

Addendum Report

Item 6.2

Application no: - 12/00116/FUL

Pottery Quay, Pottery Road, Devonport, Plymouth

Applicant:- Hadley Property Group

Agent:- ID Planning

Recommendation:- Grant conditionally subject to Section 106 legal agreement

Pages:- 21-38

Members deferred consideration of the above application at 31st May planning Committee to allow four issues to be discussed with the applicants (local employment opportunities; parking; noise and accessibility) and for further consultation with neighbouring residents to be undertaken.

1. Issues to be discussed with applicant agent

Following on from Planning Committee on 31st May the case officer sought responses on the 4 issues identified by Members- Case officer question in italics, applicant's agent's response indented and Comment, where appropriate.

1.1 Local employment opportunities

What are the practical implications of a Section 106 clause for building contractors, constructing the development to provide apprenticeships for local youth? And would the developer be willing to sign an agreement with such a clause?

Unfortunately such a clause would be unrealistic as there is no contractor in place at this stage. In addition, the build period for the project is likely to be shorter than the usual 3 year period for apprenticeships. However, one possible way of addressing this points could be to seek to use some of the £79,000 employment contribution to apprenticeships or training schemes within the Devonport area. Having a clause in the S106 that such monies could be used for this purpose would seem reasonable. Finally, whilst it is unlikely that the applicant could have ultimate control over who builds out the scheme, reasonable endeavours as could be made to encourage developers to consider local contractors, builders and suppliers.

Comment: - The practical difficulties of organising apprenticeships on the basis of this application are acknowledged. The helpful intent of the offer to use some of the £79,000 employment money for this purpose is recognised. But Members are advised to leave the wording as proposed. If granted the planning permission would endure for 3 years. We do not know when / if it will start. Whilst the contribution needs to be specific enough to satisfy requirements that it offsets the impact of the development it also needs to be flexible enough to be used to part fund the projects seeking funding, at the time of commencement.

1.2 Parking

The parking provided exceeds the LPA's minimum standard and satisfies the highway Authority requirements, is there scope for a more even distribution with some increase in

visitor spaces, perhaps at the expense of some of the properties allocated two spaces , or does the tandem arrangement preclude this?

A Car parking Management Plan (CPMP) has been proposed for the scheme following discussions with your Highway's colleagues. This plan has been agreed in principle by your colleagues. In summary the proposal provides 117 spaces for other 73 dwellings. 1 of these spaces is allocated to the manager of the commercial element leaving 116 spaces to serve the 73 units. The current CPMP suggests each unit has an allocated parking with the 22 3 bed townhouses also having a second space (laid out in tandem); the submitted parking layout has 21 tandem spaces which would address the parking need for 3 bed townhouses. There are therefore 21 spaces remaining to either be offered for sale to occupiers (other than the 3 bed units) or ultimately some could be laid out for visitors. It is understood there is no requirement in the Council's parking standards for provision of visitor parking but note this is an issue in the adjacent development. However, at a ratio of 1.5 spaces per unit the requirement for the scheme would be 110 spaces, thus on the basis set out above (with one space⁴ allocated for the manager of the convenience store) there would be 6 spaces left over for visitor parking. Ultimately the most logical way of dealing with this issue is via a condition for a CPMP to be submitted and approved to the LPA before first occupation of the flats.

Comment:-The tandem spaces cannot be used separately. Their allocation to the larger units is sensible and accepted. The issue to be considered is whether a CPMP should allocate the 'extra' second spaces to residents or safeguard them for visitors. A condition requiring submission and approval of a CPMP, with the implication that the second spaces, excluding the tandem ones, are allocated for visitors could be imposed if Members consider it necessary.

1.3 Noise

What sound insulation measures are proposed, particularly for the proposed southernmost and frontage blocks, to protect future residents from noise from the Torpoint Ferry? I think that the concern is that operational noise is generated by the ferry which could be a future point of conflict between the ferry company and residents.

