

# PLANNING APPLICATION REPORT



**ITEM: 07**

**Application Number:** 12/00095/FUL

**Applicant:** Rotolock (Holdings) Ltd

**Description of Application:** Refurbishment and extensions to existing redundant buildings to form hotel development to include refurbishment of jetty, refurbishment, part demolition and extensions to Grade II listed Barrack Block, Island House, and Ablutions Block. Refurbishment and part demolition to scheduled Ancient Monument Casemated Battery and general landscaping and infrastructure works

**Type of Application:** Full Application

**Site Address:** DRAKE'S ISLAND PLYMOUTH

**Ward:** St Peter & The Waterfront

**Valid Date of Application:** 24/01/2012

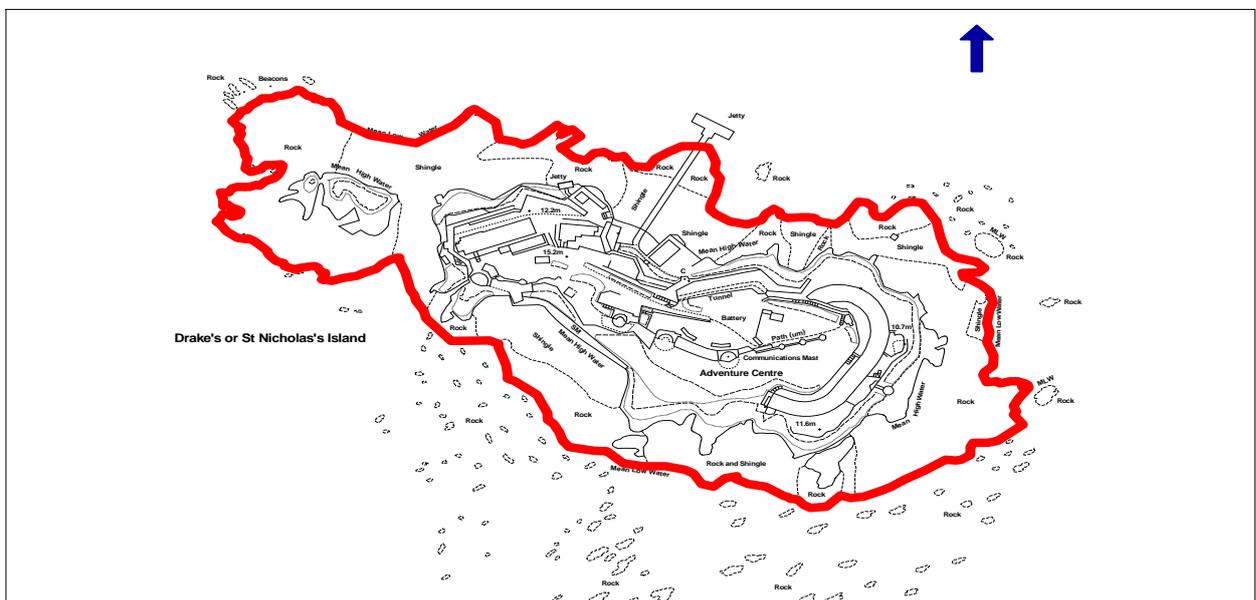
**8/13 Week Date:** **24/04/2012**

**Decision Category:** Major - 5 or more Letters of Representation received

**Case Officer :** Matt Coombe

**Recommendation:** Refuse

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### **Site Description**

Drake's Island is located in Plymouth Sound, about 600 metres south of the Hoe. It extends to about 2.6 hectares and is formed of limestone and volcanic rock rising to a height of some 29 metres.

Formerly known as St Nicholas Island, its strategic position on the approach to Sutton Harbour, the Cattewater, Hamoaze and Dockyard led to it being fortified from at least the 16<sup>th</sup> century. Military use of the island continued until after World War II. From 1963 to 1989, Plymouth City Council obtained a lease from the Crown and operated a youth adventure training centre there. The current owner bought the island from the Crown in 1995. Since then the island buildings have been unused, and have fallen into disrepair.

