

PLANNING APPLICATION REPORT



ITEM: 06

Application Number: 13/01103/FUL

Applicant: ALDI Stores Limited

Description of Application: Demolition of former laundry building and repair and conversion of former Greenbank Prison (and Annexe) to provide 65 self contained student flats, construction of 1,410m² foodstore (A1 use) with associated access off Greenbank Road, parking and landscaping

Type of Application: Full Application

Site Address: LONGFIELD HOUSE, GREENBANK ROAD PLYMOUTH

Ward: Efford & Lipson

Valid Date of Application: 19/07/2013

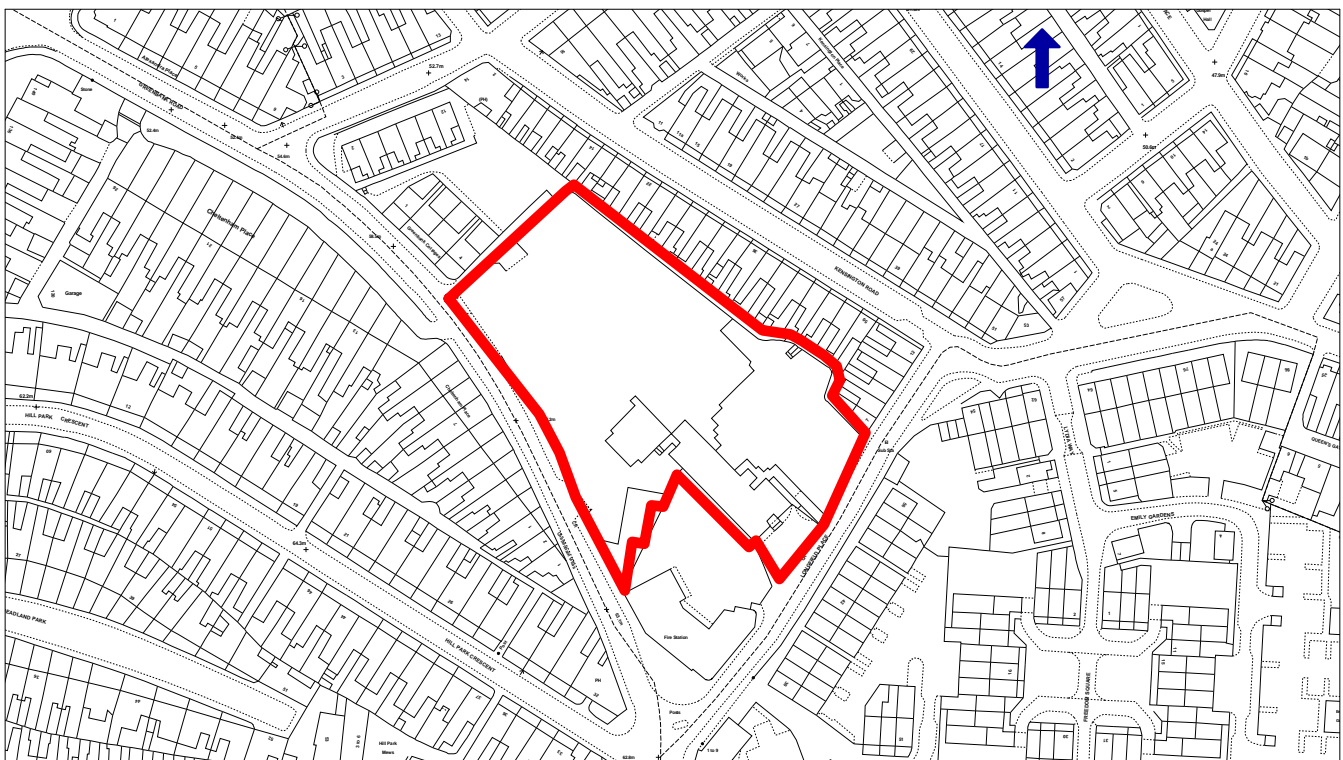
8/13 Week Date: 15/11/2013

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

Case Officer : Olivia Wilson

Recommendation: Grant Conditionally

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OFFICER'S REPORT

Site Description

The former Greenbank Prison is a Grade II listed building dating from 1849, designed by Fuller and Gingell. The building historically had a crucifix plan form, consisting of a central block with three projecting wings. The north and east wings have since been demolished, but the external appearance of the building has retained much of its original character. The south wing was originally used as cells for women prisoners. The interior was extensively remodelled in the 1930s as part of the conversion to a police station. At the same time changes were made to the exterior of the building with a new entrance created on the Longfield Place elevation.

Having lain empty and been partially demolished prior to listing in 2007, it has been subject to vandalism, arson, extensive damage by water, and it is now full of dead vermin and guano as well as broken glass and rubbish. Its condition is now so bad that there has been a significant internal collapse within the tower area due to the level of rot caused by water ingress. It has been identified as a building at risk because of the poor condition it has deteriorated into.

The building is positioned facing, but set back from, Greenbank Road, with a secondary entrance off Longfield Place. The site borders Greenbank Road to the south, Longfield Place to the east, the rear of Kensington Road to the north and Greenbank Cottages to the west. The fire station lies adjacent to the site in the south-east corner. A large former laundry building occupies the north-east corner of the site. The north-west side of the site is empty and has become derelict and overgrown. The former prison wall remains intact for large parts of the site boundary. The owner (Aldi) also owns a section of land to the north-west of the site to the rear of Greenbank Cottages, but this does not form part of the development site. There is a considerable difference in ground levels between the site and the residential properties that back onto it from Kensington Road, which are set down.

