing, committed and planned public and private investment in a centre in the catchment area of the proposal. In this respect, on balance it is considered that the timing of this proposal against the likely timing of the Core Strategy objective of the delivery of a new district centre at Derriford and Weston Mill is such that the potential impact on the relevant Core Strategy Objective and Policy does not have sufficient weight to be a reason for refusal. The development is therefore considered to accord with Core Strategy Strategic Objective 7 and Policy CS08 together with Government advice contained in PPS4; The impact of the development on the appearance and character of the locality - The proposed siting, scale and design is considered to be in keeping with the appearance and character of this District Centre and is considered to be acceptable and accords with Core Strategy Policies CS01, CS02 and CS34 together with Government advice contained in PPS1; The impact of the development on neighbouring properties - The siting and design of the development is not considered to have a significant adverse impact upon neighbouring properties. It is however considered necessary to impose conditions to ensure that noise from the development is limited to an acceptable level with respect to the residential amenity of neighbouring properties. On this basis the application is acceptable and accords with Core Strategy Policy CS02 and CS34 together with Government advice contained in PPS1 and PPG24; The impact of the development upon the highway network - The proposed redesigned junction, highway infrastructure and proposed car parking will enable the impact of the development on the highway network to be accommodated and provide a well balanced solution for all modes of travel. On this basis the development is considered to have an acceptable impact on the highway network and therefore complies with Core Strategy Policies CS28 and CS34 together with Government advice contained in PPS4 and PPG13. On the basis of the above, 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 (1) the identified policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning 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 Government Policy Statements and Government Circulars, as follows:

PPG13 - Transport

PPG24 - Planning and Noise

PPS9 - Biodiversity and geological conservation

PPS1 - Delivering Sustainable Development

PPS12 - Local Development Frameworks
PPS22 - Renewable Energy
PPS23 - Planning & Pollution Control
CS28 - Local Transport Consideration
CS32 - Designing out Crime
CS33 - Community Benefits/Planning Obligation
CS34 - Planning Application Consideration
CS22 - Pollution
CS07 - Plymouth Retail Hierarchy
CS08 - Retail Development Considerations
CS18 - Plymouth's Green Space
CS20 - Resource Use
CS21 - Flood Risk
CS05 - Development of Existing Sites
CS01 - Sustainable Linked Communities
CS02 - Design
PPS25 - Development and Flood Risk
PPS4 - Economic Growth