A large proportion of the island is a designated Scheduled Monument (SAM 12614), comprising three designated areas. At the western end of the island, the designated area includes the main entrance, coastal walls and the western gun battery. A small area in the north-east of the island encloses a small area believed to contain remains of a 16<sup>th</sup> century artillery tower. The largest area includes the majority of the central and eastern parts of the island, enclosing the casemated batteries of 1860-1, and most of the later artillery batteries and magazines. Although excluded from the Scheduled Monument, the group of four principal buildings occupying the north-west end of the island are Grade II listed. These buildings comprise the 18<sup>th</sup> and 19<sup>th</sup> century former Barracks, Ablution Blocks, Commanding Officer's House and Guardhouse.

The range of remains and fortifications, and the prominent location of Drake's Island, make it a heritage site of the greatest importance. It also has significant wildlife interest as it is located within the Plymouth Sound and Estuaries European Marine Site.

### **Proposal Description**

The proposals seek to carry out conversions and extensions to existing buildings to allow the island to function as a luxury hotel resort. The intention is that the island will be made available not just to hotel residents and guests, but that arrangements will be made to allow controlled access to members of the public.

The proposed development is largely concentrated in three main areas:

- The group of buildings at the western end of the island representing the former residential quarters of soldiers and officers
- The Casemated Battery at the eastern end of the island
- The arrival point on the north side of the island

In brief, the proposals seek to convert the Barrack Block into 25 hotel bedrooms and suites, to convert Island House into bar and restaurant areas, to convert and extend the Ablution Block, to provide spa, gym and swimming pool facilities and to link the three buildings with a highly glazed linking element of contemporary architecture that will provide the core services and the main vertical circulation for the four building elements of the hotel. Space is also allocated for a conference suite, services rooms, staff support and ancillary facilities. Creation of a seating area is proposed to the rear of the Barrack Block, together with a circular viewing platform and other landscape features. To allow for this space it is proposed that the existing ammunitions store here be demolished.

The Casemated Battery at the east end of the island is proposed for conversion to provide additional hotel accommodation in the form of 19 single and double unit suites, with two “Feature Rooms” restored to reflect their original historic form and made accessible to the public.

The landing jetty at the north side of the island is proposed for repair and refurbishment and the adjacent late 20th century Boat House is proposed for demolition, to be replaced with a modern “Arrival Building” with a “scenic lift” giving access from the jetty level to the main hotel level at the top of the cliff. A boat store is also proposed within the building.

The Design & Access Statement makes reference to the provision of a gravel helipad on the upper part of the island. Here also, it is proposed that historic pathways be uncovered, low-level lighting be added and the area generally be made safe.

It is proposed that overgrown vegetation on the island be cut back. Installation of lighting is proposed for the tunnel and store room network beneath the island, which is to be generally cleaned and repaired but with no major changes.

### **Pre-Application Enquiry**

Prior to application submission, extensive pre-application meetings took place through the Council’s Development Enquiry Service, including detailed discussions focusing on ecology and heritage (with English Heritage involvement). The pre-application process included a site visit to the island – again with English Heritage in attendance – on 17/01/11. The applicant held a day-long public consultation event on the proposal at the Royal Corinthian Yacht Club on 01/12/11 and conducted further pre-application consultation with the Plymouth Waterfront Partnership and other bodies.

### **Relevant Planning History**

99/00981/LBC - Alterations and extensions to Officer's House, Barrack Block, and Ablution Block – REFUSED

99/00980/FUL - Change of use of Casemates to visitor attraction with cafe; Officers House to a tavern/restaurant (together with rear extension); Barrack Block to hotel (together with extension) - REFUSED

## **Consultation Responses**

### **English Heritage**

Supports – in latest response, subject to the following changes:

1. Removal of balcony/patio areas in front of casemate rooms.
2. Full recording of casemate shields, and their careful removal and storage on site.
3. Further discussion on casemate glazing detail.
4. Potential display of a removed shield in room 34.1 to illustrate cross-section, rather than removal of the room's existing shield.
5. Improvement to the detailing of the glazed link element between the Barrack Block, Officer's Building and Ablutions Block.

