

PLANNING APPLICATION REPORT



ITEM: 03

Application Number: I1/00589/FUL

Applicant: HMS Drake

Description of Application: Rehabilitation centre to include swimming pool, hydrotherapy pool, gymnasium, changing rooms and associated landscaping

Type of Application: Full Application

Site Address: DEVONPORT DOCKYARD, SALTASH ROAD KEYHAM PLYMOUTH

Ward: Devonport

Valid Date of Application: 21/04/2011

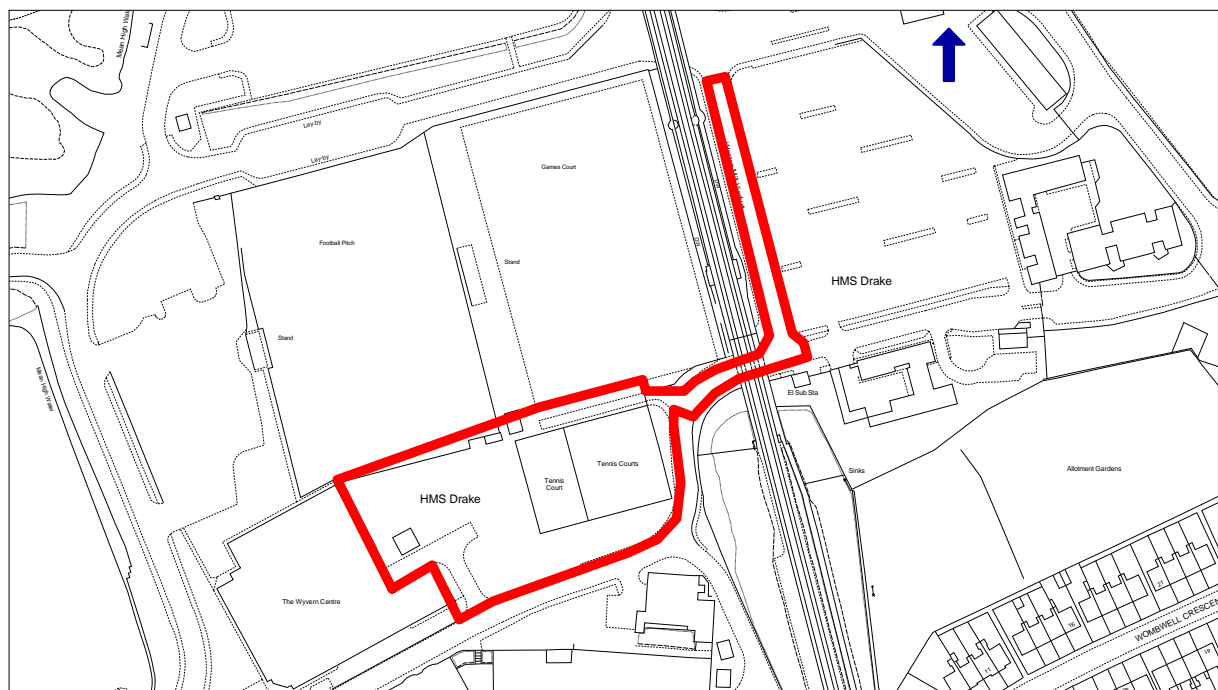
8/13 Week Date: **21/07/2011**

Decision Category: Member/PCC Employee

Case Officer : Adam Williams

Recommendation: Grant Conditionally

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Site Description

The site consists of an open, rectangular shaped piece of land, currently occupied by tennis courts situated towards the north western end of the HMS Drake complex. It is bounded on its southern side by an internal road, and a railway line to the east. Immediately adjacent to the site the complex is bounded by the Wyvern building, and existing sports facility of modest design. The nearest residential properties which can view the site are on Savage Road. The Wyvern building is constructed mainly in buff coloured brick with sandstone detailing around the windows. Further north of the site is sports field and further north again is the vacant North Yard site.

Proposal Description

The proposed Rehabilitation Centre is a contemporarily designed, 2 storey building located within HMS Drake comprising a swimming pool, hydrotherapy pool, changing rooms, consulting rooms, gymnasium and associated parking (20 accessible spaces) and landscaping.

