

PLANNING APPLICATION REPORT



ITEM: 01

Application Number: 12/01724/FUL

Applicant: WM Morrisons Supermarkets PLC

Description of Application: Extension to food store 1,030sqm including decked car park and access works

Type of Application: Full Application

Site Address: 282 OUTLAND ROAD PLYMOUTH

Ward: Peverell

Valid Date of Application: 02/10/2012

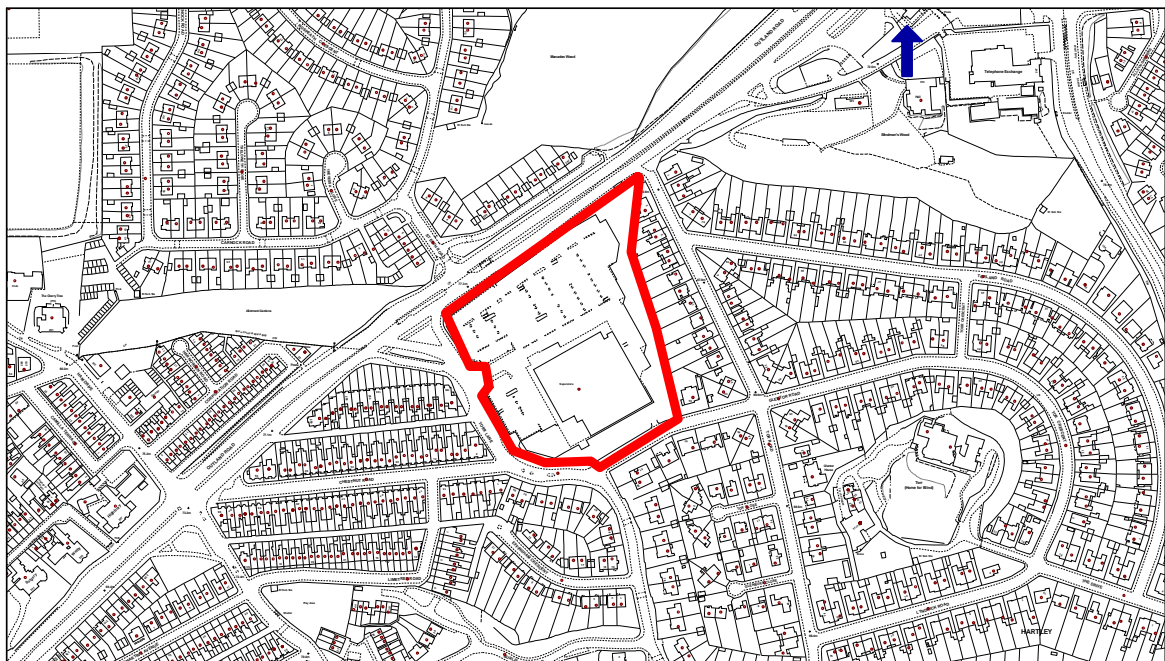
8/13 Week Date: **01/01/2013**

Decision Category: Major - more than 5 Letters of Representation received

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 29th March 2013.

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Site Description

The application site comprises an area of approximately 2.4 hectares fronting onto Outland Road on the edge of the Peverell/Beacon Park area of the city. The site is currently occupied by a Morrison's food store, associated customer parking, servicing and landscaping. The store building occupies the south eastern and central parts of the site with customer parking located to the north, between the store building and Outland Road, and on the western part of the site, adjacent to Tor Lane. Shared vehicular access, for customers and delivery Lorries, is from Tor Lane.

There is a row of tall leylandi trees along the eastern boundary, which screens the property from residential property in Tor Road to the east, and rows of much smaller trees, planted as part of the original landscape strategy in the car park. These trees are protected by a group Tree Preservation Order (TPO No 271 and 209). Levels fall within the site from east to west (approximately 5m) and from south to north (approximately 2m) in accordance with the surrounding topography.