### **Environment Agency**

Objects – on the grounds of insufficient information as follows:

1. Flood Risk Assessment (FRA) has not considered flooding to all parts of the proposed development and additional information is required to show how flood risks will be managed.
2. More information is required with regard to;
  - a. sewage treatment,
  - b. construction environment management,
  - c. contaminated land, and
  - d. waste management.

### **Natural England**

Objects – on the grounds of insufficient information to determine impacts upon (and mitigation and enhancement strategies for);

1. Plymouth Sound and Estuaries Special Area of Conservation (SAC),
2. Tamar Estuaries Complex Special Protection Area (SPA)
3. biodiversity generally (including protected birds, bats and botany), and
4. South Devon Area of Outstanding Natural Beauty (AONB) and Cornwall AONB in terms of landscape.

### **Ministry of Defence**

Support – subject to detailed design requirements to address explosive safeguarding concerns.

### **Public Protection Service**

Objects – the Public Protection Service recommends refusal due to insufficient information relating to potential noise impacts, including the potential for noise to be excessive due to the proposal of a heliport, possible operational events and the construction phase. The risk is considered unacceptable because there is no evidence to indicate otherwise.

## **Queen's Harbour Master**

Support – subject to agreement of detailed requirements including;

1. impact of lighting on navigation,
2. positioning of marker buoys,
3. construction phase navigation,
4. route of ferry,
5. impact on designated small craft anchorage, and
6. minimised impact on the SAC.

## **Royal Society for the Protection of Birds (RSPB)**

Objects – on the basis that the information provided does not adequately address the issues raised at the scoping stage for inclusion in the Environmental Impact Assessment and is therefore insufficient to demonstrate that the existing wildlife of Drake's Island (including designated features of the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA) will be protected during construction and operation of the proposed development.

## **Representations**

At the time of writing the Officer's report, 12 individual representations have been received.

One representation supports the proposal on the basis that it will provide new jobs.

Eight representations object to the proposal, and their issues of concern can be summarised as follows:

1. Impact on protected wildlife including protected birds (notably, Little Egrets) and bats.
2. Impact on the seagrass beds.
3. Lack of environmental mitigation measures.
4. Potential contamination risk from previous uses on island.
5. Insufficient archaeological information.
6. Public access will be limited and not affordable.

Three representations do not object or support the proposal, but raise issues with regards to the following:

1. Lack of a comprehensive ecological study.
2. Concern over potential impacts on seahorse habitat.
3. A restrictive covenant potentially affecting development of the island.

## **Analysis**

### **Planning Policy Position**

In the First Deposit Local Plan (FDLP) Proposal 113, Drake's Island was allocated for leisure, recreation and tourism uses, with development to make provisions including for "sensitivity to and enhancement of the island's historic, architectural and nature conservation interests". The FDLP has now been superseded by the adopted Core Strategy, and the Hoe Area Vision in this document provides general planning policy guidance relevant to Drake's Island:

#### *Core Strategy Area Vision 4 - The Hoe*

*To enhance the civic quality and focus of The Hoe, including its foreshore and related spaces, promoting in particular its tourism, leisure and residential functions.*

*To create a balanced neighbourhood at West Hoe, encouraging sustainable mixed-use development including new community facilities.*

*The Council's objectives to deliver this vision are:*

- 1. To maintain a unique, high quality, well-resourced and engaging tourist and leisure destination.*
- 2. To enhance the built environment and address regeneration needs through new development.*
- 3. To improve the range and quality of public facilities and information.*
- 4. To provide a more memorable link between The Hoe and the city.*
- 5. To improve pedestrian movement across The Hoe to its attractions and foreshore.*
- 6. To provide high quality public, water and sustainable transport facilities serving The Hoe and its neighbourhood.*

Drake's Island is not shown in the Hoe Vision Diagram. The emerging Plymouth Plan may include a more detailed proposal to replace the FDLP Proposal 113, but the planning issues and objectives are likely to be similar.

