

PLANNING APPLICATION REPORT



ITEM: 05

Application Number: 13/00521/FUL

Applicant: Eagle One Homes Ltd

Description of Application: Change of use, conversion and alterations to existing building to provide 12 apartments and new 4/5 storey building containing 51 retirement flats with ancillary car parking, cycle and refuse storage (demolition of existing extension).

Type of Application: Full Application

Site Address: NHS TRUST PLYMOUTH HOSPITALS, PLYMOUTH
ROYAL EYE INFIRMARY, APSLEY ROAD PLYMOUTH

Ward: Drake

Valid Date of Application: 28/03/2013

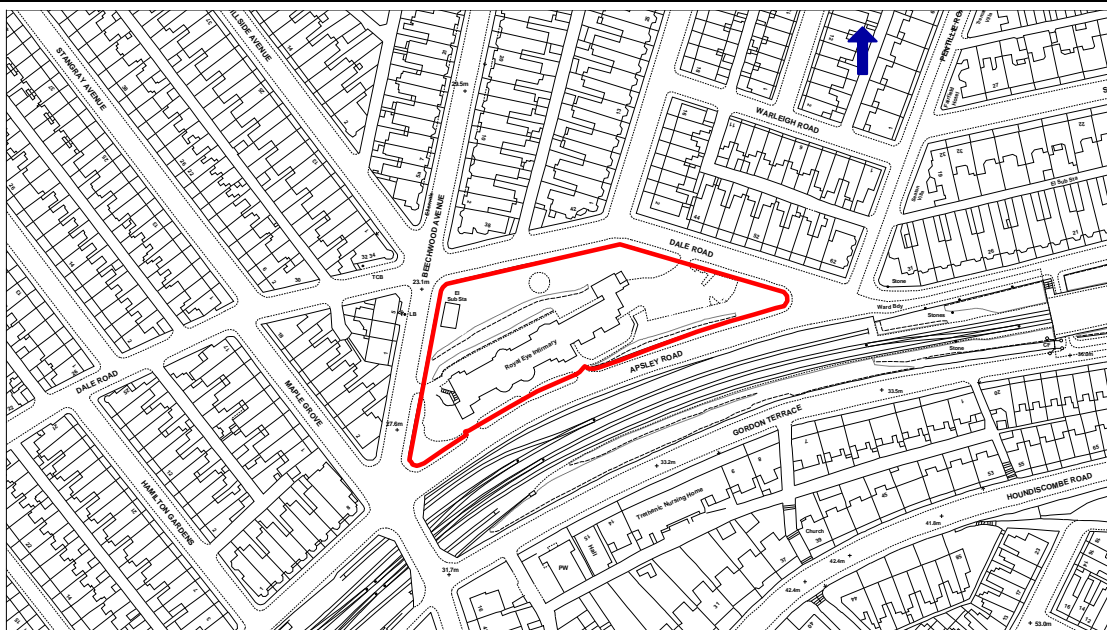
8/13 Week Date: 27/06/2013

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

Case Officer : Robert Heard

Recommendation: Grant Conditionally Subject to a S106 Obligation, with delegated authority to refuse in the event that the S106 Obligation is not completed by 25 June 2013

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This application has been referred to Planning Committee at the request of Councillor Ricketts.

Site Description

1. The site is located in a central, predominantly residential area to the west of Mutley Plain and to the north of Plymouth City Centre. The surrounding development is characterised by terraced streets that mostly comprise of Victorian era housing, arranged in a non-uniform street pattern derived from historic ownership boundaries.
2. Measuring approximately 0.59 of a hectare, the site is bound on all sides by public highway and forms an irregular shaped island. Immediately to the south of the site is the main city railway line, with terraced housing to the north, east and west. The topography of the site slopes down from south to north. The level change across the site is approximately 6m at its greatest.
3. The site is currently occupied by a substantial and imposing building known as the Plymouth Royal Eye Infirmary (REI), a grade II Listed Building Constructed in 1901 and recently vacated by the local health authority. The last use of the building was as an eye infirmary, as originally constructed. It is a red brick Victorian structure with a significant 1930s (as well as other smaller, more recent) extension at the east end. The existing building is in a poor state of repair.
4. The building sits comfortably within the site curtilage, which is landscaped with a lawn area and car parking, and surrounded by many mature trees, some of which are protected. Access to the site can be taken from all sides. However, Apsley Road to the south and Dale Road to the north east is where the main vehicle access points are located (at different levels).
5. Unlike many areas of Plymouth, the immediate surrounding area is characterised by housing that is predominantly finished in brick, but there is also evidence of local stone and render, with slate being used on the roofs of much of the surrounding housing. Within the area, corner plots are sometimes defined with differing building features and help to present an attractive book end to many of the nearby terraced streets.
6. Mutley Plain, to the east of the site, and the City Centre, to the south, provide the area with a vast choice of services, facilities and amenities. Plymouth Central Train Station is located within walking distance to the site, to the south west.