The existing store building is essentially a flat roofed structure, but this is disguised by an element of roof plane, all around and on the conspicuous higher parts of the building, so that it appears, when viewed from ground level, as a pitched roofed building with decorative arches and an entrance portico.

The character of the surrounding area is dominated by Outland Road (A386), a dual carriageway which forms one of the main arterial route ways into the city. The area around the site is completely residential in character. On the opposite side of Tor Lane, and in Chestnut Road to the west, are larger Edwardian/ Victorian terraces. Houses in Glentor to the south, Tor Road to the east and facing Outland Road, and in St Erth Road to the north, are a mixture of detached and semi detached houses in reasonable sized plots, dating from the middle of the last century.

Proposal Description

Full planning permission is sought for a 1,030sqm extension to the Morrisons food store including decked car park and access works. This is a revised submission of a previous application ref 12/00515/FUL which was withdrawn.

Plans show the proposed store extended on the northern elevation, towards Outland Road, with a new glazed/wood clad entrance. The flat roofed front extension is shown with an overhanging roof supported on columns and would give the resultant store a modern appearance very different from the existing. However, the proposed extension would encroach upon the existing parking area, manoeuvring and customer drop off /loading would be lost. In order to ensure that there is not a net overall loss in the number of parking spaces, it is proposed to provide a decked car park on the north eastern part of the site, between the extended store and Outland Road.

The decked car park, which includes a green wall, would provide 112 parking spaces, replacing in exact number those lost to the store extension, on two levels. The upper level would be accessed via a ramp between the deck and the properties in Tor Road on the western side of the site.

This revised proposal amends the access. The main access off Tor Lane is repositioned further down Tor Lane and is off a mini roundabout. The access from Outland Road, that was shown on the previous proposal, has been removed.

The application is accompanied by: Geo-Environmental Desk Study; Tree Report; Design & Access Statement; Energy Statement; Statement of community Involvement Transport Statement; Travel Plan; flood Risk Assessment; Retail Impact Assessment; and Acoustic assessment of noise from refrigeration/air conditioning plant.

Pre-Application Enquiry

No Development Enquiry service application has been submitted in respect of this proposal.

Two formal Development Enquiry Service (DES) requests were made in respect of earlier schemes:

Early 2011 Morrisons was asked to consider relocation, involving rebuild, of the store to the northern part of the site to improve the appearance along Outland Road, an important gateway corridor into the city; to segregate deliveries/servicing from customer parking and to provide better natural light for the café. Rejected due to difficulty in maintaining trading during construction period

Late 2011, Morrisons reported that options for rebuilding the store on the Outland Road frontage of the site and separating the customer and delivery traffic had been considered, but had been rejected as too expensive. The scheme for a decked car park on the front, with appearance mitigated by a 'green wall', and alterations to the access arrangements was re-tabled. Reservations were reiterated and the applicant was advised to undertake a design consultation with the South West Design Panel. The South West Design panel expressed concerns about the proposed decked parking, but did not object to the principle, subject to a significant redesign.

Relevant Planning History

The site has an extensive planning history (35 applications since 1974). Some predate the current supermarket use and others relate to signage and minor applications. The following are considered relevant:-

- Ref: 12/00515/FUL – Extension to food store (1,415sqm) including 2 storey car park and access works. Withdrawn. The application had been prepared for a recommendation to committee to refuse the application due to highway concerns, design concerns, amenity and safety.
- Ref: 00/00379/FUL - Single storey side extension to retail sales area to provide an additional 585 sq. metres of retail sales floor space. The scheme reduced the number of parking spaces by 31 and provided 50 additional jobs. Granted subject to conditions Oct 2001
- Ref: 99/01067/FUL - Alterations to covered unloading bay area (amendment to previously approved scheme. Granted
- Ref: 98/00780/FUL - Variation of Cond.13 & 14 of Notice No.643/90 to now permit Sun. trading & Sun. deliveries, revised (shorter) delivery hours Mon-Sat, alterations to enclose & landscape service yard, additional landscaping Approved Nov 1998

