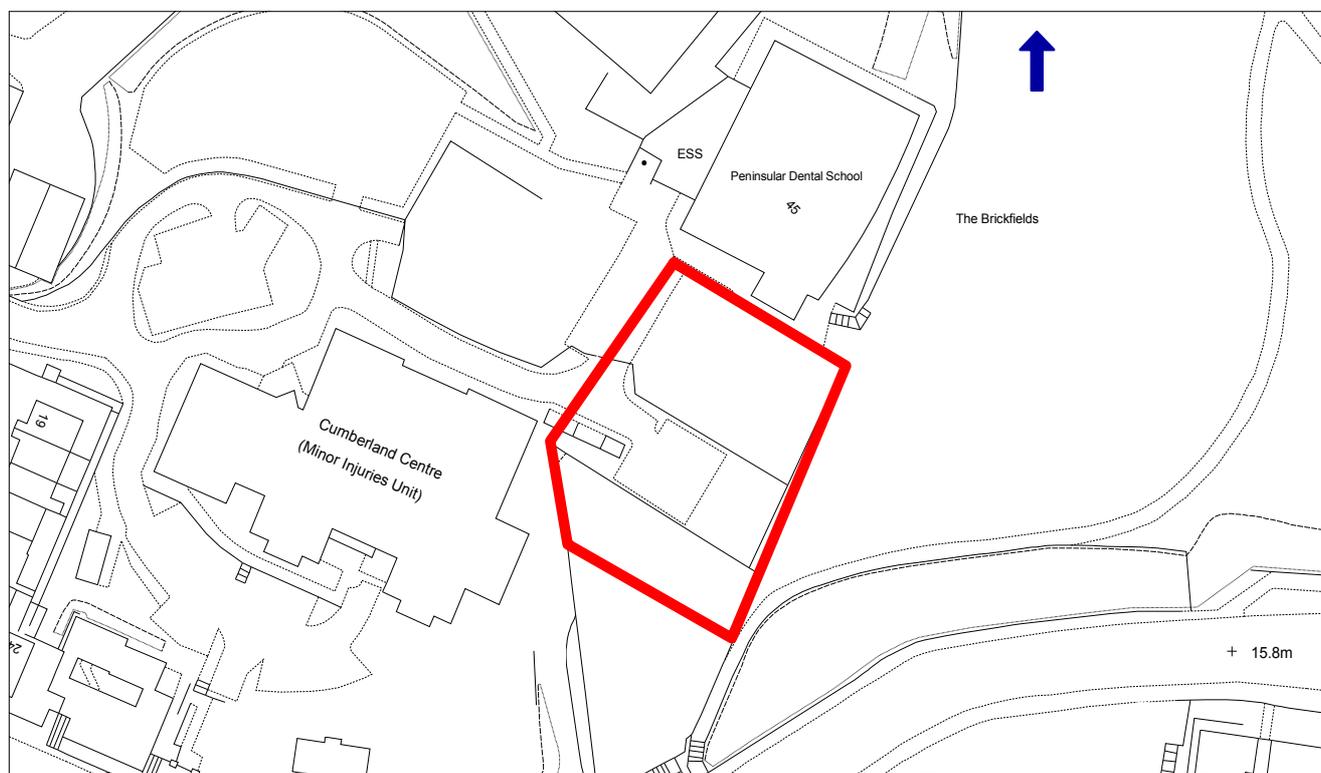


ITEM: 9

Application Number:	10/01557/FUL
Applicant:	Ms Nicola Evans
Description of Application:	Primary care centre, including dental practice, pharmacy and two GP surgeries (re-submission of expired scheme previously approved 20th September 2007 under ref 07/01092/FUL)
Type of Application:	Full Application
Site Address:	LAND AT CUMBERLAND CENTRE, DAMEREL CLOSE PLYMOUTH
Ward:	Devonport
Valid Date of Application:	27/09/2010
8/13 Week Date:	27/12/2010
Decision Category:	Major Application
Case Officer :	Jeremy Guise
Recommendation:	Grant Conditionally
Click for Application Documents:	www.plymouth.gov.uk



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OFFICERS REPORT

Site Description

Located to the rear of the existing Cumberland Centre, the site is highly visible from the parkland that surrounds the Brickfields land. There is a clear line of sight to be had as viewed from Stonehouse bridge, Devonport Hill and Kings Road and beyond. The Peninsula dental school is currently under construction on land to the east.