The following Core Strategy policies are relevant:

- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS03 - Historic Environment
- CS04 - Future Employment Provision
- CS12 - Cultural / Leisure Development Considerations
- CS13 - Evening/Night-time Economy Uses
- CS18 - Plymouth's Green Space
- CS19 - Wildlife
- CS20 - Resource Use
- CS21 - Flood Risk
- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS22 - Pollution

The following Supplementary Planning Documents are relevant:

- Planning Obligations and Affordable Housing Supplementary Planning Document (Second Review 2012)
- Design Supplementary Planning Document (2009)
- Development Guidelines Supplementary Planning Document (2010)

The NPPF - National Planning Policy Framework (March 2012) – is also a key consideration.

### **Principle of Development**

The proposed development is well aligned to planning policy objectives and is considered consistent with spirit of the City Vision - to create "one of Europe's finest, most vibrant waterfront cities". The Local Planning Authority was able to confirm strong support to the principle of the proposal in the pre-application response letter to the agent, dated 20/01/11.

### **Impact on Historic Environment**

It must be noted that the Council's responsibility as Local Planning Authority, to the historic environment on Drake's Island, extends only to the Listed Buildings and not the Scheduled Ancient Monument (for which English Heritage is the authorising body).

Refurbishment of the jetty and the proposed Arrival Building are considered to have a minimal effect on the island's historic assets and will significantly improve the existing arrangements. The Arrival Building's bold angular design and associated landscaping measures are welcomed, as are the proposals for the gateway approach to the main hotel area.

With regards to the main hotel complex proposed for the Barrack Block/Island House/Ablutions Block, there are two key issues - the loss of original historic fabric and the proposal to "wrap" the buildings into one hotel "core". The proposal requires a significant amount of demolition of existing features and fabric, though the most significant elements to be removed are the three stairways on the southern side of the main Barrack Block. While this is regrettable, this building is only assessed as "moderate" in the Heritage Assessment and the loss is justified in both the Heritage Impact Assessment and English Heritage's letter of 06/03/12 as necessary to the viability of the development. It is therefore considered that any loss here, and with the Artillery Store, can be mitigated by recording.

Whilst the proposal to "wrap" the buildings around a central glazed "core" is considered to be a sound approach overall, the Local Planning Authority is in agreement with the English Heritage view that the front of the glazed "link block" should be pulled back behind the north frontage of the Island House, to allow this building's historic elevation to be seen in full. It is understood from the agent, that the applicant may be willing to make this change. However, at the time of writing, amended drawings have not been received and the scheme must be assessed against the submitted information.

There have also been significant negotiations with English Heritage regarding the proposals for the Casemates building – particularly with regards to the proposed loss of a number of cast iron blast shields. The applicant has sought to remove a number of historic blast shields to create larger windows (and therefore allow more light and wider views to the proposed hotel rooms within the Casemates building). English Heritage was initially concerned about the number of blast shields proposed for removal, and this position was recorded in their initial consultation response dated 06/03/12. However, English Heritage has since reviewed this position and has taken the "finely balanced decision" that they are prepared to consider the

compromise of the temporary removal of six of the casemate blast shields as proposed, subject to the following changes.

1. Removal of balcony/patio areas in front of casemate rooms.
2. Full recording of casemate shields, and their careful removal and storage on site.
3. Further discussion on casemate glazing detail.
4. Potential display of a removed shield in room 34.1 to illustrate cross-section, rather than removal of the room's existing shield.
5. Improvement to the detailing of the glazed link element between the Barrack Block, Officer's Building and Ablutions Block.

Once again, it is understood from the agent, that the applicant may be willing to make these changes. Unfortunately however, at the time of writing, amended drawings have not been received.