Proposal Description

7. This application proposes to redevelop the site by converting the existing former eye hospital into 12 apartments, with a new detached 4/5 storey building adjacent providing 51 retirement flats, with ancillary car parking, cycle and refuse storage.

8. The main elements of the scheme comprise of:
- Internal alterations and amendments to the existing Listed Building for conversion into 12 two and three bedroom standard open market residential apartments.
 - Conversion works to enable restoration of the original Royal Eye Infirmary building; the scheme proposes conservation work that will help to restore and secure the future of the existing listed building.
 - Removal of all extensions to the existing building which are considered by the applicant to have little historical significance (as noted in the Heritage Appraisal which accompanies the application).
 - Provision of a contemporary new build scheme within the curtilage as purpose built retirement flats, containing 51 one and two bedroom units, along with associated accommodation such as a wardens flat, communal lounge, laundry room, and guest suite.
 - Removal of some trees within the site curtilage as part of a wider landscape strategy to ensure that poor or inappropriate specimens are removed and new appropriate trees are planted (as part of a comprehensive landscaping scheme) to mitigate any loss of trees.
 - Provision for refuse and recycling storage.
 - Car and cycle parking provision (52 car parking spaces and storage space for 32 cycles).

Pre-Application Enquiry

9. 12/01270/MAJ – Development proposal for retirement accommodation and conversion of listed REI building into apartments.

Relevant Planning History

10. 12/01797/FUL and 12/01799/LBC - Change of use, conversion and alterations to existing building to provide 12 apartments and new 4/5 storey building containing 55 retirement flats with ancillary car parking, cycle and refuse storage (demolition of existing extension). WITHDRAWN.

Consultation Responses

Highways Authority

11. Support subject to conditions.

Public Protection Service

12. Support subject to conditions.

Representations

13. 26 letters of representation received, objecting to the application on the following grounds:

- Lack of parking;
- No requirement for retirement accommodation in the area;
- The development will become student accommodation;
- The new build is not in keeping with the existing REI building;
- The proposed access points will be dangerous;
- Loss of views from some of the surrounding development;
- The new build is too high and not respectful of the existing REI building;
- The application was not publicised correctly;
- Properties on Dale Road will be subject to shadowing.

14. The issues raised above are addressed below in the main Analysis section of this report.

Analysis

15. It is considered that the main issues in the determination of this application are the principle of the proposed development; the impact that it will have on the character and appearance of the area; impact upon nearby properties residential amenities; impact upon the surrounding highway network; and impact on the protected trees at the site. These issues will now be addressed in turn:

Principle of Development and Density

16. The site is located within an established residential area close to the City Centre and is not constrained by any restrictive planning policies. Whilst the existing building is grade II listed the site does not lie within a Conservation Area, although there are protected trees within the site boundary. Being formerly occupied by the NHS, the site can be considered previously developed land. With regards to the principle of development, officers consider that this proposal will ensure that a previously used but now empty site is developed for a use that is compatible with the surrounding development, which is mainly residential.
17. The former REI closed in 2012 and has been vacant since then. The operation was transferred to Derriford hospital as part of a wider consolidation of NHS services.

18. With regards to planning policy, paragraph 10.25 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) states that *'In order to optimise the use of available sites and to reduce the pressure on Greenfield sites, the Government has set minimum density targets of between 30 and 50 dwellings per hectare. The priority will be on the re-use of previously developed sites'* and goes on to state that *'City Centre or urban sites can achieve quality development with densities significantly above the upper target level, as such sites would normally consist of flats and apartments'*. The proposal is considered to achieve these requirements and the development would ensure that a previously used but now redundant site is developed for a use that is compatible with the surrounding development, which is mainly residential.
19. It is considered that the principle of residential development at the site is acceptable and that the application would comply with the requirements of Policy CS01 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) by helping to meet the needs of the neighbourhood (as identified in the SNA) and by contributing to the provision of a sustainable linked community.

