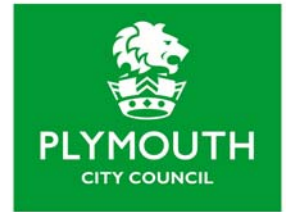


# PLANNING APPLICATION REPORT



**ITEM: 03**

**Application Number:** 10/02006/FUL

**Applicant:** Town House (Plymouth) Ltd

**Description of Application:** Demolition of existing public house and redevelopment of the site to provide student accommodation comprising of 44 bed spaces in 9 cluster flats together with associated refuse and cycle storage

**Type of Application:** Full Application

**Site Address:** THE TOWN HOUSE, 32 HARWELL STREET, PLYMOUTH

**Ward:** St Peter & The Waterfront

**Valid Date of Application:** 26/11/2010

**8/13 Week Date:** **25/02/2011**

**Decision Category:** Major Application

**Case Officer :** Mark Evans

**Recommendation:** Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 15 June 2011

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



## **OFFICERS REPORT**

### **Site Description**

The application site is currently occupied by the Town House public house, an adjoining footway, a small customer car park and a narrow banked transition area between the car park and the public footway.

A residential car parking area adjoins the site to the east, beyond which lies the Western Approach dual carriageway. Harwell Street adjoins the site to the west and south.

### **Proposal Description**

Demolition of existing public house and redevelopment of the site to provide student accommodation comprising of 44 bed spaces in 9 cluster flats together with associated refuse and cycle storage

The proposed materials include stone cladding, coloured metal cladding system, render and a glazed curtain walling system. Windows and doors are to be constructed from powder coated aluminium.

### **Relevant Planning History**

This application was the subject of pre-application discussions which has resulted in the number of units and massing of development being reduced.

### **Consultation Responses**

Highway Authority

No objections subject to conditions.

Public Protection

No objections subject to further information on Land Quality, Management Plan to address potential noise problems and regarding a Management Plan for the cleaning regime for the bin stores.

### **Representations**

6 letters of objection had been received, together with two petitions (It is noted that a number of the names are unsigned). One letter has also been received from the applicant's agent responding to the comments raised.

Objections can be summarised as:

1. In terms of proportion and design, the building is totally out of context with surrounding residential buildings in what is considered a "village type" area, and towers above anything that currently exists.
2. Height of building will result in loss of sunlight to adjoining residents.
3. Development will overlook adjoining properties and result in loss of privacy to adjoining residents resulting in breach of human rights.
4. Lack of adequate car parking in an area considered to have existing parking issues. The issue of parking is considered to have been deliberately misrepresented.

5. The siting of the development will create a blind corner and subsequent accident blackspot.
6. Student use is inappropriate to the area and will exacerbate existing anti-social behaviour problems associated with the nearby halfway house at the top of Harwell Street.
7. Student use will add to the existing litter problem in the area.
8. The proposed size of the waste storage area is considered to be inadequate to cope with the number of student units.
9. Loss of the planted bank at the end of Harwell Street could add to the surface water flooding problems existing in the area.
10. Objection to likely increased noise disturbance, particularly taking into account the large number of elderly residents in the immediate vicinity.
11. The city is being overwhelmed by student accommodation for which there is no proven need.
12. The development is not considered to bring any benefit to the area, residents or Plymouth City Council with the only financial benefit being to the applicant.
13. Incorrect information on application form relating to the number of existing car parking spaces on the site, and also regarding the existence of a number of trees on the site.

The letter of representation from the agent in response to the letters of objection can be summarised as:

1. With respect to the comment that “in terms of proportion and design, the proposed building is totally unsympathetic to the character of the surrounding area”, the architect advises that the building has been designed to sit well within the environment and that it represents a considerable improvement in design terms upon the existing.

2. It is not accepted that the building will “tower over” the footpaths - it can be seen that the proposed building is of similar height to the adjacent houses in Harwell Street and not dissimilar in mass to the existing public house. Towards the southern end of the site it is accepted that the building effectively increases in height, partially by virtue of the falling gradient on the footpath but it is considered that the mass is appropriate to its context.