The proposals are therefore not considered compliant with Policy CS03 (Historic Environment) and Policy CS02 (Design) of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

### **Impact on Wildlife**

#### Impact on European Marine Site (EMS)

Drake's Island lies within the Plymouth Sound and Estuaries Special Area of Conservation (SAC) up to the low water mark. Inter-tidal habitats are a Biodiversity Action Plan priority for the UK. There is relatively little information on the marine habitats surrounding the island, but it is known that eel grass beds are present. Eel grass is an important habitat (including, notably, for the spiny seahorse, which is legally protected under the Wildlife and Countryside Act (1981)) and is a primary reason for the designation of the SAC.

There is potential for kelp forests to be damaged during the construction phase. There is also the potential for damage to intertidal rock and boulder shore communities from an increase in human presence in the area following construction. In addition, works on the intertidal area, including demolition of the boat house and use of machinery on the foreshore have the potential to cause damage to intertidal habitat.

Natural England advises that several aspects of the proposal have the potential to negatively impact upon the eelgrass bed to the north of Drakes Island. These include works in the intertidal area during the construction phase, whether the jetty is refurbished or completely replaced. There is little information on the refurbishment methods so it is difficult to ascertain the extent of the impact. In addition, the proposed development would likely lead to an increase in boat activity in the vicinity of the eelgrass, including risk of damage from anchoring, prop wash, and direct damage at low water, including from vessels, outboard engines and oars.

It is unclear as to whether there is any data on localised turbidity levels at the site. Eelgrass beds are sensitive to increases in turbidity as well as nutrient enrichment, which can cause excessive growth of epiphytic algae. There is insufficient information and assessment of nutrient loading and pollution levels associated with the proposed sewage discharges, and measures to address this impact on sub-tidal habitat. Natural

England advice indicates that the sewage outfall, in its present location adjacent the eelgrass bed, creates a risk of adverse effects on this protected habitat.

#### Impact on Protected Birds

The Local Planning Authority has records of 66 individual Little Egrets roosting in the trees on Drake's Island. This is understood to be a nationally significant number, and given that this is a species cited in the designation of the Tamar Estuaries Complex Special Protection Area, further information has repeatedly been sought on the likely level of impact - of both the development phase and the operation phase of the proposal.

Little egrets are protected under the Wildlife and Countryside Act 1981, and are vulnerable to a number of factors including:

- Scrub clearance/ ground redevelopment
- Helicopter disturbance
- Disturbance during construction
- Disturbance from increased human presence
- Possible permanent abandonment of the site if developed
- Lighting impacts

The draft Environmental Statement (ES) provided with the application makes reference to improved access on the island without consideration of impacts on the Little Egret population.

The potential for construction and operational phases of the proposal to displace Little Egrets and implications for the integrity of the SPA require detailed assessment and an appropriate evidence based approach. Unfortunately, despite extensive dialogue with the applicant's agents, together with advice provided in our consultation responses, and repeated requests, this assessment has not been provided as part of the information put forward by the applicant.

#### Impact on Bats

There is evidence that protected bats are present on Drake's Island, including the Lesser Horseshoe species. In the pre-application dialogue with the applicant's agent, the Local Planning Authority made it clear that a full set of bat surveys would be necessary. These surveys could have been undertaken in the Spring and Summer of 2011. Unfortunately, insufficient bat survey information was submitted with the planning application. Despite extensive dialogue with the applicant's agent, and assurances that bat survey work has been undertaken, unfortunately no further information has been supplied to the Local Planning Authority at the time of writing, and details of impacts and mitigation measures remain unclear.

#### Impact on Botany

The island contains notable plant species, including Corn Parsley, Broad-Leaved Everlasting-Pea, Lesser Sea-Spurrey, Sea Spleenwort, Sea Fern-Grass, Dark-Green Mouse-Ear, Tree Mallow and Round-Leaved Crane's-Bill. The Local Planning Authority has repeatedly sought sufficient information in this respect, including a Phase 2 Botanical Survey. Unfortunately, this information has not been supplied to the Local Planning Authority at the time of writing, and details of impacts and mitigation measures remain unclear.