Density

20. Density calculations can be a crude measurement in determining the quality of schemes but do provide a broad benchmark in their assessment. The density of development surrounding the site is fairly high, as the area is characterised by terraced housing, much of which has been converted into smaller, flatted units.
21. The NPPF states that LPAs should set out their own approach to housing density to reflect local circumstances. Core Strategy Strategic Objective 10.2 aims to promote the highest density compatible with the creation of an attractive living environment. Core Strategy policy CS01.2 states that development must be delivered at the appropriate type form, scale, mix and density in relation to its location relative to the neighbourhood's centre.
22. Proposed density levels at the site are consistent with the density levels in the immediate vicinity. Given the sustainable location of the site and the lack of demonstrable harm associated with the amount of development proposed the higher density is considered acceptable and in compliance with Strategic Objective 10.2 and Core Strategy policy CS01.2.

Character and Appearance (proposed new build)

23. The existing building is an imposing and attractive grade II listed building set in a large curtilage that contains many protected trees. Policy CS03 (Historic Environment) of the Core Strategy seeks to safeguard and where possible, enhance historic environment interests and listed buildings.

24. The layout of the proposed retirement block is reflective of the existing Royal Eye Infirmary (REI) building and faces south onto Apsley Road, overlooking the existing railway line. Removal of the existing 1930s extension (discussed in further detail below under heading 'Impact upon existing REI building') allows for the new build to sit comfortably alongside the existing listed building, oriented on the same axis and providing an imposing street frontage to Apsley Road. The existing building line is respected and the demolition of the existing 1930 extension allows the existing and proposed buildings to sit together but with clear separation between them.
25. Whilst the building line of the proposed retirement accommodation follows that of the existing building in a linear form, in order to make maximum use of the depth of the plot, at its western end it returns back to the north, providing a small section of street frontage to Dale Road. This equates to approximately half of the length of the section of new build fronting Apsley Road. This is achieved by providing a glazed link feature that connects the main section of the building to a smaller element that fronts onto Dale Road, creating a back to back relationship with the main building. Due to the changing land levels at the site, the smaller part of the proposed new build that fronts Dale Road is stepped down from the main building presenting 3 storeys with a recessed 4th floor where it sits adjacent to Dale Road.
26. It is considered by officers that the layout of the proposed development respects both the positioning and orientation of the existing listed building on the site, whilst being consistent with the established pattern of development in the surrounding area, which is characterised by a traditional layout with dwellings fronting onto the public highway. The proposed development provides a street frontage to both Apsley Road and Dale Road and is considered a sensible solution to the constraints and opportunities that the site presents.
27. With regards to scale, the existing REI building is large, with generous proportions, high ceilings and a big curtilage. The scale of the proposed building has been carefully considered and whilst containing more storeys, its overall height is less than the existing REI building. This is due to the high floor to ceiling heights in the existing building, which were constructed at a time when building regulations were much different to today's modern standards. Despite the difference in floor to ceiling heights (necessary to ensure compliance with current building regulations), the scale of the proposed new build is very similar to the existing REI building, ensuring that both buildings sit alongside each other comfortably. The overall height of the proposed building, being slightly lower than the ridge height of the existing REI building, ensures that with regards to bulk and massing, the proposed building will be subservient to the existing listed building.

28. The scale of the new build element of the proposal reduces towards the rear of the site where it provides a frontage onto Dale Road. This follows the existing topography at the site and ensures that the massing of the proposal is reduced when the building line is closer to the existing residential development on Dale Road.
29. Overall, the scale and massing of the proposed development is considered acceptable. The proposed new build is of an appropriate size, being large enough to have a presence at the site whilst not being dominated by the existing REI building. The separation distance between the buildings helps to ensure that the setting of the original REI building is not harmed and that the buildings are clearly individual.
30. Concerning appearance and design, the existing REI building has a strong presence in the area, being a unique and imposing building that has a distinctive symmetrical plan and elevation. The application proposes to restore the original symmetry and balance of the existing listed building by removing the 1938 extension. Where the extension is removed it is proposed to restore the walls and re-insert windows in their original positions. The only difference to the layout of the original east elevation will be an escape staircase that is required for emergency exit from the building. The existing dormer windows will be retained and refurbished and the original chimneys will be restored.
31. The design of the proposed new build is contemporary, but with subtle reference to the existing REI building through repetition of materials and features. It was considered that a pastiche style development would never be able to successfully replicate the high quality design and appearance of the existing building, which is a spectacular example of architecture from a previous period. Any attempt to copy the existing building would in officers' view lessen its impact and destroy its uniqueness, whilst significantly harming its setting.
32. The proposed new build has thus been designed to complement the existing building and not compete with it. Whilst the storey heights cannot be repeated due to current building regulations requirements, the simple string course eaves trim of the existing REI is repeated on the new build, to ensure there is consistency in the design and treatment of the elevations. The top floor of the proposed new build has been recessed and treated in a different finish and colour to the main building in order to reference the roof of the existing REI building, so that despite the difference in floor to ceiling heights, the overall proportions of the existing REI building are respected.
33. The contemporary form of the proposal, the generous proportioning of openings, and features such as the recessed top floor ensures that the proposed development has a modern appearance, whilst heavy use of materials such as brick, the repetition of the eaves string course and the overall balance and symmetry of the new build provides a clear link to the adjacent listed building, without harming its appearance.

