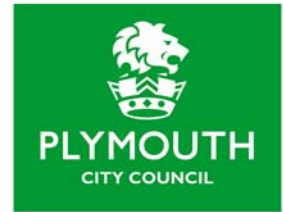


# PLANNING APPLICATION REPORT



**ITEM: 04**

**Application Number:** 11/00564/FUL

**Applicant:** Royal London Mutual Insurance Society Ltd

**Description of Application:** Renewal of planning permission 08/00656/FUL for refurbishment works, including reconfiguration to form 2 retail units, amendments to external appearance of building and installation of mezzanine floor for retail sales and ancillary storage

**Type of Application:** Full Application

**Site Address:** UNIT 2 ERRILL RETAIL PARK, PLYMOUTH ROAD  
PLYMPTON PLYMOUTH

**Ward:** Plympton Erle

**Valid Date of Application:** 07/04/2011

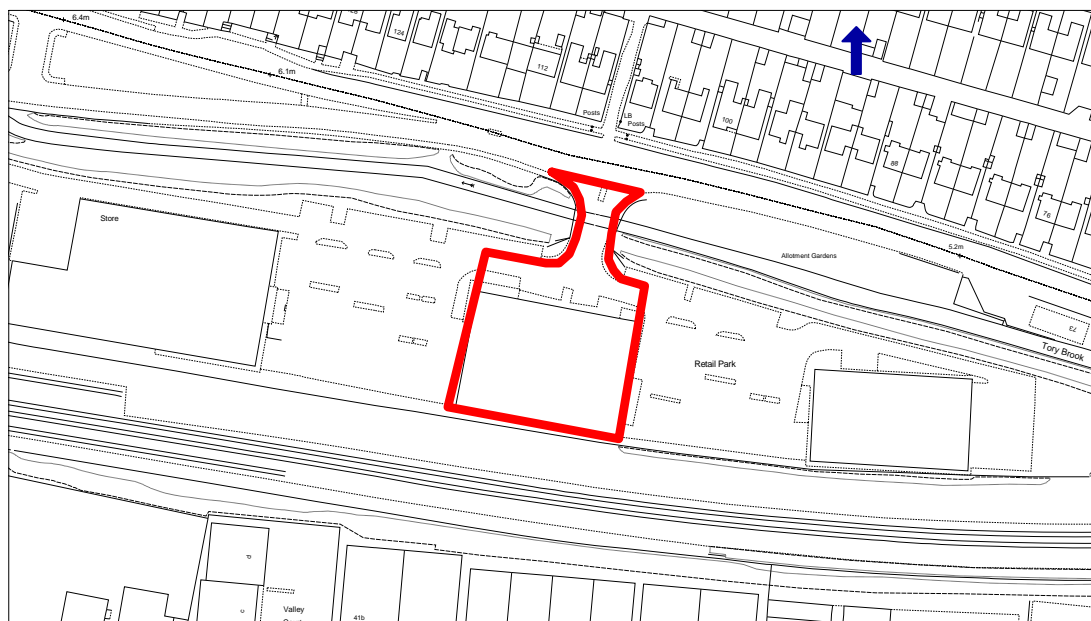
**8/13 Week Date:** 07/07/2011

**Decision Category:** Major Application

**Case Officer :** Robert Heard

**Recommendation:** Grant Conditionally

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



### **Site Description**

Errill Retail Park is situated on the southern side of Plymouth Road roughly half way between Marsh Mills and the commercial centre of Plympton. The retail park is accessed directly off Plymouth Road and is sandwiched between the Tory Brook, at the front of the site, and the main railway line at the rear. The unit the subject of this application is currently vacant and is one of three retail units on the park. Of the other two units, one is occupied by Buyology, whilst the other is also vacant.

### **Proposal Description**

Renewal of planning permission 08/00656/FUL for refurbishment works, including reconfiguration to form two retail units, amendments to external appearance of building and installation of mezzanine floor for retail sales and ancillary storage.