- Ref: 96/00743/FUL - Vary Condition 13 and 14 of Notice No. 0643/90 to now permit Sunday trading and Sunday deliveries, revised (shorter) delivery hours Monday-Saturday; alterations to increase height of boundary walls an Refused Dec 1996
- Ref: 96/00742/FUL - Variation of Cond.13 and 14 of Notice No.643/90 to now permit Sun. trading and Sun. deliveries, revised (shorter) delivery hours Mon-Sat, alterations to enclose and landscape service yard, and off site Withdrawn Dec 1996
- Ref: 93/00143/FUL - Variation of condition 13 of Notice ref NO.643/90 to allow for Sunday trading Granted Jun 1993
- Ref: 91/01241/REM - New access and highway improvements in connection with the outline permission Ref.0643/90 (dated Apr 1991). Granted
- Ref: 91/01372/REM - Erection of superstore with associated parking and service areas (approval of reserved matters) GRANTED Jan 1992
- Ref: 90/00643/OUT - outline application to develop industrial site by erection of a retail shop (47,050sqft) with car parking new access and highway improvements. GRANTED Jul 1990

Consultation Responses

Police Architectural Liaison Officer – The Devon and Cornwall Constabulary has no objection to the amended proposal which now includes CCTV for the main car parked and the decked parking areas.

Highways Agency – The amended plans are acceptable to the Highways Agency. A condition has been requested to secure a staff travel plan. It has also been suggested that a financial contribution be sought towards strategic transport investment.

Highway Authority – Supports the application.

Public Protection Service – No objection to the proposed development, subject to conditions.

Representations

Public consultation has resulted in receipt of more than 90 letters of representation (LORs).

The comments can be summarised as follows:

Traffic/transport

- The primary objections to the new proposal relate to highway concerns. A large number of the objectors are concerned that the new roundabout on Tor Lane would give priority to customers entering and leaving the store and would cause tailbacks and congestion on Tor Lane and Outland Road. This would ripple through to surrounding roads and lead to further congestion in the area and make the surrounding roads become rat runs. This is a residential area that should not be subjected to more traffic. The position of the roundabout close to a blind bend is dangerous. This increase in traffic in surrounding streets will cause danger to children and animals using facilities and parks in these areas. Traffic lights are required at this junction.
- It can take up to 40 minutes to leave the car park by car. This leads to people parking in the surrounding streets instead of risking parking in the car park. 40 new staff will be told to park on street.
- The proposal shows a reduction in disabled parking spaces and there is already a shortage of these spaces.
- The closure of the footpath from Outland Road will discourage use of public transport and encourage people to visit by car.
- The proposed new location of the bus stop is at a point where the road is narrow and will lead to traffic concerns.
- The changes to the traffic arrangements would occur at a time when improvements are planned for Manadon roundabout.
- The new cycle parking spaces are welcomed.
- The new highway arrangements would improve an existing difficult access.
- The new parking spaces are welcomed

Impact on the amenity of local residents

- Concern has been expressed about the incremental changes that have occurred since the original store was approved.
- The ramp and raised car park will cause disturbance/harm to local residents' amenity, due to car noise, headlights, lighting, overlooking and fumes.
- The levels of noise and movement of vehicles and deliveries in the service yard is concerning. The expansion of the site will exacerbate these problems.
- The repositioning of the bus stop closer to houses will cause disturbance to residential property.

- Levels of disturbance during construction will be unacceptable.
- House values will be reduced.
- Since the opening of the store, the area has been affected by increasing amounts of carelessly discarded paper and plastic products, which will become worse if this application is approved.

Principle of development

- A bigger store will attract more customers, which will harm other local shopping areas. There is no need for the store to expand.
- The additional retail area will increase customer volume and parking and traffic congestion problems.
- Overdevelopment will erode the amenity of the area.
- The new facilities on offer are very welcome.
- The scheme is welcomed as it will bring new jobs to the area.

Appearance

- The development is unsightly
- Morrisons has not maintained the existing landscaping well, there is therefore concern that the green wall would be well looked after, and would become unsightly.