34. The overall design of the proposed development and use of the materials palette is considered positive, ensuring an acceptable balance is struck between the protection of the existing building, its heritage and setting and the introduction of contemporary features and materials at the site.
35. The proposed layout of the site and scale, massing and design of the proposed new build apartments is considered acceptable, being complimentary to the existing listed REI building and compatible with the existing surrounding townscape. In summary, it is considered that the application will provide a positive addition to the streetscene and help to improve local visual amenity, whilst securing the long term future of the existing REI listed building. It is therefore compliant with Policies CS02 (Design), CS03 (Historic Environment) and CS34 (Planning Application Consideration) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

Impact upon existing REI building

36. The Royal Eye Infirmary was formally opened in 1901 and has remained in use as an eye hospital up until the end of 2012. The proposed development is a result of the need to find a new viable use for the redundant building and site. Since the NHS has vacated the building, the need for a new use to be implemented has become urgent if the listed building is not to lose any fabric of historic interest.
37. The building is prominent in the area by virtue of its size, style, construction, materials and setting. It stands out as a large, tall, predominantly red coloured building, with classical detailing, on its own green site, surrounded by smaller, densely arranged, two storey Victorian terraced houses. There are two main parts to the current building; the original, classically detailed, Victorian section which was opened in 1901 and an eastern extension, of a more utilitarian style, which was added in 1938.
38. Both parts of the building are constructed of red brick. The original part has Douling stone (limestone) dressings: string courses, window surrounds and transoms, door surrounds and eaves corning. The original part has a steeply sloping roof, covered in plain, clay tiles. The new part of the building has a flat roof. The original part of the building is constructed as a fine, symmetrical composition. The south elevation has a central entrance flanked by curved wings, topped with half conical roofs fitted with crested ridges, and there are shallow, square wings, or pavilions, at either end of the elevation.
39. The north elevation has a central curved bay, with faceted shallow bays at each end. The south central curved wings and the section between them over the entrance porch are of three full storeys, elsewhere the third storey is accommodated in the steeply sloping roof, lit by dormer windows. All windows are original, multi-pane, vertical sliding sashes, except the first floor window of the north elevation, central bay which noticeably has no glazing bars. The lack of glazing bars is because this room is the original operating theatre and large sheets of plate glass were fitted there, to maximise light.

40. Internally it is apparent that there has been much subdivision of large rooms, all carried out prior to the listing of the building in 1998, but some original partitions, joinery and plasterwork remain. The features of greatest interest that remain are the curving stairs fitted in the south elevation, central wings, doors and door architraves, fire places and pantry fittings.
41. The condition of the building is beginning to decline. The building is suffering failures for which the cost of remedial work, because of the extent of the building, will be significant. The problems include rotting windows, failing rainwater goods, movement and decay in the stone dressings, notably the cornice, and slipping roof tiles
42. With regards to the proposed removal of the 1938 extension, whilst it may have been of architectural significance at the time of construction, it has been altered significantly and is no longer considered to retain architectural or historic significance. The plan form and external appearance of the extension were much altered as part of the major works to the hospital between 1976 – 1978, when the main operating theatre was moved from the original hospital to the extension. The loss of any remaining architectural or historic interest that the extension may be considered to have, is considered to be outweighed by the benefits offered to the listed building by the removal of the extension. The benefits presented by the removal of the much altered 1938 extension are the restoration of the original mass of the historic hospital building and the opportunity to construct a new building next to it that will help to fund the repair of the existing REI building.
43. It is also relevant that the storey heights of the 1938 extension, particularly on the ground floor at 4.2m, would not allow efficient re-use of the building. Conversion of the floor plan would be difficult and expensive, due to the load bearing construction. Further, the building has no insulation, nor double glazed windows, the provision of which would only add to the already very high cost of conversion for the original building. Considering the above it is considered by officers appropriate to remove this section to enable the proposed scheme to be realised.
44. Concerning the proposed use of the building as apartments, it is not considered to be a realistic expectation that a new hospital use for the building would be found nor would the retention of a hospital use necessarily be the optimum use for the listed building, as a modern hospital use would require significant changes to be made to the building. Residential conversion is proposed as it is considered to be the most appropriate use for the area, being close to local amenities and accessible to the city centre.
45. With regards to proposed external alterations, other than the removal of the 1938 extension, which is considered to be beneficial to the heritage significance of the building, the only alteration to the elevations of the existing REI listed building is the refurbishment of the fire escape against the western gable. It is considered by officers that the proposal does not include any significant changes to the elevations.