To the west of the site are a cluster of mature and established parkland trees, some of which are protected by TPO, the ones nearest the site are not. The trees do provide a positive reinforcement to the parkland setting and a foil to the built form that exists beyond.

Vehicle access is currently taken from Damerel Close which also allows for pedestrian access, as does an entrance from Devonport Hill. Bus stops are located on Devonport Hill in reasonable proximity to the site.

The site will form part of a new campus development.

Proposal Description

Permission is sought to construct a new primary care centre including a dental practice, pharmacy and 2 GP surgeries. It is proposed to erect a 3 storey building to house the accommodation.

Relevant Planning History

- 07/01092/FUL The erection of a new primary care centre including a dental practice, pharmacy and 2 GP surgeries. Conditional planning permission GRANTED 20th September 2007
- 07/00086 – Outline application for new dental school, primary care centre and remodelling of Cumberland Centre – **APPROVED**
- 07/00093 – Full application for dental school – **APPROVED**
- 07/01092/FUL -Primary care centre, including dental practice, pharmacy and two G.P. surgeries **GRANTED CONDITIONAL PERMISSION 20-Sep-2007 (EXPIRED 20-Sep-2010)**

Consultation Responses

Highway Authority – No objections subject to the imposition of a series of conditions and a requirement to upgrade one of the bus stops located on Devonport Hill, this can be achieved by a negative (Grampain) condition.

Environmental Services – No objection subject to conditions relating to contaminated land and a code of practice for construction.

Representations

None received.

Analysis

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

The key issues in this case are:-

- The principle of new primary care centre on this site (Policies CS01 and CS31 of the Adopted Core Strategy)
- Impact upon historic assets – dock lines (Policy CS03 of the Adopted Core Strategy)
- Access and parking issues (Policy CS34 of the Adopted Core Strategy)
- Design and appearance, including sustainability (Policies CS02 and CS34 of the Adopted Core Strategy)
- Impact on neighbouring uses (Policy CS34 of the Adopted Core Strategy)

Neither the physical situation on the ground, or the prevailing policy regime have changed substantively since the previous approval. The application remains as Proposal 12 of the AAP.

Proposal 12 of the Devonport Area Action Plan, adopted by Council on 6th August, seeks to put a dental training school and GP surgery on a site at the Brickfields. The area of land identified for development is that to the rear of the Cumberland Centre. At present the dental school is under construction. The principle of this development is now clearly embedded within established planning policy. Listed within this proposal are 7 key requirements / objectives, they are:

1. Conservation/interpretation of the archaeology (docklines)
2. Rationalisation of the car parking
3. Improvement to access, particularly pedestrian
4. Sensitive relationship with other uses on the site
5. Green travel plan
6. Suitable building scale and design
7. Achieve BREEAM excellent standards.

Part of the application submission has proposed exposing a section of the 1850 dock lines which fronts onto the park. It is notionally shown as about 20 metres in length. This will directly tie into the aspiration to improve the interpretation of the docklines on the site. There will be a condition to agree the exact details of how this will be delivered on the ground.

In conjunction with the other works happening on the site, the car parking arrangements will be rationalised to provide a more coherent layout and an improved sense of arrival at the campus site.

Part of the proposals show a new footpath being created that would allow people to access the site from the park. As the application site is relatively small this is the only new connection that could be required as part of the submission. Other proposals will necessitate an upgrade to the pedestrian access from Devonport Hill. Level access will be provided in around the new building in compliance with the requirements of the Building Regulations.