The site is located adjacent to the Mutley Plain District Centre (about 200m to the north-west), although it is surrounded by residential properties. It is approximately a 15 minute walk to the University and 20 minutes to the City Centre. The site sits on the crest of the hill that rises up from the junction of Mutley Plain and Greenbank Road.

Proposal Description

Demolition of former laundry building and repair and conversion of former Greenbank Prison (and Annexe) to provide 65 self contained student flats, construction of 1,410m² foodstore (A1 use) with associated access off Greenbank Road, parking and landscaping.

Pre-Application Enquiry

The Council provided pre-application advice (MA/403/PRE). The Council advised that the proposal for a retail unit would require a sequential site assessment that is based on the site as an out of town location. The Council also advised that a retail impact assessment should be carried out. The proposal to convert the prison into student accommodation would be acceptable in principle in this location, being close to the University and local amenities. Feedback was given on the conversion of the

building and on the demolition of the laundry building. Subject to a Heritage Statement and full recording, it was agreed in principle to the demolition. It was noted that archaeological works would need to be undertaken across the site prior to any development as this area may contain the remains of Civil War fortifications. In relation to the design of the retail unit and boundary treatment, it was advised that as much of the original stone prison wall as possible should be kept and restored. It would be unlikely that a standard design for an Aldi store would be acceptable in this location. The elevation facing Greenbank Road should be entirely glazed in order to provide an acceptable relationship with the street. Pedestrian access from Longfield Place through the site could be formed by using an existing access point. Pedestrian crossing improvements at the junction of Mutley Plain/Alexandra Road and Greenbank Road would be required. Adequate car parking and cycle parking for the student flats would be required (11 car parking spaces) plus car parking for the food store, and turning provision for HGVs. A noise assessment will be required to protect the amenity of residents of Kensington Avenue and a management plan for the student flats would also be required. The laundry building should be fully recorded prior to demolition.

Relevant Planning History

99/01121/OUT – Residential development to include the conversion and lateration of the former laundry building into flats and houses – permitted.

99/01122/FUL – Erection of retail food store, alterations and conversion of clock tower to form offices with associated vehicle and pedestrian access, car parking and servicing areas – refused (on the grounds of unsatisfactory pedestrian links between the site and Mutley Plain).

00/01348/FUL – Erection of retail food store, alterations and conversion of clock tower to form offices with associated vehicle and pedestrian accesses, car parking and servicing areas – refused.

02/00819/FUL – Erection of retail food store, alterations and conversion of clock tower to form offices with associated vehicle and pedestrian access, car parking and servicing areas – refused (on retail and highway grounds). The appeal (N1160/A/03/1121679) was dismissed. (The Inspector found that the site did not represent a good edge of centre site as it had poor linkages to the district centre. He was also concerned that the store would negatively impact on the viability of Mutley Plain).

10/01538/LBC – Retention of works to secure building including steel sheeting to ground-floor openings and wooden boarding to first-floor openings – permitted.

13/01104/LBC - Demolition of former laundry building and repairs, internal alterations and conversion of former Greenbank Prison (and annexe) to provide 66 self-contained student flats – under consideration.

Consultation Responses

The Public Protection Service notes that the proposed development is located close to existing residential properties and are likely to be disturbed during site construction works. A condition is required for a Code of Construction Practice to

control any nuisance arising from the works. It also recommends a condition requiring a management plan be submitted for the management of the student flats. Land quality conditions are also recommended to require further ground investigations to be undertaken before construction starts on site. A noise condition is recommended for the mechanical equipment at the rear of the store. A condition regarding delivery hours is also recommended.

The Victorian Society has been consulted because the application involves the proposed demolition of a listed building. It supports the principle of development but is of the view that there are elements that would cause harm to the setting of the listed building. The position of the supermarket would encroach on views from the west. It would prefer to see the supermarket set back further from the street. The free-standing sign proposed would have a detrimental effect and should also be set back or re-sited. The historic building would benefit from a clearer division between it and the store and parking area.

English Heritage has been consulted because of the proposed demolition of the laundry building. It accepts the principle of demolition of the laundry building but would like to see the original perimeter wall to be retained in-situ. Where the laundry is attached to the main listed building, the methodology for its removal and making good the walls of the prison building should be agreed with the Council's Historic Environment officer. English Heritage would like to see the original scale and height of the perimeter wall restored in front of the central block of the prison. They recommend that the subdivision of the Magistrate's Court should be carried out carefully with the advice of the Council's Historic Environment officer. They recommend that the application be determined in accordance with national and local policy guidance.

The Highway Authority has no objection to the application, subject to conditions. The site has a long planning history. In relation to previous applications the Council has considered that the provision of a safe pedestrian crossing facility at the southern end of Mutley Plain is necessary to ensure that pedestrians travelling between the proposed store and Mutley Plain would have a safe means of access. This location has a high level of pedestrian injury accidents and is considered a priority site in terms of highway safety. A previous application for an Aldi supermarket on the site (ref 02/00819/FUL) was refused planning permission for a number of reasons including a transport reason relating to the requirement of the development to provide safe pedestrian crossing facilities at Mutley Plain/Greenbank Road junction. During the course of that appeal a suitable scheme for providing safe crossing at this point was agreed with the applicant and PCC withdraw its highway reason for refusal.