46. The interior, to accommodate the proposed new use, does require the building to be subdivided. The subdivision proposed is considered by officers to be appropriate and according to the applicant, could be reversed if required in the future. It is considered by officers that the proposed development would help to safeguard the future of the existing REI listed building, and that with regards to the impact of the development upon it, the application is compliant with Policy CS03 (Historic Environment) of the Core Strategy.

Residential Amenity

47. It is important that all new residential development should be designed to ensure that the degree of privacy enjoyed by existing nearby properties is not unacceptably reduced and that new problems of overlooking are not created. It is also imperative that the relationship between the new dwellings proposed is acceptable and that each property has an adequate level of privacy and natural light.
48. The closest development to the site is across the highway to the north of the site, on Dale Road. The section of the proposed development in the northern part of the site will front onto Dale Road and provide a street frontage across the road from the existing properties. This will create relationships between the existing and proposed development which are similar to those already witnessed in the area, and considered normal with regards to residential amenity standards. In fact, the closest development to the existing surrounding dwellings will be located directly opposite the side of the end of terraces properties on Beechwood Avenue and Kingsley Road. These properties are oriented to face onto the roads that they are located on, with their primary windows therefore facing the street and away from the site.
49. It is considered that there will thus be no significant impact from the proposed development upon the existing nearby residential properties, and there will no loss of light or overlooking created.
50. The layout of the site has been arranged so that the relationships between the proposed dwellings within the site is not unacceptable and designed so that all new dwellings will benefit from adequate levels of residential amenity, in accordance with the guidance contained within the Council's Adopted Development Guidelines SPD First Review. With regards to residential amenity standards, all of the proposed dwellings have private amenity space that in terms of area is in accordance with the minimum guidelines contained within the SPD. Bin stores and cycle storage are also included within the development, in accordance with the guidance contained within the Development Guidelines SPD.

Transport

51. A Transport Statement has been submitted in support of the proposal which provides details of the previous use of the property and also the likely traffic impacts of the proposed development. The previous application, which was withdrawn, did not make sufficient provision for off-street car parking. Following discussions, the applicant is now providing a total of 52 parking spaces (some internal to the proposed building). This provision complies with current standards and each two-bed unit will have 1 space with a 50% provision for one-bed units.
52. The property lies within a resident permit parking scheme which is currently over-subscribed. As such the development will not be eligible for permits or visitor tickets. However, in this instance it is considered that the development will cater for its parking demand, especially as the 51 flats are for retired occupants.
53. Further to the car parking the applicant is proposing to provide 32 cycle stores and 14 charging units and associated storage for mobility scooters. The site is within walking distance to the City Centre, Railway station and Mutley Plain so is considered to be in a sustainable location.
54. The proposed development will make use of the existing access points and parking areas will be upgraded. Due to the former use of the building as the REI there are a number of Traffic Orders around the perimeter of the site to provide visitor parking for patients (including ambulance parking). As the proposal will change the use of the building (albeit the REI itself has now vacated the site) the existing Traffic Orders are no longer required.
55. Therefore the applicant will be required to fund a consultation and subsequent implementation (if required) of any agreed changes to the Traffic Regulation Orders. All references to the REI requirements will be removed and it is suggested, at this time, that the on-street parking will be amended to 'Permit holders exempt'. This will provide more on-street parking for existing permit holding residents, so should be welcomed by local residents. The cost of these works, which the applicant has agreed to fund, is £5000 and will be secured by Section 106 Agreement.
56. The Council's Highways Officer has stated support for the application, subject to conditions.

Landscaping and Trees

57. The site as existing provides an attractive green space with grassed areas and a variety of trees, some of which are protected, close to the street boundaries. The proposed landscaping works have been designed to accommodate the most important trees at the site, and where possible existing landscape features have also been retained.