3. With respect to the comment that “*The issue of parking has been deliberately misrepresented*” It is not accepted that parking has been misrepresented and it does reflect the Council’s policy for “zero parking” on student accommodation schemes.

4. Taking into account the concerns regarding the need to reduce the impact of parking on adjoining streets, in consultation with the Highway Authority a “Framework Travel Plan” is being prepared which shall set out the measures proposed in order to mitigate potential parking nuisance. It is noted that the Highway Authority supports the proposals.

5. *With respect to concerns regarding “Loss of amenity for existing residents” it is stated that there is already student housing in the locality and indeed within the*

heart of the community. It should be noted that the proposed new development is far more on the periphery of the residential area, where “comings and goings” to and from the University will be far less intrusive.

6. *“Water and waste disposal” – The arrangements for waste storage are considered to be acceptable and will accord with the RECAP Waste Management Design Guide.*

7. *“Lack of proven need” – It is not considered that there is any identified reduced requirement for student accommodation in Plymouth as yet. It is suggested that with the slow progress of both the Notte Street and Woolworth schemes that there is an increased need in the short term for the smaller, more deliverable projects. Therefore rather than the building becoming surplus to requirements it may be more likely to impose pressure on some of the other schemes with lesser quality accommodation.*

8. It is not considered that we are dealing with a “village type area”. The proposed new building is not 6/7 storeys high and nor is it clearly not twice as high as any other building in the area.

9. With regards impact on privacy, it is considered that there are a number of similar instances in the City where taller buildings have been constructed but in each case, as in this one, there is a road width between them.

10. Noise levels - It is acknowledged that noise levels may increase in any area for a number of reasons and not just because of student accommodation. It is noted that the public house in its heyday was probably perceived as a nuisance.

11. Litter – Whilst it should be noted that this is not a material planning consideration, it is considered that there is already a litter problem and that it should not be assumed that this will necessarily be exacerbated by 44 additional residents.

12. Impact on highway safety at road junction – It is not accepted that the building will adversely affect the existing footpath or roads - generally visibility will be retained as it is at the main crossing points. It is not accepted that the development will constitute a “major danger” at the junction.

13. It should be noted that there are benefits to the area (removal of a building that is falling into disrepair, improved lighting and better “policing” of the area currently used by an undesirable element etc).

14. Credibility of petition – It is noted that several names are unsigned and prepared by the same hand and it is therefore very unclear as to what real support, or thought, if any, has been given to the content.

15. In terms of concerns regarding the building massing, it should be noted that Morley Court is eight storeys high and on the opposite side of Western Approach - as such the development is not considered to have any adverse impact on residents.

## Analysis

The key issues are:

1. The impact of the development on the appearance and character of the area;
2. The impact of the development upon neighbouring properties;
3. The impact of the development upon the highway network;

The application should be assessed primarily against adopted Local Development Framework Core Strategy. This report therefore has due regard to the following policies: CS01 (Sustainable Linked Communities); CS02 (Design); CS06 (City Centre), CS18 (Plymouth's Green Space), CS20 (Sustainable Resource Use); CS22 (Pollution); CS28 (Local Transport Considerations); CS32 (Designing Out Crime); CS33 (Community Benefits/Planning Obligations) and CS34 (Planning Application Considerations).

Consideration should also be given to PPS1 - Delivering Sustainable Development, PPS3 – Housing, PPS6 Planning for Town Centres, PPG13 – Transport, PPG16 – Archaeology, PPS22 – Renewable Energy, PPS23 – Pollution Control, PPG24 – Noise, adopted Design Supplementary Planning Document (2009), adopted Development Guidelines Supplementary Planning Document (2009) and adopted Planning Obligations Supplementary Planning Document (2010).