The building is articulated as three large volumes with connecting sections. The total gross internal floor area is approximately 3480 sqm.

Proposed building materials include buff brick to central volume, metal clad composite panels to walls and roof of outer sports hall & swimming pool together with a double glazed, powder coated grey aluminium curtain walling system.

The new building will not affect the playing pitches on site but it will involve losing 3 tennis courts, 1 x grass and 2x tarmac. These tennis courts will be not replaced. However, there are other tennis courts on the base and it is intended that 2 of the remaining grass courts will be converted into tarmac courts to maximise usage.

This is the second of two new buildings and provides rehabilitation and treatment along side the previously approved application for long term living accommodation for soldiers recovering from serious injury (11/00101/FUL). Both of these facilities are operated by the Help for Heroes Charity.

Relevant Planning History

There have been numerous developments over the years at HMS Drake, the most significant of which, in terms of the current application, is 03/00969, which was an application for demolition of some existing buildings, erection of 3 new buildings and alteration/refurbishment of Ward Room, Mess and other buildings to provide new living accommodation and ancillary facilities for 1650 Naval personnel. One of the three new buildings in this development is the Cornwell VC building, which is to the rear of the current proposal.

Consultation Responses

Public Protection Service

No objections subject to conditions.

Environment Agency

No objections subject to conditions.

Highway Authority

No objections subject to conditions.

Health and Safety Executive

No objections to proposals.

Network Rail

No objection.

Office for Nuclear Regulations

No objections on nuclear safety grounds.

Sport England

No objections providing that the facility is open to the wider community, on the basis that this development would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of a three tennis courts.

In response to this consultation response, your officer's comment that due to the high security of this MOD site, this may not be possible. Your officers are seeking a statement from the applicant regarding this issue, and the matter will be addressed further in an addendum.

Representations

None received.

Analysis

This application turns on policies CS01 (Development of Sustainable Linked Communities), CS02 (Design), CS18 (Plymouth's Green Space), CS20 (Sustainable Resource Use), CS22 (Pollution), CS28 (Transport) and CS34 (Planning Application Considerations) of the Core Strategy of Plymouth's Local Development Framework 2007. The main issues are the impact on residential amenity, and the character and appearance of the area.

The siting of this building within the dockyard has little effect on residential amenity. The nearest off-site dwellings, which can view the site, are on Savage Road. Despite the height of the proposed building, the distances involved, and the presence of the main road, the rail line and the internal access road within the HMS Drake complex, are such that the visual impact of the building are not considered to lead to a demonstrable impact on outlook or privacy. In these respects the proposals are considered to be in accordance with policy CS34 of the Core Strategy.

With regard to the character and appearance of the area, the proposed building is considered to sit comfortably within the context of surrounding buildings on the site. For example, the existing building adjacent to this site, the 'Wyvern' is a similar height to the new building as proposed. In these respects the proposals are considered to be in accordance with policies CS02 and CS34 of the Core Strategy.

With regards policy CS28 (Transport), the Highway Authority raise no objections to the proposed development. It is considered that the proposed loading/unloading details could be improved by increasing the width of the proposed loading/unloading bay. A condition is therefore recommended to ensure that satisfactory loading/unloading details are secured on site. On this basis, the proposal accords with policies CS28 and CS34 and government guidance within PPG13.

The building has been designed so as to be fully accessible and compliant with Part "M" of the Building Regulations.

Regarding policy CS20, two options have been identified. The first is to utilise the existing site district heating system available in the dockyard whereby heat generated by the existing Babcock building is distributed around the site in the form of steam. It should be noted a proposal for an "Energy from Waste" plant is currently under consideration (11/00750/FUL). This plant would provide energy for this network if approved and implemented.

The second option is to provide locally generated heat in the form of a gas or biofuel Combined Heat and Power (CHP) plant or a "micro energy from waste" centre using commercial waste from the dockyard.