58. Through the pre-application process, discussions have taken place with the Council Officers and care has been taken to set out the new accommodation to avoid direct impact upon as many of the existing trees as possible. However, the proposed new build does have an impact upon some of the existing trees at the site. Where this is unavoidable and trees are proposed to be removed, new trees have been proposed to mitigate the loss on a one for one basis, to be planted in appropriate locations.
59. Those trees at the site of poor quality or very low amenity value are also proposed to be removed as part of a comprehensive scheme of landscaping. Great care has been taken to avoid the removal of, and damage to, the mature turkey oak, which is considered to be the best tree at the site. Overall, the proposed landscaping scheme will provide an attractive communal garden for the residents of the proposed development. It will provide a safe, useful, maintainable and useable green space, as well as being an integral part of the layout for the development proposal. It is considered that an overall improvement in the landscaping conditions on the site will be the result.
60. Subject to conditions, officers consider it acceptable for the proposed removal of selected trees and the implementation of a new landscaping scheme at the site.

Sustainability

61. Policy CS20 (Sustainable Resource Use) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) requires all new residential developments of 10 units or more to incorporate onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the period 2010 – 2016.
62. In order to meet the requirement of Policy CS20 it is proposed to have Photovoltaic Panels installed on the roofs of the proposed new build. These will be almost flush with the roofline of the proposed development, so will only have a very minimal visual impact. Photovoltaic Panels generate electricity from light and their energy source is therefore sunlight, meaning that they do not require fuel to operate and produce no air pollution or hazardous waste.
63. The energy report submitted with the application states that an overall saving of 15.53% will be achieved across the site. It is not considered appropriate to have PV cells on the existing REI building as this will significantly harm its character, due to any proposed PV cells needing to be mounted on the pitched roof of the building and therefore being extremely prominent. The reduction in carbon emissions proposed by the location of PV on the roof of the new build makes a substantial energy saving across the whole site. The application is therefore considered compliant with Policy CS20 (Sustainable Resource Use) of the Core Strategy.

Ecology

64. The application is accompanied by an Extended Phase I Habitat Survey, Bat Survey and an Ecological Mitigation and Enhancement Strategy (EMES). Within their EMS, the applicant has proposed a number of biodiversity gains, including:
- 10 new trees
 - Provision of bat boxes
 - Provision of nesting boxes for birds
 - Provision of managed grassland
 - Provision of native boundary shrub planting
65. Officers consider that the application provides a net gain in biodiversity at the site, in accordance with Policy CS19 (Wildlife) of the Core Strategy. A condition is attached to secure the biodiversity gains referred to.

Human Rights

66. 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.

Local Finance Considerations and CIL

67. 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. This development will generate a total of approximately £305, 068 in New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in the determination of this application.
68. The provisional Community Infrastructure Levy liability (CIL) for this development is £130, 950 including any potentially qualifying demolished floorspace. This information is based on the CIL information form submitted with the application and is based on current rates.

Section 106 Obligations

69. Given the nature of this development, it is not considered appropriate to seek infrastructure contributions in this instance, aside from the contribution referred to above in the Transport section of this report. No representations have been received from any service provider identifying a shortfall in local service provision that is required to be mitigated.

70. There is an affordable housing need from this development. However, provision of affordable housing within developments of this kind, that are specific to the older population (in this case age 55 plus), is difficult. It is normal in these circumstances to seek a commuted sum from the applicants, in order for affordable housing to be provided at other sites within the city.
71. A section 106 Agreement is thus required to secure the £225, 000 necessary as a commuted sum to mitigate the lack of provision for affordable housing at the site, in order that it can be provided elsewhere in the city. With regards to the guidelines in the Affordable Housing and Planning Obligations SPD and specifically the formula used for calculating off-site affordable housing provision, this figure would provide 4 units on site, which equates to approximately 8% of the new build element of the proposal. This is considered acceptable, due to the presence of the existing listed building and the significant cost of its conversion, the site is expensive to develop. The viability appraisal submitted by the applicant has been thoroughly tested by council officers and the agreed commuted sum of £225, 000 is considered to be appropriate mitigation for the provision of off-site affordable housing. This, and the contribution of £5000 to facilitate changes to the existing residents permit parking scheme, has been agreed with the applicant.

Equalities & Diversities issues

72. The application provides a range of different apartment types and will be available to all equality groups, specifically older people as much of the development proposed is retirement accommodation. Some properties will comply with Lifetime Homes standards suitable for people with disabilities and the elderly and frail. The application therefore does not have any adverse impacts on any equality groups.