Firstly, whilst the concerns raised are noted, it is important to note the extant consent and the fact that the principle of residential development on this site has been accepted. With regards the current scheme, the submitted noise survey undertaken states that " the use of double glazed windows and a passive ventilation system would enable a satisfactory level of noise within the flats ". There are standard features and would satisfactorily address the matter. However, should further comfort be required we would be happy to see a further condition requiring an update Noise Survey to be undertaken before development commences. The Council could then agree the methodology (i.e.. timings / locations) for other survey to ensure operational effects of the ferry are fully understood so as to ensure any proposed mitigation (double glazing) is appropriately specified during construction to ensure satisfactory living conditions are provided for future residents. A new Noise Survey could also look at the

'buffering' effect of the southern block on noise affected the two blocks to the north.

Comment;- Noise conditions can be added if Member's consider it appropriate. Public Protection Service have provide some suggested working:-

() All dwellings should be built to meet the "Good Room" Criteria as set out in BS8233:1999, meaning there must be no more than 30 dB LAeq for 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).

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

NOISE CONDITION

() Details of the sound insulation verification methodology including the identification of the appropriate test properties and subsequent sound insulation verification results for each phase or part of a phase of development shall be submitted to and approved in writing by the local planning authority before any dwelling or building is occupied in that phase or part of that phase of development.

Reason: To ensure that the proposed dwellings hereby permitted achieve the standards of noise attenuation set out in condition 20 so the properties achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

SOUND INSULATION VERIFICATION

1.4 Accessibility

Access to the front of the houses and ground floor 'deck' for wheelchair users is shown via the proposed lifts. There is a concern that if the lifts break, access will be impossible for such users - particularly those in the southern most block. What assurance can be provided that the management and maintenance regime will strive to ensure that the lifts remain operable and what scope, if any, is there for contingency access in the event that they break?

Will emergency services be able to access the properties in the event of an emergency? (the Highway Authority are satisfied, and there is an overlap with building control regulations)

It is envisaged the management arrangements of the site will include a 24 hour call out / lift repair contract to ensure lifts remain operable. The Proposal has three lifts and since adding flood evacuation route from the southern block access is possible to all of the flats and houses from any of the lifts. This if one lifts is out of order there would be 2 others to use. With regards access for emergency vehicles, fire appliances and ambulances will be able to access the development via the access road and turn in the turning circle.

Comment:- Reassurance welcomed

2. Public Consultation event;

Held at Community Flat Pottery Quay 1pm-6pm Friday 16th June 2012

The local ward councillor organised community consultation event Friday 16th June 2012 was fairly well attended. The two planning issues, related to this site, that emerged are: the retaining wall around the waterfront and the disturbance caused during the construction process.

Retaining wall

Many residents erroneously considered the wall to be listed (it isn't) or an historic part of old Devonport. Residents are keen that it is retained and repaired rather than replaced with a modern concrete one.

Comment:- Given the scale of development and engineering work needed to provide the foundations and partially subterranean car park retention of the existing wall may not be possible. However, the proposal is being recommended subject to conditions, two of which relate to materials, so the LPA will have some control over the finish and can ensure that it is attractive and appropriate - preferably traditional stone.

Disturbance during construction

The second set of concerns raised at the consultation event was around noise dust, construction traffic and contractor's car parking when the proposal is built - not least dirty windows and displacement of contractors parking into residents' spaces in the neighbouring estate.

Comment:- The case officer advised that, in the event that approval is given and construction goes ahead, the building work will, inevitably, result in some disturbance and inconvenience, and that this disturbance, it itself, cannot justify withholding planning permission. Nevertheless the impact of the construction process can, and should be, mitigated. The applications being recommended with a condition that requires the applicants to adhere to the Council's Council's Code of Construction Practice and that the issue of contractors parking has specifically been raised with the applicant's agents.