The proposals are therefore not compliant with Policy CS19 (Wildlife) of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

### **Flood Risk**

The Environment Agency objection to the proposal identifies that the Flood Risk Assessment (FRA) has not considered flooding to all parts of the proposed development and additional information is required to show how flood risks will be managed. The areas of particular concern include the electricity substation and proposed hotel bedroom in the Casemates lower level torpedo room.

The proposals are therefore not compliant with Policy CS21 (Flood Risk) of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

### **Noise**

The Council's Public Protection Service recommends refusal due to insufficient information relating to potential noise impacts of the development, including the potential for noise to be excessive due to the proposal of a helicopter landing pad, possible operational events and the construction phase. The risk is considered unacceptable because there is no evidence to indicate otherwise.

The proposals are therefore not compliant with Policy CS22 (Pollution) of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

### **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**

Due to the lack of information in relation to this proposal, officers have not been in a position to begin detailed negotiations over heads of terms for a Section 106 agreement. However, were the proposal to be approved, there are impacts on the environment which would require mitigation. The impacts relate to offsetting the cumulative impacts on the European Marine Site.

### **Equalities & Diversities issues**

This development affects people of all ages and from all backgrounds, as it provides hotel, spa, bar and restaurant facilities which will be made available to the general public, as well as heritage trail and historic environment exhibitions and interpretation.

Clearly, due to the island's topography and terrain, access for some groups to some areas may be challenging. The Arrival Building does however propose a lift giving access from the Jetty level to the main hotel level plateau.

## **Local Finance Considerations**

Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended section 70 of the Town and Country Planning Act 1990. In this case the development will not generate any New Homes Bonus contributions for the authority. Therefore the development plan and other material considerations, as set out elsewhere in the report, are the only matters to be taken into account in the determination of this application.

## **Conclusions**

The Local Planning Authority has given strong support for the principle of this proposal and officers have committed a great deal of time to working with the applicant's agent to try and resolve the various issues of concern and move the planning application forward. However, despite repeated advice and requests for updated plans and outstanding survey information, this has not been forthcoming.

In summary, the outstanding concerns with regards to the historic environment, wildlife, flood risk and noise are such that this proposal cannot be supported in its current form.

The application is therefore recommended for refusal.

## **Recommendation**

In respect of the application dated **24/01/2012** and the submitted drawings 10057 C09.16, 10057 C09.10, 10057 C09.11, 10057 C09.12, 10057 C09.13, 10057 C09.14, 10057 C09.15, 10057 L09.01, 10057 L09.02, 10057 L09.03, 10057 L09.04, 10057 L09.05, 10057 L09.06, 10057 L09.07, 10057 L09.08, 10057 L09.09, 10057 L09.10, 10057 L09.11, 10057 L09.12, 10057 L09.13, 10057 L09.14, 10057 L09.15, 10057 L09.16, 10057 L09.17, 10057 L09.20, 10057 L09.21, 10057 L09.23, 10057 L09.24, 10057 L09.25, 10057 L09.26, 10057 L09.27, 10057 L09.28, 10057 L09.29, 10057 L09.30, 10057 L09.31, 10057 L09.32, 10057 L09.33, 10057 L09.34, 10057 L09.35, 10057 L09.36, 10057 L09.37, 10057 L00.01, 10057 L01.01, 10057 L02.01, 10057 L02.02, 10057 L02.03, 10057 L02.04, 10057 L02.05, 10057 L02.06, 10057 L02.07, 10057 L02.08, 10057 L02.09, 10057 L03.01, 10057 L03.02, 10057 L03.03, 10057 L03.04, 10057 L04.01, 10057 L04.02, 10057 L04.03, 10057 L04.04, 10057 L04.05, 10057 L04.06, 10057 L04.07, 10057 L04.08, 10057 L93.01, 10057 L93.02, 10057 L93.03, Bat Scoping Assessment, Design and Access Statement, Ecologist Report - Drake's Island Species List, Ecologist Report - EclA and Extended Phase I Habitat Survey, Ecologist Report - Phase I Habitat Survey, Ecologist Report - Phase I Habitat Survey Legend, Environmental Statement with Appendices, Heritage Assessment, Heritage Assessment Appendix One Gazetteer, Heritage Impact Assessment, Inter-Tidal Habitat Assessment, Drakes Hotel Travel Plan, Flood Risk Assessment, Foul Drainage Strategy, Phase I Environmental Assessment, Transport Statement, Transport Statement Part 2, Tree Report - Tree Constraints Plan – East, Tree Report - Tree Constraints Plan – West, Tree Report - Tree Constraints Plan Report, it is recommended to: **Refuse**

