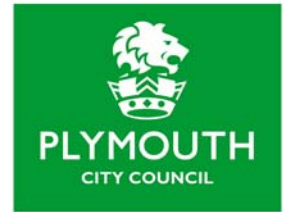


PLANNING APPLICATION REPORT



ITEM: 04

Application Number: 11/01410/FUL

Applicant: Town House (Plymouth) Ltd

Description of Application: Demolition of existing public house and redevelopment of site to provide student accommodation comprising of 33 bed spaces in 5 cluster flats together with associated loading/unloading area, disabled car parking, 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: 31/08/2011

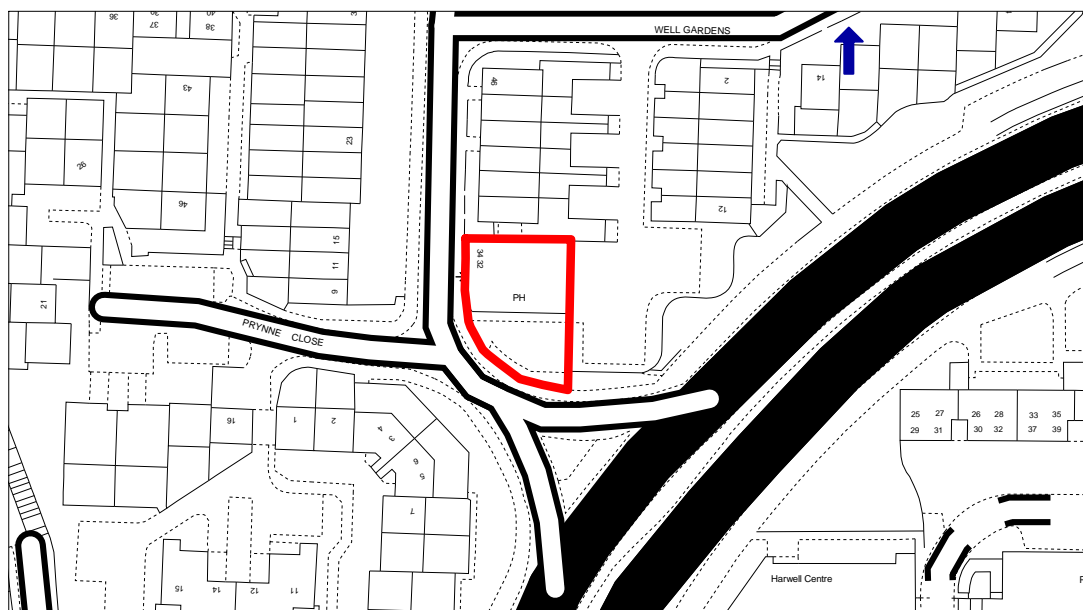
8/13 Week Date: **26/10/2011**

Decision Category: Assistant Director of Development Referral

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 21 November 2011

Click for Application Documents: www.plymouth.gov.uk



OFFICER REPORT

This application is referred to Planning Committee by the Assistant Director of Planning and Regeneration. The criterion on which it is referred is - "The history of the site is complex, and as a result has a bearing on the case".

Site Description

The application site is currently occupied by the Town House public house, an adjoining footway, a small customer car park (approximately four car park spaces) 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 33 bed spaces in 5 cluster flats within a four storey (approximately 11m high) / five storey building (approximately 14.5m high), together with associated loading/unloading area for three cars, two disabled car parking spaces, refuse areas and cycle storage for twenty two bikes.

The proposed materials include stone cladding, pre-treated timber 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 has been the subject of detailed pre-application discussions which has resulted in a complete redesign of the previous development proposal refused by Planning Committee.

10/01452/FUL - Demolition of existing public house and construction of six storey building (with seventh storey lift (stair core) Accommodating 51 units of student accommodation divided into 10 cluster flats, together with associated refuse and cycle storage and two vehicle drop off point. WITHDRAWN

10/02006/FUL - 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. REFUSED.

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.

Police Architectural Liaison Officer
No Objections.

Representations

Nine letters of objection and one letter of support had been received.

