

ADDENDUM REPORT PLANNING COMMITTEE 31st May 2012

Item: 6.4

Site: Pottery Quay Road, Plymouth

Ref: 12/00116/FUL

Applicant: Hadley Property Group

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The recommended condition 13 is amended

Consultation Response added

Defence Infrastructure Organisation (DIO) this application relates to a site outside of Ministry of Defence (MoD) statutory safeguarding areas. We can therefore confirm that the MoD has no safeguarding objections to the proposal.

Section 106 legal agreement

The original outline planning permission for the whole Pottery Quay development, the social housing, as well as the private sector (ref 02/01345/FUL) has a section 106 legal agreement attached envisaging various contributions totalling £189,000, with payment falling due upon commencement of the 100 private sector dwellings and 890sqm employment space development on the western end. The contributions were decided are ten years ago. They do not reflect the measures necessary to offset the impact of the current development. However, because part of the outline permission has been implemented years ago (the social housing) they remain as basic 'fall back' position for the applicants, and a factor in the assessment of contributions associated with the current application.

The current proposal is for a lesser amount of development. It is proposed that the sum of £173,000 is sought reflecting current priorities in the area: for employment, transport (pedestrian safety) and education.

- That PCC will be formally advised of commencement of development
- That upon commencement of development to pay £79,000.00 contribution towards the provision of employment space in the wider Devonport area (Devonport or adjoining wards) payable on commencement.
- Transport contribution to design and construct a pedestrian crossing on Ferry Road £50,000 payable on commencement
- Contribution towards local schools £44,000 payable on commencement.

These contributions comply with Regulation 122 (CIL regulations)

Agreement to be concluded by 31st July 2012.

Conditions – The wording of condition 13, 'code of practice during construction ' is incorrect (it has re-produced the working for condition 11). It should state:-

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

Code of Practice shall indicate: -

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

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

Reason:

To protect the amenity of the surrounding area.