### **Relevant Planning History**

10/00278/PRDE – Complete works for refurbishment and extension to retail units with associated improvements, subject to planning permission 03/01773, with no restriction on the sale of good - CERTIFICATE ISSUED

08/00656/FUL - Refurbishment works, including reconfiguration to form two retail units, amendments to external appearance of building and installation of mezzanine floor for retail sales and ancillary storage - GRANTED

07/00148 (FULL) - Installation of mezzanine floors in units 2A and 2B for retail sales and ancillary storage - GRANTED

05/02220 (FULL) - Refurbishment works, including reconfiguration of unit 2 to form two retail units, amendments to external appearance of buildings and enhancement of external areas with works to trees - GRANTED

03/01773 (FULL) - Refurbishment and extension to retail units with associated improvements - GRANTED

97/01133 (ADV) - Illuminated signs at site entrance - GRANTED

### **Consultation Responses**

Highway Authority – No objections subject to a condition

Environment Agency – No objection

Public Protection Service – Recommends approval of the application

### **Representations**

Two letters of objection received, on the grounds that:

- New retail development will harm the retail offer in the city centre
- Harm to existing highway network

## **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.

This application seeks to renew an existing permission, which has not yet been implemented, for refurbishment works, including reconfiguration to form two retail units, amendments to external appearance of building and installation of mezzanine floor for retail sales and ancillary storage at Unit 2, Errill Retail Park.

It is considered that this application raises a number of main issues, being the increase in retail floorspace, design and landscaping issues and impact on the surrounding highway network. The complex planning history at the site is also a relevant material consideration.

### Planning History

With regards to planning history at the site and previous applications granted, planning permission was granted in February 2006 for various refurbishments to the retail park which included amendments to the existing eaves heights and reconfiguration of Unit 2 into two separate units- Unit 2A and 2B.

Permission was also granted in 2007 to install mezzanine floorspace for Units 2A (760 sq m) and 2B (800sq m). The total proposed additional floorspace amounted to 1560 sq m; however only 200sq m was proposed for retail shopping floorspace, the remaining was proposed for storage purposes.

This application is to renew the existing permission (08/00656/FUL) which is almost identical, in terms of works, to the applications mentioned above, the only difference being changes to the materials proposed for external cladding and the addition of 180 sq m of mezzanine floorspace, purely for ancillary storage use.

Since the consented application in 2008 which this application seeks to renew, a Lawful Development Certificate has been issued at the site, which affects all 3 existing buildings at Errill Retail Park, and gives them an unrestricted retail use. This was granted under reference 10/00278/PRDE.

### Highways Issues

The Transport Department comment that this current application will only result in an increase of approx. 200m<sup>2</sup> of retail space by way of the mezzanine floor. The remainder of the mezzanine floor is proposed for storage purposes and as such will have staff access only. Therefore they state that the actual impact on the surrounding highway network is negligible. The applicant previously submitted a transport statement which concludes this. The conditions recommended in the previous applications are reiterated.

### Retail Issues

Since this proposal concerns an existing retail use and does not propose any increase in retail floorspace over and above that which has already been permitted, the application is compliant with both national and local planning policy. Errill Retail Park is at Marsh Mills, identified in the adopted Core Strategy as the preferred location for bulky goods type retailing. Given these factors, and the existing Certificate of Lawful Use issued in 2010 for unrestricted retail use at the site, there are no objections to this proposal on retail policy grounds.

### Design and Landscaping

As with the February 2006 proposals, the current scheme makes amendments to the eaves height of the building. It is proposed that a hipped roof is formed to reflect the other units in the park, this would raise the height of the roof by 2 metres at the highest point. The cladding proposed would include new dark grey and silver metal cladding. Other alterations include new shopfront openings with additional glazing at pedestrian level facing the car park and a new covered service corridor to the rear of the unit within the existing building. The increase in height of the building would not impact on any other property and would not be harmful to the character of the area. The appearance of the building would be improved in creating a more active shop frontage on the elevation facing Plymouth Road. No landscaping proposals are specified in this application therefore conditions are recommended to ensure a landscaping scheme is agreed before any works commence.