In relation to this application it is considered that crossing facilities to connect the store to Mutley Plain and North Hill are required and the applicant has undertaken to provide such crossing facilities if planning permission is granted. Officers have sought information to demonstrate that the traffic impact of the store can be accommodated on the surrounding highway network through the supporting documentation and Transport Assessment. In addition, considerable work has been submitted by the applicant to demonstrate that the provision of pedestrian facilities at the junction of Mutley Plain/ Greenbank Road / Alexandra Road will not

compromise the operation of that junction which carries significant volumes of traffic and is an important bus corridor. It is considered that a scheme can be provided which would allow pedestrians leaving the store to cross Greenbank Road and Alexandra Road to access Mutley Plain as well as provide considerable benefit to existing pedestrian movements between Mutley and North Hill. It is not feasible to provide controlled pedestrian crossings on the North Hill arm of the junction while a crossing point for the Mutley Plain arm could impact on the overall operation of the junction. However, the applicant has also agreed to provide a pedestrian refuge on North Hill and a controlled crossing of Greenbank Road in the vicinity of the store entrance.

The site includes the provision of 84 car parking spaces for use by supermarket staff and customers. This accords with the Council's parking standards for A1 retail. In relation to the student accommodation, 8 parking spaces and drop off area are proposed including 6 spaces accessed off Longfield Place. It has been requested by PCC that given the pressures on on-street car parking in the Greenbank area that further spaces be provided in the supermarket car park which would be largely empty during off peak periods when the demand for on street car parking would be highest. The applicant has stated that this is unacceptable to Aldi but has agreed to provide a further 5 car parking spaces within their car park for students to use. This would require a modification to the proposed car park management scheme proposed by the applicant. Residents at the site would be excluded from the Residents Car parking scheme which is in operation in the adjacent streets. A covenant restricting vehicle ownership by students at the site would also be in operation. It has also been requested that the applicant provide two charging points for electric vehicles in accordance with NPPF policies aimed at encouraging use of electric vehicles. The applicant has stated that he cannot agree to such a request on viability grounds. Such a Condition has therefore been omitted. Cycle parking, and suitable loading facilities will be provided within the site. It is suggested that the redundant vehicle access points particularly at the western end of the scheme on Greenbank Road, be reinstated as footway and barriers removed, a Condition is suggested.

The Private Sector Housing Service has no objection to this application. It notes that the design and layout is reflective of much modern student accommodation. All of the room sizes exceed the minimum standards for a self-contained unit under the Housing Act (13 sq m excluding bathrooms and corridors) and therefore is not considered to be a licensable HMO.

Representations

18 letters from local residents have been received.

Three letters offer full support for the scheme. One is in support of the student accommodation and one is in support of the retail unit.

The other letters raise the following concerns:

- The area will be overrun with students
- The students will add to parking and noise problems
- Mutley Plain already has 5 supermarkets and doesn't need another store

- Aldi has made no effort in recent years to maintain the land within their ownership adjacent to the site. It has become overgrown and caused damage to the retaining wall at the rear of Kensington Road.
- The students will add to the parking pressures in the area.
- The site is not suitable for student accommodation.
- There will be a detrimental impact on the residents of Greenbank Cottages who use the adjacent driveway for parking.
- The Aldi store is out of character with the listed building
- Concerns over the structural stability of the retaining wall at the rear of Kensington Road, the design of the lighting in the car park, site security, noise from the external mechanical plant and delivery lorries.

Analysis

1. A Planning Committee site visit has been conducted for this application.
2. The following planning considerations are relevant for this application: principle of retail use, principle of student accommodation, highways and parking, standard of accommodation, landscaping and biodiversity, renewable energy, impact on residential amenity, loss of employment land and creation of employment. The following policies are relevant to these considerations: CS08, CS22, CS34, CS05, CS15, CS20, CS18 and CS19 as well as the NPPF. Guidance in the Development Guidelines SPD and Shopping Centres SPD is also relevant. The impact of the proposals on the character and fabric of the listed building and the setting of the listed building are considered in the accompanying application for listed building consent (13/01104/LBC). The National Planning Policy Framework seeks to actively encourage and promote sustainable forms of development. It replaces all previous Planning Policy guidance issued at National Government Level.
3. The proposed site plan shows the demolition of the laundry building to the rear of the prison. This opens up the rear of the site for provision of an 84 space car park including 4 disabled spaces. The proposed new store is positioned in the western corner of the site, with the front elevation roughly in line with the front of the prison entrance. It is set slightly forward of the adjacent Greenbank Cottages.
4. The south-eastern end of the site is occupied by the prison and a detached annexe. The proposal is to convert the prison and the annexe to self-contained student accommodation with a total of 65 self-contained studio flats. The student block will be demarcated from the Aldi store by means of a pedestrian path and low fence to the rear, and contrasting concrete paving stones to the front and side. A cycle store is located adjacent to the student residence annex and a turning circle and drop-off area is shown at the front of the building. The main proposed access to the site runs between the store and the prison.
5. A consultation exercise was carried out by the applicant prior to submitting the application. A one-day stakeholder event and public exhibition was held on the 9th February 2013. A questionnaire was

distributed and 23 were filled out, with a further 16 responses received later. Invited stakeholders included local councillors, neighbouring businesses, local residents and local community groups. Several comments were received in support of the conversion of the listed building and the redevelopment of the derelict site. There was support for the retention of the listed boundary wall and the principle of the Aldi store.

6. The following issues of concern were raised: the impact of the store on local businesses; the need for an improved pedestrian crossing at the junction; concern over pressure on parking; concerns over noise and disturbance from the student accommodation; a preference for market and social housing as opposed to student housing; and further clarification needed concerning noise, security, delivery hours, ecology and air quality.
7. The following amendments to the proposals have been made following discussions with officers and representations by the public: the reduction of number of student flats by one to create a laundry and improve communal space; minor amendments to the layout of some studio flats to improve amenity; redesign of the access and landscaping in front of the prison main entrance to improve the setting and amenity of the student flats; relocation of bin storage to the Longfield Place entrance to improve refuse collection and visual amenity; changes to landscaping of the car park to introduce greenery and trees; changes to works to the listed wall to achieve a better recreation of the former wall height and enclosure; an increase in the number of student car parking spaces from 6 to 11; introduction of solar panels on the roof of the Aldi; and minor changes to the design of the Aldi store.