Due to the position of the new building and its affinity with the medical type uses that occur on site, there are no conflicts with other uses identified.

Submitted with the application is a Transport Statement that agrees an effective travel plan is essential. There is a need to provide a site wide travel plan to coordinate a variety of measures that allow the reduced use of single occupancy car journeys. The site will be provided with good quality cycle stores and places within the building to allow for storing personal items and showering etc. Reference is also made to the officer within the Council who has responsibility for travel planning, and the need to discuss effective arrangements with them. A condition will be attached to cover this aspect.

The design team for this individual application has been coordinating with the other design team on site to ensure that there is good relationship between both projects. The scale of the building is in line with approved dental school, albeit this building is much smaller in terms of the footprint. The design of this new building is similar to the dental school in terms of elevational treatment, the intention was always to seek harmony between the two and it is felt this has been achieved. Accordingly it is felt that scale and design are appropriate to the site setting.

This application was submitted prior to the adoption of the AAP which now requires an excellent rating on BREEAM standards. Submitted with the scheme is a NEAT rating which is used by the NHS as their own version of the BREEAM. This assessment provides a rating of 76% which is classified as 'excellent', anything above 70% is deemed 'excellent'.

The building is being constructed to meet the requirements of 'secured by design'.

Three trees will be removed to the front of the development, the rest are to be retained with the wooded area forming part of the development site. There is an intention to use the wooded area as a quiet restful area for staff and patients. Landscaping details are to be worked up for the whole site as a coordinated approach.

Equalities & Diversities issues

The building will be fully accessible to people with disabilities.

Despite significant improvements to the area in recent years, notably as a result of work by Devonport Regeneration Community partnership (DRCP) and the Homes & Communities Agency (HCA), Devonport remains an area

which scores high on indices for multiple deprivations, including poor health and lower life expectancy than more prosperous wards. The development of a primary healthcare centre, close to the Peninsular dental school outpost, will contribute towards the creation a mini health campus on the southern side of Brickfields and help to address concentrations of poor health in that still exist in the area.

Section 106 Obligations

None.

Conclusions

The proposal delivers the final part of proposal DP12 of the recently adopted Devonport Area Action Plan.

The relevant parts of the proposal have been covered in the submission documents and consultee advice supports the proposal, subject to detailed conditions being imposed.

The proposal is recommended for approval subject to the attached conditions.

Recommendation

In respect of the application dated **27/09/2010** and the submitted drawings, **60321 - 0100, 0101, 0102, 0104, 0110, 0111, 0112, 0113, 0120, 0121, 0122, 0123, 0130, 0131** and the accompanying **Design and Access Statement** , it is recommended to: **Grant Conditionally**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

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

Reason:

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

ACCORD WITH PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans 60321 - 0100, 0101, 0102, 0104, 0110, 0111, 0112, 0113, 0120, 0121, 0122, 0123, 0130, 0131 and the accompanying Design and Access Statement.

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

CONTAMINATED LAND

(3) Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The said scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk

to the site users when the site is developed. Development shall not commence until the measures approved in the scheme have been implemented.

Reason: There is a possibility that the site, or parts of it, are contaminated from past activities and, if so, this will need to be dealt with before the development takes place in accordance with Planning Policy Guidance Note PPG23: Planning and Pollution Control (Chapter 4 and Annex 10); and Policy CS22 of the adopted Core Strategy.

CODE OF PRACTICE DURING CONSTRUCTION

(4) Before any development is commenced, a Code of Practice shall be submitted to and approved by the Local Planning Authority which shall indicate measures to mitigate against adverse effects of noise, dust and traffic generation during the construction of the proposed development. The Code of Practice shall indicate: -

- a. the proposed hours of operation of construction activities;
- b. the frequency, duration and means of operation involving demolitions, excavations, drilling, piling, concrete production and dredging operations;
- c. sound attenuation measures to be incorporated to reduce noise at source;
- d. details of measures to be taken to reduce the generation of dust;
- e. the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material.