### Letters of Representation

Two letters of objection were received; the points raised include a query regarding an increase in traffic and concern over the retail impacts of the proposal on the city centre. As already explained in this report, it is not considered that the proposal would result in a significant increase in traffic. Regarding retail impact, the site (all 3 buildings at Errill Retail Park) has a Lawful Development Certificate which establishes use of all 3 buildings for unrestricted retail for as long as they are in existence. The proposed use is therefore established and cannot be challenged.

### **Section 106 Obligations**

None required

### **Equalities & Diversities issues**

No issues arising

### **Conclusions**

It is considered that the proposals would provide improvements to the appearance of the building and improve the vitality and viability of the retail park by seeking to secure permission for a further 3 years for a development that would improve the retail offer at this location. This application is therefore recommended for conditional approval.

### **Recommendation**

In respect of the application dated **07/04/2011** and the submitted drawings 100/A, 102/C, 103/B, 104/C, 101/C, and 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.

### **APPROVED PLANS**

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: I00/A, I02/C, I03/B, I04/C, I01/C.

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

### **USE RESTRICTION**

(3) The premises shall be used for storage and retail as set out in the plans submitted and hereby approved. The level of net internal floorspace shall be restricted to those uses approved and any proposed changes must be made the subject of a separate planning application.

Reason:

The Local Planning Authority considers that the use of the premises as specified in the plans as appropriate, but that a proposal to change the use of any part of the premises would need to be made the subject of a separate planning application to be considered on its merits.

### **LANDSCAPE DESIGN PROPOSALS**

(4) 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.

Reason:

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

#### MAINTENANCE SCHEDULE

(5) No development shall take place until a schedule of landscape maintenance for a minimum of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

#### Reason:

To ensure that satisfactory landscaping works carried out in accordance with Policy CS18 of the adopted City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### STAFF TRAVEL PLAN

(6) Development hereby permitted shall not commence until a Staff Travel Plan (STP) has been submitted to and approved in writing by the Local Planning Authority. The said STP shall seek to encourage staff to use modes of transport other than the private car to get to and from the premises. It shall also include measures to control the use of the permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the STP; and the name, position and contact telephone number of the person responsible for its implementation. From the date of the commencement of refurbishment the occupier shall operate the approved STP.

#### Reason:

In the opinion of the Local Planning Authority, such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with policy CS28 of the adopted City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### CYCLE STORAGE

(7) The development shall not be occupied until space has been laid out within the site in accordance with the approved plan for 16 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 adopted City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### PEDESTRIAN CIRCULATION ROUTES

(8) Details of all revised vehicle and pedestrian circulation routes within the retail park shall be submitted to and approved in writing by the Local Planning Authority and be implemented on site before bringing the final refurbished unit back into use.

#### Reason:

In the interests of public safety, in accordance with Policy CS28 of the adopted City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

## FOOTWAY CONSTRUCTION

(9) A footway shall be constructed along the southern side of Plymouth Road (connecting the existing footway to the Retail Park with the existing footway to the east) and, prior to any of the works hereby approved being carried out, details of the footway shall be submitted to and approved in writing by the Local Planning Authority. The said footway shall be provided prior to trading commencing from either of the two units hereby approved in the reconfigured unit 2.

### Reason:

To promote and encourage alternative means of access to the retail park other than the private car use in accordance with Planning Policy Guidance 13: Transport and in accordance with Policy CS28 of the adopted City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

### **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 proposed development on surrounding residents amenities, on the surrounding highway network, to the character of the area and on public safety and amenity, 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:

- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS34 - Planning Application Consideration
- CS07 - Plymouth Retail Hierarchy
- CS08 - Retail Development Considerations
- CS09 - Marsh Mills Retail Parks
- CS18 - Plymouth's Green Space
- CS02 - Design
- CS04 - Future Employment Provision