## **Reasons for Refusal**

### **NEGATIVE IMPACT ON HISTORIC ENVIRONMENT**

(1) The Local Planning Authority considers that the design of the central glazed core building linking the Barrack Block, Officer's Building and Ablutions Block has a negative impact on the adjacent listed buildings, and wider historic setting of the island and landscape, by virtue of its footprint, massing, external appearance and use of materials. The proposals are therefore not compliant with Policy CS03 (Historic Environment) and Policy CS02 (Design) of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

### **IMPACT ON THE EUROPEAN MARINE SITE**

(2) Insufficient information has been provided to demonstrate that the designated features of the Plymouth Sound and Estuaries Special Area of Conservation (SAC) and Tamar Estuaries Complex Special Protection Area (SPA) will be protected during construction and operation of the proposed development. The proposals are therefore not compliant with Policy CS19 (Wildlife) of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

### **IMPACT ON EUROPEAN PROTECTED SPECIES**

(3) Insufficient information has been provided to demonstrate that the development will not have a detrimental impact on bat populations that currently inhabit the island. Bats are protected under the Conservation of Habitat and Species Regulations. The proposals are therefore not compliant with Policy CS19 (Wildlife) of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

### **IMPACT ON BIRD SPECIES AND BOTANY**

(4) Insufficient information has been provided to demonstrate that the development will not have a detrimental impact on the bird populations that currently utilise the island and the botanical value of the site. The proposals are therefore not compliant with Policy CS19 (Wildlife) of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

### **FLOOD RISK**

(5) The Flood Risk Assessment (FRA) has not considered the vulnerability to flooding for all parts of the proposed development and contains insufficient information to show how flood risks will be managed. The proposed development is therefore contrary to adopted Core Strategy Policy CS21.

### **NOISE**

(6) Insufficient information has been submitted in relation to potential noise impacts of the development, including the potential for noise to be excessive due to the proposed helicopter landing pad, possible events and the construction phase. The risk is considered unacceptable because there is no evidence to indicate otherwise. The proposals are therefore not compliant with Policy CS22 (Pollution) of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

## INFORMATIVE: SECTION 106 CONTRIBUTIONS

(1) Had the Local Planning Authority been minded to approve the application, the applicant's attention is drawn to the fact that the application contains insufficient provisions to mitigate the impacts of the proposal, in accordance with Policy CS33 of the adopted Core Strategy and the guidelines set out in the Planning Obligations and Affordable Housing Supplementary Planning Document (Second Review 2012). The methodology of mitigating the impacts of the proposed development is outlined in the Committee Report and, in the event of an appeal, the Local Planning Authority would seek to secure mitigation via a Section 106 Agreement.

### **Relevant Policies**

The following (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, were taken into account in determining this application:

- CS28 - Local Transport Consideration
- CS32 - Designing out Crime
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS22 - Pollution
- CS13 - Evening/Night-time Economy Uses
- CS18 - Plymouth's Green Space
- CS19 - Wildlife
- CS20 - Resource Use
- CS21 - Flood Risk
- CS03 - Historic Environment
- CS01 - Sustainable Linked Communities
- CS02 - Design
- CS04 - Future Employment Provision
- CS12 - Cultural / Leisure Development Considerations
- SPD2 - Planning Obligations and Affordable Housing
- SPD1 - Development Guidelines
- DSPD - Design Supplementary Planning Document
- NPPF - National Planning Policy Framework March 2012