### The impact of the development on the appearance and character of the area:

Planning Policy Statement 1 (PPS1) sets out the overarching planning policies on the delivery of sustainable development through the planning system. This PPS replaces *Planning Policy Guidance (PPG) Note 1, General Policies*. PPS1 establishes the Government's firm commitment to creating sustainable communities. It emphasises that good planning is critical to realising this commitment through delivering this objective. Guidance on quality of design is clear: *Good design ensures attractive, usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning' (para 33)*

*Good design should contribute positively to making places better for people (para 34)* Thus planning authorities should plan positively to secure high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted: *High quality design ensures usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is not just about the architecture of individual buildings, but also about the functionality and impact of the development on the overall character, quality and sustainability of an area including resources efficiency (for example energy consumption) There should be no acceptance of ill-conceived designs which do not contribute positively to making places better for people.*

In terms of the principle of permitting student accommodation in this location, the site is considered appropriate for student accommodation given its proximity to the University, City Centre, public transport and all amenities.

There is no evidence that student accommodation in this locality will cause significant noise disturbance or exacerbate existing anti-social behaviour problems that it is alleged are associated with the nearby halfway house at the top of Harwell Street. Whilst the issue of litter is not a material planning consideration, there is no evidence that this use will add to any litter problem that may already exist in the area.

A condition is recommended to require the submission of an adequate management regime which will be expected to control general noise levels, car parking, pick-up and drop-off, tidiness, social behaviour, maintenance and bin storage provision and management.

It is recognised that the proposed revised height and massing is at the maximum that can be supported on this particular site. The design, scale and massing of the building is considered an appropriate response to the local and wider City Centre context and is in keeping with the appearance and character of the area. The proposed materials palette, including limestone and render, is considered positive and locally distinctive.

The development therefore accords with adopted policies CS01, CS02, CS32 and CS34, the Council's adopted Design Supplementary Planning Document (2009), adopted Development Guidelines Supplementary Planning Document (2009) and Government guidance contained in PPS1.

The impact of the development upon neighbouring properties:

It is acknowledged that due to its siting, height and massing, the development will have an overlooking impact upon neighbouring and adjoining properties. However, taking into account the extent of overlooking that already exists from both existing properties and from the street itself, the 17 metre minimum distance of the development from any adjoining properties potentially affected and the context of the site within the city centre, on balance, the impact of the development upon neighbouring residents is considered to be satisfactory and not so significant as to warrant a refusal of the application.

Taking into account the City Centre location, the relationship and orientation of the development to adjoining properties is considered to be acceptable and is not considered to have a significant adverse impact upon the levels of sunlight enjoyed by existing residents.

The proposed student accommodation is not considered to have a significant adverse impact upon the residential amenity of neighbouring properties and taking into account the close proximity of the site to the City Centre and University, is considered to be an entirely appropriate use for the development. The development is therefore acceptable and accords with adopted Core Strategy policies CS02 and CS34 and Government guidance contained in PPS1.

### The impact of the development upon the highway network

The Highway Authority does not object to the proposed development.

Taking into account the close proximity to the city centre and public transport network, the proposed development is in a sustainable location and will provide good connectivity for non-car based travel to and from the site. On this basis, there are no objections to the proposal for a predominantly car free development at the site.

Contrary to concerns raised regarding the potential for the development to create an accident blackspot at the road junction due to its siting, the Highway Authority does not consider that the siting of the development will adversely affect visibility at the junction nor have any adverse impact on highway safety at this point.

The siting and design of the development is not considered to adversely affect surface water flooding issues that it is alleged exist in the locality. A condition is recommended to ensure that satisfactory surface water drainage is provided.

A condition is recommended to ensure that occupiers of the development adhere to a Green Travel Plan 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 adopted Core Strategy Policy CS01, CS28.

The development will include 3 parking bays for drop off/loading/unloading purposes only. A condition is attached relating to the need for a Car Parking Management Strategy for these spaces.

The site lies within a resident parking permit scheme which is currently over-subscribed. As such the new development will be excluded from obtaining permits or visitor tickets. An informative is recommended accordingly. The proposed secure cycle storage is considered to be sufficient and the ongoing use of this space will be secured by condition.

On this basis, the development is considered to have an acceptable impact upon the highway network and therefore accords with adopted Core Strategy Policies CS01, CS02, CS28 and CS34, together with Government advice contained in PPS1 and PPG13.