Principle of retail use

8. Policy CS08 states that new retail development will be supported where it is appropriate in scale and function to its location, complies with the sequential approach to site selection and will not have an unacceptable adverse impact on the vitality and viability of the City Centre and surrounding district and local centres.
9. The proposed store has a gross floor area of 1410 sq m and a retail floorspace of 990 sq m.
10. A Sequential Site and Summary Impact Assessment has been submitted for the Aldi store because the site is outside the designated District Centre. The Aldi store format is to sell a limited range of branded goods. Unlike the larger supermarkets, Aldi does not offer a 'one-stop-shop' meaning that there is an expectation that Aldi customers will have to visit other shops and services to complete their shopping trip. Stores contain a limited amount of non-food floorspace (15 – 20%). The store is therefore likely to generate spin-off trips.
11. Paragraph 24 of the NPPF states that Local Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre. Paragraph 26 requires an impact assessment to be

carried out if the proposed development is over 2,500 sq m or a locally set threshold. Currently Plymouth does not have a local threshold in adopted policy. Therefore, technically the Aldi store does not require an impact assessment; however, the applicant has prepared a summary assessment so that the impact on Mutley Plain and the City Centre can be understood.

12. A further policy consideration is the Shopping Centres SPD (adopted July 2012). This identifies Mutley Plain as a district centre within the city with a viable retail sector with a mix of multiples and independents and a range of commercial uses. There are relatively few vacant units. Growth in Mutley Plain is limited due to the urban landscape of the area, with limited capacity for additional car parking. It benefits from a large walking catchment with many student properties nearby. It is also served by a number of bus routes.
13. The Sequential Site Assessment concludes that there are no suitable alternative sites in the City Centre or Mutley Plain for a store of this type that is of a sufficient size with car parking availability. It notes that Aldi already operates a store at Union Street which serves the central area.
14. The Summary Retail Impact Assessment finds that the impact would be in sale of convenience goods only, however, the level of impact on the vitality and viability of both Mutley Plain and City Centre would be minimal. The main impacts would be on the Morrisons on Outland Road and the Lidl at Wolseley Road, but in both cases this would be a low percentage of their turnover. It concludes that the Aldi proposal has the potential to enhance Mutley Plain as a retail destination due to the potential to generate linked shopping trips.
15. Officers consider that the site can be considered as edge of centre due to the relative proximity to the District Centre. It is accepted that there are no alternative suitable sites in Mutley Plain for a store of this type. Officers consider that there will be some loss of trade to other convenience stores in Mutley, but consider that this is not significant enough to have a detrimental effect on the viability of the District Centre. It is also acknowledged that there may be some benefits to the centre from linked shopping trips. The principle of retail use is therefore accepted, although a condition should be attached to limit sales of comparison goods.

Principle of student accommodation

16. The site is located close to Mutley Plain and within easy walking distance of the City Centre and University. Officers note that concerns have been raised about the increase in student accommodation in the Mutley Plain area. However, officers consider that there is no policy objection in principle to student use in this location, subject to other amenity concerns being considered to be satisfactory.

Impact on the character of the area and the street-scene

17. The south-east elevation of the retail unit (facing towards the prison) has a largely glazed frontage with the entrance to the store and a canopy and

trolley racks. The frames to the windows and doors are powder coated aluminium. As the site slopes gently downwards towards the rear of the site, the building is raised on a stone rubble wall plinth. The height of the store is 5.5m.

18. The north-west elevation (facing towards Greenbank Cottages) sits on the boundary of the site. It is a blank elevation with the prison wall at either end and a plinth of grey brick along the base.
19. The south elevation (facing towards Greenbank Road) sits on a brick plinth as the ground slopes away towards Mutley Plain. The bulk of the frontage is of rendered blockwork with high level windows and floor to ceiling glazing at the northern end adjacent to the entrance. A grey canopy runs for 15m along the frontage.
20. The north elevation (facing the rear of the site) is a blank elevation of rendered blockwork with a dark brick plinth. There is a delivery bay for lorries as well as plant and bin store areas. These will sit below the height of the rear boundary wall to screen them from adjacent residential properties.
21. Officers consider that the store, while functional in design, has responded to the site context to respect the adjacent listed building and the boundary wall. An informative can be added to highlight that this decision does not include advertisement consent for signage. A separate application will be required.
22. A new three-storey extension to the building will be constructed at the rear of the courthouse block on the footprint of the former north wing. It will replace the missing link between the courthouse and the south wing, where earlier demolition has left internal walls exposed to the weather. It is designed to match the appearance of the south wing and to be assimilated into the original fabric of the building. Officers consider that this extension is in character with the rest of the building and will replicate the character of the former north wing.

Highways and parking

23. Policy CS28 states that new commercial development should be provided in locations well served by a variety of modes of travel, including public transport. New developments should also comply with the Council's car parking standards and cycle parking.
24. The application proposes junction improvements at the junction of Greenbank Road, Alexandra Road and North Hill to facilitate links between the store and the District Centre. A pedestrian crossing is also proposed on Greenbank Road adjacent to the site. Within the site, an 84 space car park is proposed. Of these, 5 spaces will be allocated for student use. In addition, 6 dedicated spaces are provided for student parking on the Longfield House elevation.