The application was accompanied by a statement of public consultation and community engagement following a 2 day exhibition to display the current proposals. 77% of the responses supported the scheme, 15% opposed the proposals and 8% were undecided. Of those in favour of the scheme, people were supportive of the extension and the traffic improvements. The main concerns raised were related to traffic congestion, parking and the impact on neighbouring amenity.

Analysis

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

The key issues in this case are:

- The principle of a retail extension to this store (Policies CS01, CS07 and CS08 of the adopted Core Strategy)
- The design and appearance of the proposed extension (Policies CS02, CS20, CS22, CS32 and C34 of the adopted Core Strategy, and the adopted Design Supplementary Planning Document)

- Adequacy of access and parking arrangements (Policies CS28 and C34 of the adopted Core Strategy)
- Loss of TPO protected trees (Policy CS18 of the adopted Core Strategy)
- Impact on the amenities of neighbouring properties (Policy CS34 of the adopted Core Strategy)
- Measures to offset the impact of the development (Policy CS33 of the adopted Core Strategy, and the adopted Planning Obligations and Affordable Housing SPD)

The application is also considered in the light of the National Planning Policy Framework 2012.

The principle of a retail extension to this store

Policies CS01 (Development of Sustainable Linked Communities); CS07 (Plymouth Retail Hierarchy) and CS08 (Retail development considerations) are relevant to the assessment of the principle of retail extension to this supermarket.

The proposal is for a 1,415 square metre retail extension to an existing store. It is an extension to a stand-alone store that is not located in any of the shopping centres. Morrisons claims the existing store is 'overtrading' as evidenced by complaints it receives about aisle width and pressure on the car park. It also states that the extension will provide a better shopping experience leading to increased spend from existing customers, rather than an increase in customers.

Officers are satisfied with the applicant's assertion that the extension will not jeopardise Plymouth's retail hierarchy, or the Derriford District Centre as evidenced by the Retail Impact Assessment submitted with the planning application. Consequently there is no, in principle, objection to the proposed extension on retail hierarchy grounds and no conflict with relevant policies from the core strategy or NPPF.

The design and appearance of the proposed extension

Policies CS02 (Design), CS32 (Designing Out Crime), & CS34 (Planning Application Considerations) are relevant to the assessment of the design and appearance of the proposed development.

This application extends the store to the front, adding a decked car park between the store and Outland Road to compensate for the parking lost to the extension. The front extension relates well to the original building and is considered to be acceptable in design terms

The principle of a decked car park, enclosed within a green wall, has always been a concern in design terms, as it would obscure the main building, potentially not relate well to Outland Road and the design of the original store, and reduce the active frontage along this main route into the City.

Since the original application, and following comments received from the South West Design Panel, the plans have been amended. The frontage along Outland Road has been significantly reduced. The only section of the car park which remains in close proximity to the road, would largely be screened by existing planting. Furthermore, planting along the Outland Road frontage is proposed to be increased to better screen the site. In addition the design has been amended to include areas of glazing, which would help the building relate to the store frontage, and to read as one development.

The greenwall will help significantly to reduce the impact of the building, especially as it will largely be seen through a screen of trees, and to a certain extent, against a background of planting. It is important, therefore, that the maintenance of the wall is expertly and continuously managed. The applicants have agreed to enter into a section 106 agreement to ensure that the maintenance programme is adhered to for the life of the building.

On balance, it is considered by officers that the amended scheme overcomes the initial design concerns, and meets with the requirements of policies CS02 and CS34 of the Core Strategy, the Design SPD and the NPPF.

Adequacy of access and parking arrangements

Policies CS28 (Local Transport Considerations) and CS34 (Planning Application Considerations) of the Core strategy are relevant.

The issue of highway safety and convenience has given rise to the largest number of comments from members of the public. Since the previous withdrawn application (12/00515/FUL) the applicant has been working toward overcoming the previously identified difficulties, which largely related to access issues, traffic management through the design, parking levels and layout of the application site.