Objections can be summarised as:

1. Proposed building is too high, higher than the existing building on the site and will cut out light to neighbouring property and result in a loss of privacy.
2. Concern that development is dominant and out of character with other buildings in the area.
3. It is alleged that the area was designated as a village when built and has won awards, the development is contrary to the "Village" type ethos and would be the first purpose built student accommodation in a residential area.
4. It is reported that there are already parking problems in the area and the proposal will exacerbate this. The increase in traffic will also compromise highway safety around the Harwell Street area.
5. The proposed vehicular through access to the development off Wells Gardens could cause access problems to residents who have existing parking bays off this rear street. It is noted that this area is also in need of street repairs due to road surface damage by the tree roots.
6. Concern about noise disturbance and rubbish from the student use, particularly as many of the existing local residents are reported as being elderly and with health issues.
7. It is queried why so many student properties have to be built?
8. Extra Care Housing would be a preferred option.
9. The development is considered to be contrary to adopted Core Strategy Policies CS01, CS02, CS06, CS34 and the City Centre Area Action Plan.
10. Although it is agreed that the applicant has sought to address resident's concerns, it is not considered true that he has listened to the concerns of residents as stated within the application.
11. Demolition of the pub will cause vermin to scatter to nearby properties.
12. The development would de-value neighbouring properties.

Letter of support can be summarised as:

1. This area of the city is in drastic need of improvement and investment and the site is perfect for the proposed development being within walking distance of the University and city centre shops and services.
2. The development accords with the City Centre Area Action Plan as it will increase the number of people living in the city and may prove a catalyst for additional investment as well as much needed vigour and energy.
3. Dedicated student accommodation will enable existing family sized housing currently converted into student use to be brought back to the family housing market of which the city is desperately short.

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), adopted Planning Obligations Supplementary Planning Document (2010), adopted City Centre Area Action Plan and National Planning Policy Framework Consultation Draft (Revised August 2011).

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. 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.

The design, scale and massing of the building has been carefully considered so as to respond 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 a local stone plinth, natural slate hanging, timber cladding 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), adopted City Centre Area Action Plan, Government guidance contained in draft National Planning Policy Framework and Government guidance contained in PPS1, PPS3 and PPS6.

The impact of the development upon neighbouring properties:

It is acknowledged that due to its siting, height and design, the development will have a degree of overlooking 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 20 metre minimum distance of the development from any adjoining properties potentially affected to the south west of the site, the limited number of predominantly bathroom and end-of-corridor windows on the north elevation of the building and the context of the site within the city centre, on balance, the impact of the development upon neighbouring residents is considered to be entirely satisfactory and certainly not so significant as to warrant a refusal of the application.

A condition is recommended to ensure that any window on the north elevation of the building that could potentially overlook the rear gardens of neighbouring properties on Harwell Street is designed so as to either be permanently obscure glazed or designed so as not to enable an unacceptable increased level of overlooking to the north east of the site.

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, adopted Development Guidelines Supplementary Planning Document (2009), City Centre Area Action Plan and Government guidance contained in PPS1, PPS3, PPS6 and PPG24.

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.

It is noted that students are actively discouraged from bringing their cars with them when enrolling on courses at Plymouth University and there are Controlled Parking Zones in operation on the streets surrounding the site which regulate the amount of on-street kerbside car parking that takes place. It is also noted that there is a large, under utilised car park within a short walking distance of the site (Western Approach) which provides ample opportunity for parking, should it be required.

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.

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.

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 together with 2 permanent disabled parking spaces. A condition is attached relating to the need for a Car Parking Management Strategy for these spaces.

The Highway Authority does not raise any objections to the proposed vehicular access off Wells Gardens to the rear of the development.

Concerns have been expressed by third parties regarding the condition of the road surface at the end of the adjoining cul-de-sac, over which vehicular access will be achieved. This area has been inspected by a Highway Authority representative and it is not considered that such concerns are warranted. It is not considered reasonable or justified to require a planning condition to address any minor areas of road surface. The Highway Authority does however consider it to be appropriate to recommend that a condition be imposed to ensure that the developer secures the repainting of the existing yellow lining parking restriction marking within this street prior to any use of the development commencing.

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.

Sustainable Resource Use

National Planning Policy Framework Consultation Draft (Revised August 2011) states a presumption in favour of sustainable development. 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, Government advice contained within PPS22 and the draft National Planning Policy Framework, is investigated further.

Other Matters

Devaluation of neighbouring property is not a material planning consideration.

Concern expressed that the demolition of the pub will cause vermin to scatter to nearby properties is not an overriding planning consideration. Pest Control and vermin is a matter that is covered specifically under the Environmental Protection Act. The Developer's Code of Construction condition will also require pest control measures including pre-baiting to be undertaken prior to any demolition taking place.

Contrary to concern expressed that the applicant has not sought to address resident's concerns, the applicant has in fact held a number of meetings with representatives of the local community and taken on board comments and suggestions made. These are reflected both in the submitted development proposal and also in the emerging proposed Management regime for the student use of the building. It is recommended that the details of the proposed management regime are subject to a specific condition.

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

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 and Devonport library facilities 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 £1,330.