The Code of Practice shall be strictly adhered to during all stages of the construction of the proposed development.

Reason: To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the adopted Core Strategy.

PROGRAMME OF ARCHAEOLOGICAL WORK

(5) No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. (Developers will wish to ensure that in drawing up a scheme, the timetable for the investigation is included within the details of the agreed scheme).

Reason:

In accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXISTING TREE/HEDGEROWS TO BE RETAINED

(6) Notwithstanding the submitted information, no trees shall be felled without the written consent of the Local Planning Authority. 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

(a) No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local

Planning Authority. Any topping or lopping approved shall be carried out in accordance with BS 3998:1989(Recommendations for Tree Work).

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

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

Reason: To ensure that trees or hedgerows retained in accordance with Policy CS18 of the adopted Core Strategy.

LANDSCAPE DESIGN PROPOSALS

(7) 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, play equipment, 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].

Reason: To ensure that satisfactory landscape works are carried out in accordance with Policy CS18 of the adopted Core Strategy.

GREEN STAFF TRAVEL PLAN DETAILS

(8) The uses hereby permitted shall be carried out in accordance with details of a Green Staff Travel Plan which shall be submitted to and approved in writing by the Local Planning Authority prior to the development opening for trade. The Green Staff 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 PPG13.

LOADING AND UNLOADING PROVISION

(9) 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 policy CS34 of the adopted Core Strategy.

CAR PARKING RESTRICTION

(10) Notwithstanding the submitted plans, No part of the site shall at any time be used for the parking of vehicles other than that part specifically shown for that purpose on a plan which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter development shall remain in accordance with the approved plan.

REASON: In the opinion of the Local Planning Authority the level of car parking provision should be limited in order to assist the promotion of more sustainable travel choices.

CAR PARKING RESTRICTION

(11) The use hereby permitted shall not commence until the proposed access and improvements to the existing footpaths and highways shown on the approved plans have been completed and the bus stop located in Devonport Hill has been upgraded in accordance with details to be agreed in writing with the Local Planning Authority.

REASON: In the interests of highway and pedestrian safety in accordance with policy CS28.2 of the adopted Core Strategy.

GRAMPIAN (ACCESS/HIGHWAY IMPROVEMENTS)

(12) The building shall not be occupied until a means of access for pedestrians has been constructed in accordance with details to be agreed in writing by the Local Planning Authority.

Reason: To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity.

CAR PARKING PROVISION

(13) The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the details submitted to and approved by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and 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

(14) 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.

CYCLE PROVISION

(15) The development shall not be occupied until space and a suitable facility has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 51 bicycles to be parked.

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.

EXTERNAL MATERIALS

(16) 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.

SUSTAINABILITY MEASURES

(17) Prior to the occupation of the building hereby permitted, a written specification of the sustainability measures to be included within the building shall be submitted to and approved in writing. These further details shall include measures to reduce the amount of energy and resources consumed and recycling measures to be introduced. Details shall also include a mechanism to ensure that the agreed measures are actually put in place as part of the development. Development shall remain in accordance with the approved details.

REASON: To meet the requirements of policy CS20 of the adopted Core Strategy and Proposal DP12 of the adopted Devonport Area Action Plan 2006-2021.

Statement of Reasons for Approval and Relevant Policies

Having regard to the main planning considerations, which in this case are considered to be:

- The principle of new primary care centre on this site
- Impact upon historic assets – dock lines
- Access and parking issues
- Design and appearance, including sustainability
- Impact on neighbouring uses

, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents 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 (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

PPG13 - Transport
PPS1 - Delivering Sustainable Development
PPS23 - Planning & Pollution Control
CS28 - Local Transport Consideration
CS32 - Designing out Crime
CS33 - Community Benefits/Planning Obligation
CS34 - Planning Application Consideration
CS22 - Pollution
CS18 - Plymouth's Green Space
CS20 - Resource Use
CS01 - Sustainable Linked Communities
CS02 - Design
CS31 - Healthcare Provision