25. The site has a long planning history. In relation to previous applications the Council has considered that the provision of a safe pedestrian crossing facility at the southern end of Mutley Plain is necessary to ensure that pedestrians travelling between the proposed store and Mutley Plain would have a safe means of access. This location has a high level of pedestrian injury accidents and is considered a priority site in terms of highway safety. A previous application for an Aldi supermarket on the site (ref 02/00819/FUL) was refused planning permission for a number of reasons including a transport reason relating to the requirement of the development to provide safe pedestrian crossing facilities at Mutley Plain/Greenbank Road junction. During the course of that appeal a suitable scheme for providing safe crossing at this point was agreed with the applicant and PCC withdraw its highway reason for refusal.
26. In relation to this application it is considered that crossing facilities to connect the store to Mutley Plain and North Hill are required and the applicant has undertaken to provide such crossing facilities if planning permission is granted. Officers have sought information to demonstrate that the traffic impact of the store can be accommodated on the surrounding highway network through the supporting documentation and Transport Assessment. In addition, considerable work has been submitted by the applicant to demonstrate that the provision of pedestrian facilities at the junction of Mutley Plain/ Greenbank Road / Alexandra Road will not compromise the operation of that junction which carries significant volumes of traffic and is an important bus corridor. It is considered that a scheme can be provided which would allow pedestrians leaving the store to cross Greenbank Road and Alexandra Road to access Mutley Plain as well as provide considerable benefit to existing pedestrian movements between Mutley and North Hill. It is not feasible to provide controlled pedestrian crossings on the North Hill arm of the junction while a crossing point for the Mutley Plain arm could impact on the overall operation of the junction. However, the applicant has also agreed to provide a pedestrian refuge on North Hill and a controlled crossing of Greenbank Road in the vicinity of the store entrance.
27. The site includes the provision of 84 car parking spaces for use by supermarket staff and customers. This accords with the Council's parking standards for A1 retail. In relation to the student accommodation, 8 parking spaces and drop off area are proposed including 6 spaces accessed off Longfield Place. It has been requested by PCC that given the pressures on on-street car parking in the Greenbank area that further spaces be provided in the supermarket car park which would be largely empty during off peak periods when the demand for on street car parking would be highest. The applicant has stated that this is unacceptable to Aldi but has agreed to provide a further 5 car parking spaces within their car park for students to use. This would require a modification to the proposed car park management scheme proposed by the applicant. Residents at the site would be excluded from the Residents Car parking scheme which is in operation in the adjacent streets. A covenant restricting vehicle ownership

by students at the site would also be in operation It has also been requested that the applicant provide two charging points for electric vehicles in accordance with NPPF policies aimed at encouraging use of electric vehicles. The applicant has stated that he cannot agree to such a request on viability grounds. Such a Condition has therefore been omitted. Cycle parking, and suitable loading facilities will be provided within the site. It is suggested that the redundant vehicle access points particularly at the western end of the scheme on Greenbank Road, be reinstated as footway and barriers removed, a Condition is suggested.

28. Officers consider that the car parking provision and off-site highways improvements proposed are sufficient to meet the needs of the development and enhance pedestrian access to the site from Mutley Plain and surrounding areas, subject to conditions.

Standard of accommodation

29. CS15 states that conversions of properties into flats must provide accommodation of a decent standard and must be of a sufficient size to provide satisfactory levels of amenity to occupiers. The proposal is for create 65 self-contained studio flats: 58 within the prison building and 7 within the Annexe.

30. The proposed conversion of the prison building is as follows:

31. Basement: south-east end: provide communal area with a communal lounge running the whole width of the wing with two windows in the south side and one in the north. There will be a separate weights room adjacent to the stairs. The north-east end will be accessed from external stairs and will provide five studio flats: three in the new extension (rooms 54, 55 and 56) and two in the original building (rooms 57 and 58). A third room will be converted into a communal laundry. In order to achieve minimum room sizes as required by the Housing Act, part of the original wall within Studio 58 will be removed. The rooms will be accessed off a corridor.

32. Ground floor: the main entrance will be on the Greenbank Road elevation. The main building will retain the central corridor which will lead to the new extension at the rear. There will be four rooms off either side of the corridor: a stairwell, management office and two studios (13 and 14) off the north-west side and three studios off the south-east side (12, 11 and 10). The corridor will lead into the south wing, and will extend the full length of the building to the Longfield Place entrance. The new extension will contain three studios (15, 16 and 17) while the old wing will contain 16 studios (18, 19, 20, 21, 22, 23, 24 on the northern side and 1, 2, 3, 4, 5, 6, 7, 8, and 9 on the southern side). An exercise room is also provided to the right of the Longfield Place entrance.

33. First floor: this is accessed from the stairwell at the front as well as the internal stairs at the other end of the south wing. A corridor leads from the top of the front stairs through the court room to give access to the rear extension, which in turn leads to a corridor that runs down the centre

of the south wing to mirror the ground floor. There will be one studio at the front adjacent to the stairwell (37). The courtroom will be subdivided into eight studios (33, 34, 35, 36, 38, 39, 40 and 41). There will be three studios in the new extension (42, 43 and 44) and then a further 17 studios in the old wing (45, 46, 47, 48, 49, 50, 51, 52, 53 on the north side and 25, 26, 27, 28, 29, 30, 31 and 32 on the south side).