This latest application removes the previously proposed controversial vehicle entrance from Outland Road. It would reposition the vehicle entrance/exit on Tor Lane further to the south and away from the close proximity of the traffic signal junction of Outland Road. An additional right turn lane would also be created at the junction of Outland Road. This would provide more road space and opportunity for vehicles to queue, which would help reduce congestion and assist the free flow of vehicular traffic on the highway. To further assist the traffic flows the proposed new vehicle entrance/ exit would be served by a mini-roundabout on Tor Lane. Off-site highway works would be necessary to provide the proposed efficiency improvements, the details of which would need to be conditionally secured.

The level of car parking would be supported by providing an upper deck over part of the existing car park, accessed from within the car park by a ramp.

The service yard area would be segregated from the main customer car park and situated at the south end of the site, where some staff car parking would also be provided. The circulation in this area is now shown to be acceptable.

The latest proposed layout of the external areas of the application site would improve the flow of vehicles around and through the site. Transport officers consider that the improvements to vehicle flows and capacity both on the highway and within the application site car park should be sufficient to meet the expected modest additional customer demand.

A Staff Travel Plan would be conditionally sought with a view to supporting sustainable staff travel, and demonstrating a modal shift in travel patterns.

Subject to conditions, the amended proposal is considered to overcome all objections and comply with CS28 and the NPPF.

Loss of protected trees

The trees on the site are protected by a TPO. The current proposal would result in the loss of some of these trees. The area of most concern is the bank between the car park and the houses in Tor Road, where a number of shrubs and cherry trees would be lost to allow for the proposed car park ramp. Whilst the loss of these trees is regrettable, the applicants have agreed to a condition requiring additional planting along this bank, to replace those trees that cannot survive. Additional information has also been obtained, which shows that the leylandii hedge will be retained.

A condition will be required to ensure that works are carried out in accordance with an arboricultural method statement to ensure that the mature beech tree at the entrance is protected during construction.

Additional planting has been negotiated along the Outland Road frontage and within the car park, details of which would need to be secured by condition.

On balance the landscaping proposals and additional tree planting mitigate the loss of the trees to accommodate the new car park arrangements. The proposal is considered to comply with policies CS18 and the NPPF in this respect.

Impact on the amenities of neighbouring properties

The site is surrounded on all sides by residential property. Policy CS34 (Planning Application Considerations)

On three sides, roads separate the site from residential property; it is only on the eastern side where the site adjoins the rear gardens of property in Tor Road. Currently tree planting provides visual screening to these houses from the car park.

The proposed ramp to the car park would result in the loss of up to 5 mature cherry trees on the bank that provides the buffer between the site and the houses in Tor Road. It is possible that the leylandii may also be damaged by the works proposed. It is unfortunate that at the point that the ramp would be the most intrusive, the leylandii are sparse and have been cut back. The ramp and car park would not therefore be well screened from the residential property. In order to overcome this, the applicants have agreed to improve the landscaping along this boundary and have proposed an acoustic screen along the side of the ramp to reduce impact on neighbours amenity. This would prevent overlooking from vehicles, cut down noise and prevent car headlights from causing nuisance. The lighting on the ramp and the roof deck has been amended to prevent light from intruding into the surrounding area. The proposal is therefore considered to be

acceptable in terms of neighbours amenity and complies with policy CS34 in this respect.

Residents have also expressed concerns about disturbance during construction, but officers are satisfied that this could be adequately controlled by condition if approved.

The position of the proposed bus stop has given rise to objections about disturbance. The location is not significantly closer to residents than would be expected in a residential location. This aspect of the proposal is considered acceptable in terms of neighbour amenity.

Section 106 Obligations - measures to offset the impact of the development

The proposed development would make additional demands upon both local and strategic highway infrastructure. Were this application to be granted planning permission, this mitigation would be achieved through planning obligations in a section 106 agreement. By reason of the increased number of vehicular journeys, it will contribute to the cumulative impact of development on the city's strategic transport infrastructure. This will bring the likelihood of increased congestion and pollution, particularly in the northern corridor, unless there is adequate mitigation. The estimated cost of mitigating this impact is £81,010 with an administrative fee of £3,429.