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 £3,876.

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 in the South Sub Area. The estimated cost of mitigating this impact is £7,032.

The total estimated cost of mitigating these impacts would be £12,238 if this is to be delivered through financial contributions.

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:

Local Infrastructure:

(i) £1,330 to be allocated to the provision and upgrade of Central and Devonport library facilities;

(ii) £7,032 to be allocated to the provision and upgrade of playing pitch facilities within the South Sub Area;

(iii) £3,876 to be allocated to the provision, upgrade and management of the greenspace facility within Patna Place/North Road West.

(iv) A clause to ensure no demolition of the existing Town House Public House takes place until a contract for carrying out the works of redevelopment on the site has been submitted to and agreed in writing with the Local Planning Authority.

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 are all considered to be acceptable. 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 21st November 2011.

Recommendation

In respect of the application dated **31/08/2011** and the submitted drawings 739 - 300 Rev P, 739 - 301 Rev P, 739 - 303 Rev P, 739 - 304 Rev P, 739 - 305 Rev P, 739 - 307 Rev P, 739 - 308 Rev P, Design and Access Statement, 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 21 November 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) With the exception of the details of the design of the north elevation windows to bedroom 2 and 7, the development hereby permitted shall be carried out in accordance with the following approved plans 739 - 300 Rev P, 739 - 301 Rev P, 739 - 303 Rev P, 739 - 304 Rev P, 739 - 305 Rev P, 739 - 307 Rev P, 739 - 308 Rev P, 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

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.

ACCESS

(4) 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.

LAND QUALITY

(5) 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.

EXISTING TREES TO BE RETAINED/PROTECTION DURING CONSTRUCTION

(6) In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of occupation of the building.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with BS 3998: 2010 Tree Work Recommendations.

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

Reason:

To ensure that trees retained in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 are protected during construction work and thereafter are properly maintained, if necessary by replacement.

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. The timber cladding shall be pre-treated in a finish to be submitted to and agreed in writing by the LPA and thereafter be so retained and maintained.

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.

SURFACE 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, 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 Aluminium roof capping/soffit;
- (iv) Details of the design of any external building lighting proposed;
- (v) Details of the proposed siting, design and external materials of the solar thermal equipment and 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.

SUSTAINABILITY MEASURES

(10) 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.

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.

NOISE

(11) 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.

TRAVEL PLAN

(12) The development hereby permitted shall not be occupied until a Travel Plan (TP) has been submitted to and approved in writing by the Local Planning Authority. The said TP shall seek to encourage students 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 disabled parking and drop-off areas; arrangements for monitoring the use of provisions available through the operation of the TP; details of the traffic management measures that will be employed during periods of arrivals/departures and the name, position and contact telephone number of the person responsible for its implementation. From the date of the first occupation of the building the occupier shall operate the approved TP.

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, CS34 and relevant Central Government advice.

STREET DETAILS

(13) 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.

CAR PARKING / DROP-OFF PROVISION

(14) The building shall not be occupied until the disabled car parking spaces and drop off area shown on the approved plans has been drained, surfaced and signed/lined 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 belonging to disabled persons or for temporary dropping-off/collection.

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.

CYCLE PROVISION

(15) 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 22 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 (if required) (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.

REFURBISHMENT OF CARRIAGEWAY PARKING RESTRICTION LINES

(19) Prior to any occupation of the development, the carriageway parking restriction lines to Well Gardens shall have been re-painted in accordance with details which shall have been previously submitted to and agreed in writing by the Local Planning Authority.

Reason

To ensure that a safe and convenient highway environment is secured to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PREVENTION OF OVERLOOKING OF NEIGHBOURING REAR GARDENS

(20) Notwithstanding the submitted drawings and the provisions of the Town and Country Planning (1) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order or the 1995 Order with or without modification), the window(s) in the north elevation of the development shall at all times be obscure glazed and non-openable, or otherwise permanently designed so as not to permit any overlooking of the rear gardens of neighbouring properties on Harwell Street.

Reason:

In order to protect the privacy enjoyed by the occupiers of the adjacent dwelling in accordance with Policy CS34 of the 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 (if required) and delegates attending conferences or courses during the vacations.

2 - 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.

3 - 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.

4 - 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.

5 - Details of the proposed arrivals/departures procedures.

6 - 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.

INFORMATIVE - KERB LOWERING

(4) The applicant is advised that before the widened access hereby approved is first brought into use it will be necessary to secure dropped kerbs (and footway crossings) with the consent of the local Highway Authority. The Applicant should contact Plymouth Transport and Highways for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority.

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
NPPF - Draft National Planning Policy Framework 2011