### **Section 106 Obligations**

In order to set the proposed development in the context of the current economic climate, it is important to note that the Council has formally agreed the adoption of a series of phased-in temporary concessions to be granted for developments in relation to the Plymouth Development Tariff. It has been agreed that as part of these measures a reduced financial contribution of up to 50% of the full requirement may be considered for the development of previously developed brown-field land.

The proposed development would have direct impacts on local infrastructure and the environment requiring mitigation. This mitigation will be achieved through a combination of planning conditions and planning obligations identified in a S106

agreement. Each planning obligation has been tested to ensure that it complies with the three tests set out in Reg.122 of the Community Infrastructure Levy Regulations April 2010.

The impacts relate to the following areas:-

1. Libraries

*Library Services advise that development in this area will generate a pressure on the existing Central Library facility which The Planning Obligations Evidence Base advises is already in need of additional capital investment as a result of the cumulative impact of population growth. The development will therefore generate an impact that needs to be mitigated. The estimated cost of mitigating this impact is £1,848.*

2. Local green space.

By reason of increased population facilitated by the development it will contribute to the cumulative impact on existing green space, most specifically an additional pressure on its management. The estimated cost of mitigating this impact is £5,386.

3. Playing Pitches.

The Plymouth Playing Pitch Strategy 2007-2016 identifies that this area of the city is deficient in terms of access to playing pitches. There is therefore an impact on infrastructure requirement that arises as a result of the development, namely the provision of improved access to playing pitches. The estimated cost of mitigating this impact is £9,769.

The total estimated cost of mitigating these impacts would be £17,033 if this is to be delivered through financial contributions.

A Planning Obligations Management Fee of £2,331 is also required. This management fee will be used to meet the Council's costs in administering and monitoring implementation of the Section 106 Agreement;

The current scheme is brought forward under the structured approach of the Market Recovery Plan. If approved and implemented, it would ensure that there would be a substantial start on this development within two years of the grant of planning permission.

Section 106 Obligation Heads of Terms:

The following Heads of terms are therefore proposed, each of which have been tested against Regulation 122 of the Community Infrastructure Levy Regulations 2010, to enable appropriate mitigation of the impacts identified above:

1. Libraries: £1,848 to be allocated to the provision and upgrade of local library facilities.
2. Local Green Space: £5,386 to be allocated to the upgrade and management of local green space.
3. Playing Pitches: £9,769 to be allocated to the provision of improved access to playing pitches.



4. Planning Obligations Management Fee: £2,331 to be used to meet the Council's costs in administering and monitoring implementation of the Section 106 Agreement, payable upon completion of the S106 agreement;

#### 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 the potential for the development to accord more closely with the requirements of Policy CS20 and Government advice contained within PPS22 is investigated further.

#### Other Matters

Updated plans and supporting information have been received which satisfactorily address the inaccuracies relating to the number of existing car parking spaces on the site, and also regarding the existence of a number of trees on the site.

#### 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 likely users of the development are students mainly aged 18 – 25 years. It will be available to men and women, people of all faith and race groups. The building will be designed to be fully accessible in accordance with Part L of the Building Regulations. There is no requirement for Lifetime Homes given its specialised target group. As the site is close to family houses it is essential that the facility is properly run and there is a robust management agreement to ensure that existing residents do not suffer from any undue nuisance and disturbance. It will not have a negative impact on any group.

#### **Conclusions**

The impact of the development on the appearance and character of the area; The impact of the development upon neighbouring properties and the impact of the development upon the highway network is considered to be acceptable and it is recommended that the development proposal be granted conditional consent subject to the satisfactory completion of the Section 106 Obligation. Delegated Authority is sought to refuse the application if the S106 Obligation is not signed by the 15<sup>th</sup> June 2011.

#### **Recommendation**

In respect of the application dated **26/11/2010** and the submitted drawings 1663 - 120 Rev B, 1663 - 121 Rev C, Design and Access Statement, Tree Survey, Transport Statement, Travel Plan, it is recommended to: **Grant Conditionally**

**Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 15 June 2011**

**Conditions**

**DEVELOPMENT TO COMMENCE WITHIN 2 YEARS**

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

**Reason:**

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004, and due to concessions in Planning Obligation contributions/requirements under Plymouth's temporary Market Recovery measures.