34. The courtroom studios are double height with a mezzanine level accessed via spiral stairs. The bedroom and bathroom are at the lower level while the kitchen/living room area is upstairs.
35. The Annexe is a single-storey building dating from the 1930s with an unusual triangular wing and high level windows. It will be converted into 7 studios. Four will be accessed via separate entrance doors (4, 5, 6 and 7) while 1, 2 and 3 have a single entrance door and lobby area. 1, 2 and 3 front directly onto Greenbank Road and have high level windows. Studios 4, 5, 6 and 7 will have level entrances to allow for disabled access.
36. Officers consider that the proposed studios are similar to other student studio flats that have been approved in recent applications. While officers are concerned about the small size of the units, being between 13 sq m and 15 sq m excluding bathrooms, the plans have been revised to increase the amount of communal space (at basement and ground floor level) and to provide a communal laundry. This has resulted in the loss of one unit from the scheme. The studio flats would not be adequate in terms of size or daylight to be occupied as normal flats. A condition can be included to limit occupation of the units to full time students only.
37. The majority of the units will be single-aspect flats. Officers have concerns about two of the units (No. 23 and 51) which will have restricted light and outlook but consider that these should be considered against the wider benefits of the whole scheme.
38. A condition can be included to require a management plan to be submitted for the management of the units in order to protect residents from undue noise and disturbance.

Landscaping and biodiversity

39. CS18 requires development to provide soft landscaping where appropriate. Policy CS19 requires development to give appropriate protection for protected species and seeks to produce a net gain in biodiversity.
40. Landscaping of the site takes the form of small grassed areas and trees. Five trees are proposed along the street frontage and four trees at the rear of the student block. Seven trees are shown in the car park. The existing boundary wall along the rear of the site (at the back of the properties along Kensington Road) will be retained. A service strip of land runs along the back of the wall and the rear of the properties. There is no through access, and a sharp drop in land levels between the site and the adjoining properties. Currently, the strip is poorly managed and overgrown.

Concerns have been raised about the lack of management of this strip of land. There are no proposals shown for this strip, but maintenance can be required by condition. Lighting is shown around the boundary of the site but no details are given of the type of lighting proposed.

41. As the building has been vacant for some years and has fallen into a derelict state there is the potential for nesting birds and bats to be present in the building. A bat and reptile survey has been submitted with the application. The bat survey has identified the presence of bats which will require works to be carried out under a Natural England license.
42. Conditions can request details of landscaping and biodiversity. Details of surface water drainage have not been submitted but can be requested by condition.

Renewable energy

43. CS20 requires developments to promote sustainable use of natural resources, including promoting the use of SUDs and renewable energy.
44. The scheme has been revised to include photo-voltaic panels on the roof of the Aldi building. This now complies with policy CS20, and can be requested by condition. In addition, it is noted that the store is designed with a heat-exchange pump that improves the store's energy efficiency.
45. The external walls of the prison will be lined internally with plasterboard backed insulation to improve the thermal performance of the building. A condition can be attached to require details of works to be submitted.

Residential amenity

46. Policy CS22 protects residents against pollution and nuisance. Policy CS34 also seeks to protect neighbouring residential amenity. The main concerns with this proposal are: impact on on-street parking (this has been dealt with above under highways and parking), noise from the store and deliveries and student use, maintenance of the service strip of land behind the wall, and site security.
47. Officers consider that conditions can be attached to control noise levels. Delivery hours should be restricted to one hour before store opening. An acoustic screen will be constructed around the external plant to reduce any noise from machinery.
48. It is noted that the height of the boundary wall around the majority of the site serves as a visual screen between the site and surrounding area for privacy.
49. Officers consider that site security will be improved through bringing it into use. The student residence will provide natural surveillance over the car park

50. Conditions can be attached to require details of lighting to be submitted to avoid detriment to residents.

Loss of Employment Land and Employment creation

51. Policy CS05 relates to development of existing sites. This states that development for alternative uses will be permitted where there are clear regeneration and sustainable community benefits. Developments that continue to provide for a good range of employment opportunities will be supported.

52. In this proposal the site has been vacant for a number of years and therefore loss of this site is considered acceptable, especially as the new store will create employment on the site.

53. This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework-Core Strategy 2007 and is considered to be compliant with National Planning Policy Framework guidance.

Human Rights

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

A S106 obligation has not been pursued in this instance because Officers consider that the scheme would not be viable if financial obligations were required in addition to the CIL and the junction improvement works. Officers are also mindful that the restoration of the listed building is a community benefit. It should be noted that this scheme is liable to a CIL payment on both the residential and retail elements.

The provisional Community Infrastructure Levy liability (CIL) for this development is £246,540. This information is based on the CIL information form submitted with the application and the submitted breakdown of floorspace.

A breakdown of the final calculation will be shown in the liability notice once planning permission first permits the development (including all pre-commencement conditions details being agreed). The liable party(s) will be given the opportunity to apply for social housing relief or ask for a review of the calculation at that stage. There is no negotiation of CIL. The Levy is subject to change and is also index-linked. You should check the current rates at the time planning permission first permits development (which includes agreement of details for any pre-commencement conditions) see www.plymouth.gov.uk/cil for guidance.

It is noted that the applicant has indicated that they do not intend to apply for social housing relief on the CIL form.

New Homes Bonus.

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 £374,140 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.

Equalities and Diversities

This proposal will provide student accommodation.

Conclusions

For the reasons outlined in this report, being principle of retail use, principle of student accommodation, highways and parking, standard of accommodation, landscaping and biodiversity, renewable energy, impact on residential amenity, loss of employment land and creation of employment, it is recommended to grant conditional approval.