The impact on the highway infrastructure 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 applicant has submitted a heads of terms document that agrees in principle to make a financial contribution to mitigate the impacts of the development on the transport network. As such the proposal complies with Policy CS33 (Community Benefits / Planning obligations) of the adopted Core Strategy and the adopted Planning Obligations and Affordable Housing Supplementary Planning Document.

Environmental protection

Having considered the Transport Statement for the above application, Public Protection Officers do not consider that the application is likely to have a detrimental effect on Air Quality due to the lack of significant additional traffic resulting from the scheme.

Having reviewed the acoustic assessment submitted in relation to the noise from the elevated car park, and the proposed use of plant, the results show that minimal increase in noise levels in relation to these elements is expected. Subject to conditions there is no objection from Public Protection officers in this respect.

Public protection has recommended conditions in respect of contamination in order to meet the requirements of policy CS22.

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 application does not propose housing development and will therefore 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.

Equalities & Diversities issues

Officers consider that adequate provision has been made in the new design layout to meet the requirements of mobility impaired visitors.

Conclusions

The applicants have made a convincing case that the existing store is 'overtrading' and that the proposed extension can be accommodated within the Plymouth Retail Hierarchy without adverse impact upon the viability of existing and planned local and district shopping centres. The application will bring new employment to the area. The design of the scheme has been amended to take into consideration comments from officers and the Design Panel. The highway layout has been significantly amended such that it now satisfies the Highway Authority and the Highway Agency. Improvements have been made to safeguard neighbours amenity and additional planting has been offered. As a result of these amendments the scheme is considered to comply with the aims of policies CS02, CS18, CS28, CS33, CS34 the Design SPD, Development Guidelines SPD and Planning Obligations and Affordable Housing SPD and the NPPF.

Recommendation

In respect of the application dated **02/10/2012** and the submitted drawings Amended access arrangements , ramp and car park details, and car park elevations Additional Information

existing site layout PL102, existing store plan PL103, existing elevations PL04, existing roof plan PL05, amended site layout plan PL106 rev E, amende tree retention plan PL109 rev B, amended site section plan PL114 rev B, amended car park SK01, Proposed Car Park Deck Layout SK100, proposed car deck 24412/112 and the accompanying 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 29th March 2013.**

Conditions

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(1) The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

CODE OF PRACTICE DURING CONSTRUCTION

(2) 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.

APPROVED PLANS

(3) The development hereby permitted shall be carried out in accordance with the following approved plans: existing site layout PL102, existing store plan PL103, existing elevations PL04, existing roof plan PL05, amended site layout plan PL106 rev E, amended tree retention plan PL109 rev B, amended site section plan PL114 rev B, amended car park SK01, Proposed Car Park Deck Layout SK100, proposed car deck 24412/112.

Reason:

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

CONTAMINATED LAND

(4) Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation shall not take place until sections 1 to 3 of this condition 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 section 4 of this condition has been complied with in relation to that contamination.

Section 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall 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 survey of the extent, scale and nature of contamination;
- (ii) 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
 - archaeological sites and ancient monuments;
- (iii) 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'.

Section 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 shall 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.

Section 3. Implementation of Approved Remediation Scheme

The approved remediation scheme shall 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 the replaced 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.

Section 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 shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section 1 of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 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 section 3.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land 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.

OPENING HOURS

(5) The use hereby permitted shall not be open to customers outside the following times: 2100 hours to 0800 hours Mondays to Saturdays inclusive and 1600 hours to 1000 hours on Sundays and Bank or Public Holidays.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DELIVERIES

(6) No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following times: 2000 hours to 0800 hours Monday to Saturday inclusive; and 1600 and 0900 on Sundays and Bank Holidays.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE DESIGN PROPOSALS

(7) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant; planting plans including the location of all proposed plants their species, numbers, densities, type (i.e. bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection].