**DEVELOPMENT IN ACCORDANCE WITH APPROVED PLAN NUMBERS**

(2) The development hereby permitted shall be carried out in accordance with the following approved plans I663-120 Rev B and I663-121 Rev C.

**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

**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 3 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 desk study characterising the site and identifying potential risks from contamination;
- (ii) a survey of the extent, scale and nature of contamination;
- (iii) 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,  
groundwaters and surface waters,  
ecological systems,  
archeological sites and ancient monuments;
- (iv) 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 and 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 CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

**TREE PROTECTION DURING CONSTRUCTION**

(5) 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.

**SUSTAINABILITY MEASURES**

(6) Unless otherwise agreed previously in writing with the Local Planning Authority, prior to any development taking place, the applicant shall provide to the Local Planning Authority a report for approval identifying how for the period up to 2016, a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by low carbon production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

Unless otherwise agreed in writing, the approved on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

**Reason:**

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the period up to 2016 in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and relevant Central Government guidance contained within PPS22.

#### EXTERNAL MATERIALS

(7) 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

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

#### Reason:

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

#### DESIGN DETAILS

(9) Notwithstanding the details submitted, unless otherwise agreed previously with the Local Planning Authority (LPA), no work shall commence until the following details have been submitted to and agreed in writing by the LPA:

- (i) Details of the design, method of construction and finish of the glazing system/curtain walling system and spandrel panel to be used;
- (ii) Details of the depth of reveals to all window openings.
- (iii) Details of the design, materials and finish of the proposed balconies/Juliette balconies including all balustrades;
- (iv) Details of the design of any external building lighting proposed;
- (v) Details of the proposed siting, design and external materials of any roof plant, services or lift rooms and any wall or roof vents, ducts, pipes, extracts, window cleaning apparatus or other accretions to the roof or elevations;
- (vi) Details of the design of the treatment of the junctions between the different cladding systems.

Such agreed details shall be strictly adhered to during the course of development and thereafter so maintained.

#### Reason:

To enable the LPA to consider the above details in the interests of the appearance and character of the development and locality, in accordance with Policy CS01, CS02, CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

## NOISE

(10) Unless otherwise agreed previously in writing with the Local Planning Authority, the development shall be constructed in accordance with BS8233:1999 so as to provide sound insulation against externally generated noise. The good room criteria shall be applied, meaning there must be no more than 30 dB LAeq for communal/living rooms (0700 to 2300 daytime) and 30 dB LAeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided. Levels of 45 dB LAf.max shall not be exceeded in bedrooms (2300 to 0700 night-time).

Prior to any occupation of the buildings, the applicant/developer should submit, for written approval by the Local Planning Authority, a verification report proving that the buildings meet the criteria.

### Reason:

To ensure that the proposed dwellings hereby permitted achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance generated by traffic noise to comply with policies CS22 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document 2007

## GREEN TRAVEL PLAN

(11) Unless otherwise agreed previously in writing with the Local Planning Authority, use of the building shall not commence until the applicant has entered into a Green Travel Plan, the details of which shall have been previously submitted to and agreed in writing by the Local Planning Authority. The development and occupiers of the development shall thereafter conform to the measures detailed in the plan.

### 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 adopted Core Strategy Policy CS01, CS28 and relevant Central Government advice.

## STREET DETAILS

(12) Development shall not begin until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No unit shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

### Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

## ACCESS

(13) Before any other works are commenced, an adequate road access for contractors with a proper standard of visibility shall be formed to the satisfaction of the Local Planning Authority and connected to the adjacent highway in a position and a manner to be agreed with the Local Planning Authority.

### Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

## COMMUNAL VEHICULAR DROP-OFF/LOADING/UNLOADING PROVISION

(14) No unit of accommodation shall be occupied until drop-off/loading/unloading spaces have been laid out within the site in accordance with the approved plan for a minimum of 3 cars and that area shall not thereafter be used for any other purpose other than the drop-off/loading/unloading of vehicles.