In terms of the actual efficiency saving it has been identified a combination of Solar Thermal and Combined Heat and Power/energy from waste will be used to provide a 15% reduction in total building emissions in accordance with the requirements of the Council's adopted policies CS01 and CS20 and Government advice contained in PPS22. A condition is recommended to ensure that this on-site renewable technology is implemented on 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.

Section 106 Obligations

Not required.

Equalities & Diversities issues

The proposals provide valuable facilities for injured service personnel.

Conclusions

The proposed building is considered to be well designed in terms of its relationship with surrounding development. The proposals provide valuable rehabilitation facilities for injured service personnel and it is recommended that the Council supports the proposal as Local Planning Authority. Consideration of further consultation responses and any matters arising will be referred to in an addendum report to committee.

Recommendation

In respect of the application dated **21/04/2011** and the submitted drawings DRCARHBZZZDSCAR 062001 Rev P01, DRCARHBZZZDSCAR 910001 Rev P01, DRCARHBZZZDSCAR 062002 Rev P01, DRCARHBZZZDSCAR 063001 Rev P01, DRCARHBZZZDSCAR 063002 Rev P01, DRCARHBZZZDSCAR 061003 Rev P01, DRCARHBZZZDSCAR 061002 Rev P02, DRCARHBZZZDSCAR 061001 Rev P02, 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: DRCARHBZZZDSCAR 062001 Rev P01, DRCARHBZZZDSCAR 910001 Rev P01, DRCARHBZZZDSCAR 062002 Rev P01, DRCARHBZZZDSCAR 063001 Rev P01, DRCARHBZZZDSCAR 063002 Rev P01, DRCARHBZZZDSCAR 061003 Rev P01, DRCARHBZZZDSCAR 061002 Rev P02, DRCARHBZZZDSCAR 061002 Rev P02.

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.

DEVELOPER'S CODE OF 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 items 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 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,
 - groundwaters 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'.3

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 item 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of item 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 item 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 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

EXTERNAL MATERIALS

(5) 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

(6) 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.

CAR PARKING PROVISION

(7) Notwithstanding the submitted car parking details, the building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with details to be 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.

LOADING AND UNLOADING PROVISION

(8) Notwithstanding the submitted details of the proposed loading/unloading bay, 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.

CYCLE PROVISION

(9) 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 4 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.

SUSTAINABILITY

(10) 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 either;

(a) a minimum of 15% of the total carbon emissions for which the development is responsible will be reduced through the use of renewable energy equipment, combined heat and power and energy efficiency measures outlined within the applicant's Energy Statement.

Or

(b) the installation of a low carbon technology such as Combined Heat and Power (CHP) could achieve greater than 15% reduction in total carbon emissions, and facilitate the roll out of a wider approach to district energy as part of the wider area. To understand how this CHP solution would contribute to a District Energy Network the Local Planning Authority would need this report to (i) consider quantum's & phrasings of development proposed as part of the wider area, (ii) energy characteristics of these developments, (iii) the options for supplying these energy demands in line with Government's trajectory for low carbon building standards as set out in Building a Greener Future.

Reason

To enable the Local Planning Authority to consider the on-site renewable and sustainable criteria of the development in accordance with policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE DESIGN PROPOSALS

(11) Unless otherwise previously agreed in writing, 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 Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SOFT LANDSCAPE WORKS

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

Reason:

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

LANDSCAPE WORKS IMPLEMENTATION

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

Reason:

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

DETAILS OF TREE PLANTING

(14) The plans and particulars of the landscaping works submitted in accordance with condition above shall include details of the size, species and positions or density of all trees to be planted, and the proposed time of planting.

Reason:

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

TREE REPLACEMENT

(15) If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and are subsequently properly maintained, if necessary by replacement.

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, hours of crushing and piling operations, control of mud on road, control of dust 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.

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 upon neighbouring properties and the impact 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
- PPS1 - Delivering Sustainable Development
- PPS22 - Renewable Energy
- PPS23 - Planning & Pollution Control
- CS28 - Local Transport Consideration
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS20 - Resource Use
- CS01 - Sustainable Linked Communities
- CS02 - Design
- SPDI - Development Guidelines