Conclusions

73. In summary, this application will provide 12 new open market apartments within the grade II listed former REI building and 51 new retirement flats in a new build that will site adjacent to the east of the existing building (following demolition of the existing 1930s extension to the original REI building).
74. It is considered that the application proposes development with a layout that is sensitive to the existing pattern of development in the area and constraints of the site. The design of the new build is contemporary although the form of the development is traditional, with consistency in appearance achieved through subtle repetition of proportions and materials. The layout is a positive response to the constraints of the site and the proposal will secure the reuse and future of one of the finest red brick buildings in the city.
75. The proposed development would not impact significantly upon nearby properties residential amenities due to its layout and orientation and would not harm the surrounding highway network, providing adequate levels of off street car parking. The application is therefore recommended for approval, subject to conditions and the satisfactory completion of a S106 legal agreement, with delegated authority sought to refuse the application if the Section 106 Agreement is not signed by the 25th June 2013.

Recommendation

In respect of the application dated **28/03/2013** and the submitted drawings 1767 (RP) 001: Site Location Plan; 1767 (RP) 002: Site Plan As Existing; 1767 (RP) 003: Demolition Tree Removal Plan; 1767 (RP) 004: Floor Plans As Existing; 1767 (RP) 005: Floor Plans As Existing; 1767 (RP) 006: Elevations As Existing; 1767 (RP) 007: Site Plan; 1767 (RP) 008: New Block Roof and Fourth Floor Plans; 1767 (RP) 009: New Block First Second and Third Floor Plans; 1767 (RP) 010: Ground Floor Plan; 1767 (RP) 011: Existing Block Proposed Floor Plans; 1767 (RP) 012: Site Elevations; 1767 (RP) 013: New Block Elevations; 1767 (RP) 014: New Block Elevations; 1767 (RP) 015: Sections; 1767 (RP) 016: Site Sections and accompanying Design and Access Statement; Desk Study Report; Arboricultural Report; Transport Assessment; Heritage Appraisal and Impact Assessment; Energy Statement; Extended Phase I Habitat Survey; Bat Survey; Ecological Mitigation and Enhancement Strategy; Supporting 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 25 June 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.

APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1767 (RP) 001: Site Location Plan; 1767 (RP) 002: Site Plan As Existing; 1767 (RP) 003: Demolition Tree Removal Plan; 1767 (RP) 004: Floor Plans As Existing; 1767 (RP) 005: Floor Plans As Existing; 1767 (RP) 006: Elevations As Existing; 1767 (RP) 007: Site Plan; 1767 (RP) 008: New Block Roof and Fourth Floor Plans; 1767 (RP) 009: New Block First Second and Third Floor Plans; 1767 (RP) 010: Ground Floor Plan; 1767 (RP) 011: Existing Block Proposed Floor Plans; 1767 (RP) 012: Site Elevations; 1767 (RP) 013: New Block Elevations; 1767 (RP) 014: New Block Elevations; 1767 (RP) 015: Sections; 1767 (RP) 016: Site Sections.

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

(3) 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.

CODE OF PRACTICE DURING CONSTRUCTION

(4) 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.

CAR PARKING PROVISION

(5) The building 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 occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CYCLE PROVISION

(6) The building shall not be occupied until space has been laid out within the site in accordance with the approved plan for 32 bicycles to be securely parked. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

TRAVEL PLAN DETAILS

(7) The use hereby permitted shall be carried out in accordance with details of a Travel Plan which shall be prepared in accordance with prevailing policy and best practice and shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the use. The Travel Plan shall include as a minimum the following elements:

- identification of targets for trip reduction and modal shift
- practical methods to encourage modes of transport other than the private car such as:
 - the Government Cycle to Work Scheme
 - provision or subsidy of travel passes
 - promotion of car sharing
 - establishment or use of car clubs
- the provision of secure and convenient cycle parking facilities
- provision of shower and changing facilities for staff
- householder welcome packs and travel passes
- measures to regulate the management and use of permitted car parking areas
- mechanisms for monitoring and review
- the appointment of a Travel Plan Coordinator and notification to the Local Planning Authority of their contact details
- measures for enforcement of the Travel Plan, should agreed objectives and targets not be met
- an agreed timescale for implementation of the agreed measures.

Reason:

In the opinion of the Local Planning Authority, such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with 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.

SURFACE WATER DISPOSAL

(8) No development shall take place until details of the proposals for the disposal of surface water have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the building hereby permitted is first occupied.

Reason:

To enable consideration to be given to any effects of changes in the drainage regime on landscape features in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

LANDSCAPE DESIGN PROPOSALS

(9) 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.); 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

(10) 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

(11) 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

(12) 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.

EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

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

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

(b) If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or pruned in breach of (a) above in a manner which, in the opinion of the Local Planning Authority, leaves it in such a poor condition that it is unlikely to recover and/or attain its previous amenity value, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of barriers and ground protection for any retained tree or hedgerow shall be undertaken in accordance with Section 6.2 of BS 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

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

ARBORICULTURAL METHOD STATEMENT

(14) 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.