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

## CYCLE PROVISION

(15) Unless otherwise agreed previously in writing with the Local Planning Authority, no unit shall 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 27 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.

## CYCLE STORAGE

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

### Reason:

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

## STUDENT USE RESTRICTION

(17) The units of residential accommodation within the building shall only be occupied by students in full-time education, by a warden (who may not be in full-time education), by delegates attending conferences or courses during vacation periods (No such delegate shall occupy the premises for more than four weeks in any

calendar year), or any registered student of any college or university within the Plymouth City boundary, provided that the student is studying a for a qualification at Higher Education level on a course that satisfies the criteria on eligibility for council tax exemption for student occupation of premises that is in force at the date of this planning permission, or any future such criteria as apply from time to time.and for no other purpose.

Reason:

The proposed development has been designed for the specific use as student accommodation. It is not suited to other residential uses without substantial alterations given the limited internal space per unit, lack of amenity space and lack of on-site car parking to comply with policy CS34 of the Adopted Plymouth Core Strategy Development Plan Document 2007.

#### MANAGEMENT ARRANGEMENTS

(18) The development shall not be occupied until details of the arrangements by which the approved student accommodation is to be managed, are submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall continue to be managed permanently in accordance with the agreed management arrangements.

Reason:

To protect the residential amenities of the area to comply with policy CS34 of the adopted Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### INFORMATIVE - CODE OF CONSTRUCTION

(1) 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. Details of an area to be created within the site for the parking of contractor's equipment and materials.
- e. All sensitive properties surrounding the site boundary should be notified in writing of the nature and duration of works to be undertaken and the name and address of a responsible person, to whom an enquiry/complaint should be directed.

#### INFORMATIVE: DETAILS OF THE MANAGEMENT ARRANGEMENTS

(2) The applicant is hereby advised that the management details to be submitted and agreed under the above management condition should comprise the following elements:-



- 1 - At all times to restrict the occupation of the property to bona-fide students who are currently undertaking full time education, a warden who may not be in full-time education and delegates attending conferences or courses during the vacations.
- 2 - To employ a warden who is resident at the property.
- 3 - To include in any tenancy agreement between the owners and student tenant terms which clearly state the expected standard of conduct including the need to have due consideration to the amenities of the nearby properties and that failure to comply with those requirements may result in the termination of the tenancy and the form of such a tenancy agreement shall be supplied to the Council on request. Each tenancy agreement must contain advice that the on site car parking spaces must only be used for drop off purposes and not be used by tenants or visitors for car parking.
- 4 - To circulate to all premises adjoining the property annually with details of the name, address and telephone number of the person responsible for the management of the property.
- 5 - The owners shall impose on the person responsible for the management of the property; a strict timescale to include an investigation of any complaint within twenty four hours and a written response within five working days and shall take such steps as are necessary to ensure that the timescale is adhered to.
- 6 - Details of the proposed arrivals/departures procedures.
- 7 - Details of the proposed Management of the bin stores.

#### INFORMATIVE - EXCLUSION FROM RESIDENT PARKING PERMIT SCHEME

(3) The applicant should be aware that the development lies within a resident parking permit scheme which is currently oversubscribed. As such the development will be excluded from obtaining permits, visitor tickets and business permits for use within the scheme.

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

Having regard to the main planning considerations, which in this case are considered to be: The impact of the development on the appearance and character of the area; The impact of the development upon neighbouring properties; The impact of the development upon the highway network,, 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) 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
- PPG16 - Archaeology and Planning
- PPG24 - Planning and Noise
- PPS3 - Housing
- PPS1 - Delivering Sustainable Development
- PPS6 - Planning for Town Centres
- 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  
CS06 - City Centre  
CS18 - Plymouth's Green Space  
CS20 - Resource Use  
CS01 - Sustainable Linked Communities  
CS02 - Design  
SPD2 - Planning Obligations and Affordable Housing  
SPD1 - Development Guidelines  
SPD3 - Design Supplementary Planning Document