Recommendation

In respect of the application dated **19/07/2013** and the submitted drawings Amendments to site layout including landscaping, bin storage, design of the Aldi store and layout of studio flats

P(1)10 Site location plan; 100295 P(1)21 A Proposed site sections/ elevations (Aldi); P(1)26 A (Prison elevations); P(1)23 A; P(1)22 A; P(1)20 A; P(1)19 A; 100295 P(1)11 Existing site plan; P(1)18 A Proposed site plan; 2354-02-07 Elevations (south-east and north-west); 2354-02-11A Alterations and remedial ground and basement (LBC only); 2354-02-12 Alterations and remedial first floor and roof; 100295 P(1)12 Existing basement plan; 100295 P(1) 13 Existing Ground Floor Plan; 100295 P(1) 14 Existing First Floor Plan; 100295 P(1)15 Existing roof plan; P(1)16 Existing elevations (SW and NE); P(1)17 Existing NW and SE elevations, sections; 2354-02-09 Annexe Existing; 2354-02-07 Elevations (SE and NW); 2354-02-04B Cellar/ Basement floor plan; 2354-02-01 Ground floor plan; 2354-02-02 First floor plan; 2354-02-03 Second floor plan; 2354-02-10 Rev A Annexe proposed; P(1) 24 Aldi store proposed floor plan; P(1) 25 A Aldi store proposed roof plan (with solar panels); DAS; Heritage Statement, it is recommended to: **Grant Conditionally**

Conditions

APPROVED PLANS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: P(1)10 Site location plan; 100295 P(1)21 A Proposed site sections/ elevations (Aldi); P(1)26 A (Prison elevations); P(1)23 A; P(1)22 A; P(1)20 A; P(1)19 A; 100295 P(1)11 Existing site plan; P(1)18 A Proposed site plan; 2354-02-

07 Elevations (south-east and north-west); 2354-02-11A Alterations and remedial ground and basement (LBC only); 2354-02-12 Alterations and remedial first floor and roof; 100295 P(1)12 Existing basement plan; 100295 P(1) 13 Existing Ground Floor Plan; 100295 P(1) 14 Existing First Floor Plan; 100295 P(1)15 Existing roof plan; P(1)16 Existing elevations (SW and NE); P(1)17 Existing NW and SE elevations, sections; 2354-02-09 Annexe Existing; 2354-02-07 Elevations (SE and NW); 2354-02-04B Cellar/ Basement floor plan; 2354-02-01 Ground floor plan; 2354-02-02 First floor plan; 2354-02-03 Second floor plan; 2354-02-10 Rev A Annexe proposed; P(1) 24 Aldi store proposed floor plan; P(1) 25 A Aldi store proposed roof plan (with solar panels); DAS; Heritage Statement.

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.

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(2) 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.

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.

REPORTING OF UNEXPECTED CONTAMINATION

(4) In the event that contamination of ground conditions is found when carrying out the approved development that was not previously identified, expected or anticipated, it must be reported in writing immediately to the Local Planning

Authority and an investigation and risk assessment must be undertaken. 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'.

Where remediation is necessary a remediation scheme must be prepared, which 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.

Following completion of measures identified in the approved remediation scheme, a verification 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.

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

(5) 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.

SURFACE WATER DISPOSAL

(6) 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 buildings hereby permitted are first brought into use.

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.

LIGHTING DETAILS

(7) No development shall take place until details of any external lighting scheme have been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be fully implemented before any building is first occupied and henceforth permanently maintained for the occupiers of the site.

Reason:

To ensure that adequate external lighting is provided for future occupiers of the site, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

HOURS OF OPERATION

(8) 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: 07:00 hours to 21:00 hours Mondays to Saturdays inclusive; and 09:00 and 17:00 hours on Sundays and Bank or Public 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

(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: hard surfacing materials and planting plans, including the location of all proposed plants their species, numbers, and densities.

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.

MAINTENANCE SCHEDULE

(10) No development shall take place until a schedule of landscape maintenance for a minimum of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason:

To ensure that satisfactory landscaping works 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 9 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.

TREE REPLACEMENT

(12) 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.

OPENING HOURS

(13) The retail use hereby permitted shall not be open to customers outside the following times: 08:00 hours to 21:00 hours Mondays to Saturdays inclusive and 10:00 hours to 17:00 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.

MANAGEMENT OF STUDENT ACCOMMODATION

(14) Within one month of the occupation of the accommodation hereby approved, a management plan for the operation of the accommodation, which shall include contact details (including postal address, email address and telephone number) of the person to be contacted regarding any issues arising from the use of the building or its curtilage and shall include a commitment to keep this information up to date, shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall thereafter be adhered to strictly at all times.

Reason:

In the interests of neighbours' amenities and to provide a ready point of contact for any person who needs to address an issue in relation to the use of the property, in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

COMPLETION OF SPECIFIC WORKS

(15) Before the retail unit hereby permitted is first brought into use, the restoration and conversion of the listed building and wall shall be completed in accordance with the approved plans.

Reason:

To ensure that this essential part of the development is provided before the building is brought into use, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

DETAILS OF NEW JUNCTION

(16) No development shall take place until details of the junction between the proposed service road and the highway have been approved in writing by the Local Planning Authority; and the buildings shall not be occupied until that junction has been constructed in accordance with the approved details.

Reason:

To ensure that an appropriate and safe access is provided in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

MINIMUM CAR PARKING PROVISION

(17) The buildings shall not be occupied until space has been laid out within the site in accordance with the approved plan for a minimum of 84 cars to be parked in association with the A1 element and a further 8 spaces in association with the residential element and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear.

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.