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SOFT LANDSCAPE WORKS

(8) Soft landscape works shall include planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE WORKS IMPLEMENTATION

(9) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE MANAGEMENT PLAN

(10) A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned domestic gardens, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DETAILS OF TREE PLANTING

(11) The plans and particulars of the landscaping works submitted in accordance with condition 7 above shall include details of the size, species and positions or density of all trees to be planted, and the proposed time of planting.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ARBORICULTURAL METHOD STATEMENT

(12) No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall detail how trees are to be protected during construction. It shall include measures for protection in the form of barriers to provide a 'construction exclusion zone' and ground protection in accordance with Section 6.1 of BS: 5837:2012 Trees in relation to Design, Demolition and Construction - Recommendations. The measures contained in the approved statement shall be fully implemented and shall remain in place until construction work has ceased.

Reason:

To ensure that the trees on site are protected during construction work in accordance with Policy CS18 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

NOISE LIMIT THRESHOLD

(13) The development hereby approved should have a noise limit threshold for the cumulative effects of all plant of 38dB(A) at any nearby residential dwellings during nighttime hours (2300-0700) and should be free from any tonal elements. During the day the cumulative effects of all plant should not exceed 45dB(A) (0701-2259).

Reason: To ensure that the proposed development hereby permitted doesn't unduly impact upon nearby living standards and nearby dwellings 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

FURTHER DETAILS

(14) No development shall take place until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz: details of the proposed lighting for the car park. The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

FUTHER GLAZING DETAILS

(15) Notwithstanding the submitted plans, further details shall be submitted to and approved in writing by the Local Planning Authority, before works on site commence to show the exact details of the glazing in the car park. The works shall comply with the approved details.

Reason: To ensure that the details are acceptable and comply with policy CS02 and CS34 of the Local Development Framework Core Strategy (2006 - 2021)

FURTHER DETAILS

(16) No development shall take place until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz: the locations of the CCTV cameras and their management. The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 and CS32 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

OPENING HOURS FOR CAR PARK

(17) The ground and first floor of the two storey car park hereby permitted shall be closed to customers outside the opening hours of the store. Details of how customers will be prevented from accessing this car park shall be submitted to an approved in writing by the Local Planning Authority before the car park is brought into use. The works shall comply with the approved details.

Reason:

To protect the residential and general amenity of the area and to prevent any possible anti social behaviour, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS32 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

STREET DETAILS

(18) No development shall take place 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. The works shall comply 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

ACCESS/HIGHWAY IMPROVEMENTS (GRAMPIAN)

(19) No development shall take place until the proposed access and improvements to the existing highway shown on the approved plans have been completed.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CAR PARKING PROVISION

(20) The extension shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by customers 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.

TRAVEL PLAN

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

Reason:

The Local Planning Authority considers that such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007. The applicant should contact Plymouth Transport and Infrastructure for site-specific advice prior to preparing the Travel Plan.

ACOUSTIC SCREEN

(22) Notwithstanding the submitted information, further details shall be submitted to and approved in writing by the Local Planning Authority, to show the details of the acoustic screen on the car park ramp. The works shall comply with the approved details before the upper deck of the car park is first used for customer parking. The approved ramp shall thereafter be retained.

Reason

To ensure that the amenities of the neighbours are maintained in accordance with the aims of policy CS34 of the Local Development Framework Core Strategy.

INFORMATIVE: PRO ACTIVE WORKING

(1) In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.

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 on, the retail hierarchy of the city, highway safety and convenience, neighbours amenity, the visual appearance of the proposals, the impact on trees and landscaping, the wider impacts on the strategic transport of the city and public health the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (a) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

- CS28 - Local Transport Consideration
- CS33 - Community Benefits/Planning Obligation
- CS34 - Planning Application Consideration
- CS18 - Plymouth's Green Space
- CS22 - Pollution
- CS02 - Design
- SPD2 - Planning Obligations and Affordable Housing
- SPD1 - Development Guidelines
- SPD3 - Design Supplementary Planning Document
- NPPF - National Planning Policy Framework March 2012