PROVISION FOR TREE PLANTING

(15) No works or development shall take place until full details of all proposed tree planting, and the proposed times of planting, have been approved in writing by the Local Planning Authority and all tree planting shall be carried out in accordance with those details and at those times.

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.

TREE REPLACEMENT

(16) If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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 and are subsequently properly maintained, if necessary by replacement.

DETAILS OF BOUNDARY TREATMENT

(17) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is first occupied. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the details of the development 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.

EXTERNAL MATERIALS

(18) No development shall take place until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SUSTAINABILITY

(19) Unless otherwise agreed in writing, the approved on-site renewable energy production methods shall be provided in accordance with the Energy Statement dated 12/3/2013 by Energy Compliance, and drawing number 1767.(RP) 008, which propose the use of photovoltaic panels on the roof of the proposed new build. These shall be provided prior to first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the period 2010-2016 in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and relevant Central Government guidance contained within the NPPF.

BIODIVERSITY

(20) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy (dated March 2013) by O'Neil Ecology.

Reason

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in the NPPF.

ACCOMMODATION MANAGEMENT

(21) None of the rooms of the retirement accommodation hereby permitted shall be occupied until details of the arrangements by which the accommodation is to be managed have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the property shall continue to be managed permanently in accordance with the approved management arrangements, unless the Local Planning Authority gives written approval to any variation of the arrangements.

Reason:

To assist in protecting the residential amenities of the area, in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

SPECIFIED USE RESTRICTION

(22) The retirement accommodation hereby permitted shall be limited to occupation by persons no younger than 55 years of age and shall be used for no other purposes (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

INFORMATIVE: RESIDENT PARKING PERMIT SCHEME

(1) The applicant should be made aware that the property lies within a resident parking permit scheme which is currently over-subscribed. As such the development will be excluded from obtaining permits and purchasing visitor tickets for use within the scheme.

INFORMATIVE: TRAVEL PLAN

(2) The document required in connection with the Travel Plan should be based upon the Council's guidance for Travel Plans published on the Council's website and should, where possible, be created using iTRACE, an online travel plan management tool available through Plymouth Transport and Infrastructure. The applicant is advised to contact Plymouth Transport and Infrastructure prior to preparation of this document for site-specific advice on the requirements for the Travel Plan, which are likely to include:

- (a) appointment and contact details of a Travel Plan Coordinator
- (b) recommendation of the use of iTRACE
- (c) site specific targets, measures and management/monitoring plan.

INFORMATIVE: CODE OF PRACTICE

(3) The management plan shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web pages, and shall include sections on the following:

- a. Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information;
- b. Proposed hours of operation of construction activities and of deliveries, expected numbers per day and types of all construction vehicles and deliveries, routes of construction traffic to and from the site (including local access arrangements, timing of lorry movements, and weight limitations on routes), initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, location of wheel wash facilities, access points, location of car parking for contractors, construction traffic parking, details of turning facilities within the site for site traffic and HGVs, and a scheme to encourage public transport use by contractors; and
- c. Hours of site operation, dust suppression measures and noise limitation measures.

INFORMATIVE: DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

(4) The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at www.plymouth.gov.uk/CIL. You can contact the Local Planning Authority at any point to discuss your liability calculation; however a formal Liability Notice will only be issued by the Local Planning Authority once any pre-commencement conditions are satisfied.

INFORMATIVE: CONDITIONAL APPROVAL (5)

(5) 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, including pre-application discussions, and has imposed planning conditions 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 principle of the site being developed for residential purposes, the impact of the proposals on the existing listed building and visual amenity, the impact of the proposed development on the surrounding highway network and nearby properties residential amenities, the proposal is not considered to be demonstrably harmful. In the absence of any other overriding considerations, and with the imposition of the specified conditions, the proposed development is acceptable and complies with (1) policies of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and supporting Development Plan Documents and Supplementary Planning Documents (the status of these documents is set out within the City of Plymouth Local Development Scheme) and the Regional Spatial Strategy (until this is statutorily removed from the legislation) and (b) relevant Government Policy Statements and Government Circulars, as follows:

CS28 - Local Transport Consideration
CS32 - Designing out Crime
CS33 - Community Benefits/Planning Obligation
CS34 - Planning Application Consideration
CS22 - Pollution
CS18 - Plymouth's Green Space
CS19 - Wildlife
CS20 - Resource Use
CS21 - Flood Risk
CS03 - Historic Environment
CS01 - Sustainable Linked Communities
CS02 - Design
CS15 - Housing Provision
NPPF - National Planning Policy Framework March 2012