LOADING AND UNLOADING PROVISION

(18) Before the retail unit hereby permitted is first brought into use, adequate provision shall be made to enable goods vehicles to be loaded and unloaded within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To enable such vehicles to be loaded and unloaded off the public highway so as to avoid:- (i) damage to amenity; (ii) prejudice to public safety and convenience; and (iii) 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

(19) The building shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 48 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.

USE OF LOADING AREAS

(20) The land indicated on the approved plans for the loading and unloading of vehicles shall not be used for any other purposes unless an alternative and equivalent area of land within the curtilage of the site is provided for loading and unloading with the prior consent in writing of the Local Planning Authority.

Reason:

To ensure that space is available at all times to enable such vehicles to be loaded and unloaded off the public highway so as to avoid:- (i) damage to amenity; (ii) prejudice to public safety and convenience, and (iii) 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.

SPECIFIED USE RESTRICTION

(21) No more than 20% of the total floor area of the retail use hereby approved shall be used for the sale of comparison goods or other goods other than food and drink.

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.

ARCHAEOLOGICAL RECORDING

(22) No part of the development allowed by this permission shall be commenced until the applicant (or their agent or his successors in title) has secured the implementation of a programme of archaeological work, to include a buildings recording programme, in accordance with a written scheme of investigation (WSI) which has been submitted by the applicant and approved by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme and in accordance with other such details as may subsequently be agreed in writing by the Planning Authority.

Reason:

To ensure that the details of the proposed work do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006 - 2021) 2007.

TRAVEL PLAN

(23) The uses hereby permitted shall not commence 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 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.

REINSTATEMENT OF FOOTWAY

(24) No building shall be brought into use until the existing footway crossing (to become redundant) has been removed and the footway reinstated.

Reason:

In the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

CAR PARKING MANAGEMENT STRATEGY

(25) Prior to the occupation of the proposed development a car parking management strategy shall be submitted to and agreed in writing by the Local Planning Authority to restrict maximum stay at the car park, to enable 5 car parking spaces to be used and be made available to the occupants of the residential element of the approved development including appropriate signage, and provide details of the restrictive covenant restricting vehicle ownership by students. The development will not be brought into use until such time that the agreed car parking management strategy has been implemented.

Reason:

To prevent long stay and commuter car parking and to provide additional student car parking in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

GRAMPIAN OFF SITE HIGHWAY WORKS

(26) No part of the development shall be occupied until the following highway works have been provided at the following locations:

1. Controlled pedestrian crossing facilities at the junction of North Hill/ Mutley Plain/Greenbank Road/ Alexandra Road
2. Pedestrian refuge island on North Hill
3. Pedestrian crossing on Greenbank Road in the vicinity of the store entrance

No part of the development hereby approved shall be occupied until the approved works on the public highway are complete, are operational and have been confirmed in writing as being so by the Local Planning Authority.

Reason:

In the interests of the safe and efficient operation of the local highway networks, and to ensure that appropriate and safe access is provided in accordance with Policy CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy adopted April 2007.

PRESERVATION OF SIGHT LINES

(27) No structure, erection or other obstruction exceeding 600mm in height shall be placed, and no vegetation shall be allowed to grow above that height, within the approved sight lines to the site access at any time.

Reason:

To preserve adequate visibility for drivers of vehicles at the road junction in the interests of public safety in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

STUDENT ACCOMMODATION

(28) The occupation of the accommodation hereby approved shall be limited to students in full-time education only.

Reason:

The accommodation is considered to be suitable for students in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, but its occupation by any other persons would need to be the subject of a further planning application for consideration on its merits.

ACOUSTIC SCREEN

(29) An acoustic screen shall be constructed around the plant area in accordance with the recommendations made in the noise assessment submitted in support of the planning application.

Reason:

To protect the residential and general amenity of the area from noise emanating from the business and to comply with policies CS22 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

MECHANICAL PLANT NOISE

(30) The noise producing plant for the foodstore specified in the application shall be installed as described in the application and before commissioning shall be tested and shall not exceed the level of 36dB as prescribed in the submitted noise assessment report. The fixed plant and machinery shall be maintained in a condition so that it does not exceed the emission limits as described above, whenever it is operating. After installation of the approved fixed plant and machinery no new plant or machinery shall be installed without the written consent of the local planning authority.

Reason:

To protect the residential and general amenity of the area from noise emanating from the business and to comply with policies CS22 and CS34 of the adopted City of Plymouth Core Strategy Development Plan Document 2007.

INFORMATIVE: DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

(1) 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: POSITIVE AND PROACTIVE WORKING

(2) 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.

INFORMATIVE: PUBLIC HIGHWAY ENGINEERING DETAILS

(3) No work within the public highway should commence until engineering details of the improvements to the public highway have been approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into. The applicant should contact Plymouth Transport and Highways for the necessary approval.

INFORMATIVE: TRAVEL PLAN

(4) 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: RESIDENT PARKING PERMIT SCHEME

(5) 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: ADVERTISING

(6) This permission does not give or imply any consent for the advertising material shown on the approved plans. Such advertising is controlled under the Town and Country Planning (Control of Advertisements) Regulations 2007 and the applicants should obtain any necessary consent separately.

INFORMATIVE: BATS

(7) The proposed works may take place on a building (s) with suitability for bats. Under the Wildlife and Countryside Act (1981) and the Conservation of Habitats and Species Regulations (2010), bats are legally protected against disturbance, injury or killing and bat roosts are protected against obstruction, damage or destruction. If bats or a bat roost is present in the building (s) on which works are taking place, a licence from Natural England may be required. For further information please contact Plymouth City Council's Green Infrastructure Officer on 01752 304229.