

# PLANNING APPLICATION REPORT



**ITEM: 01**

**Application Number:** 13/02320/FUL

**Applicant:** Another Place Developments Ltd

**Description of Application:** Change of use and conversion of building to form hotel with ancillary uses and associated works to building, courtyard and quarry

**Type of Application:** Full Application

**Site Address:** MELVILLE BUILDING, ROYAL WILLIAM YARD  
PLYMOUTH

**Ward:** St Peter & The Waterfront

**Valid Date of Application:** 10/12/2013

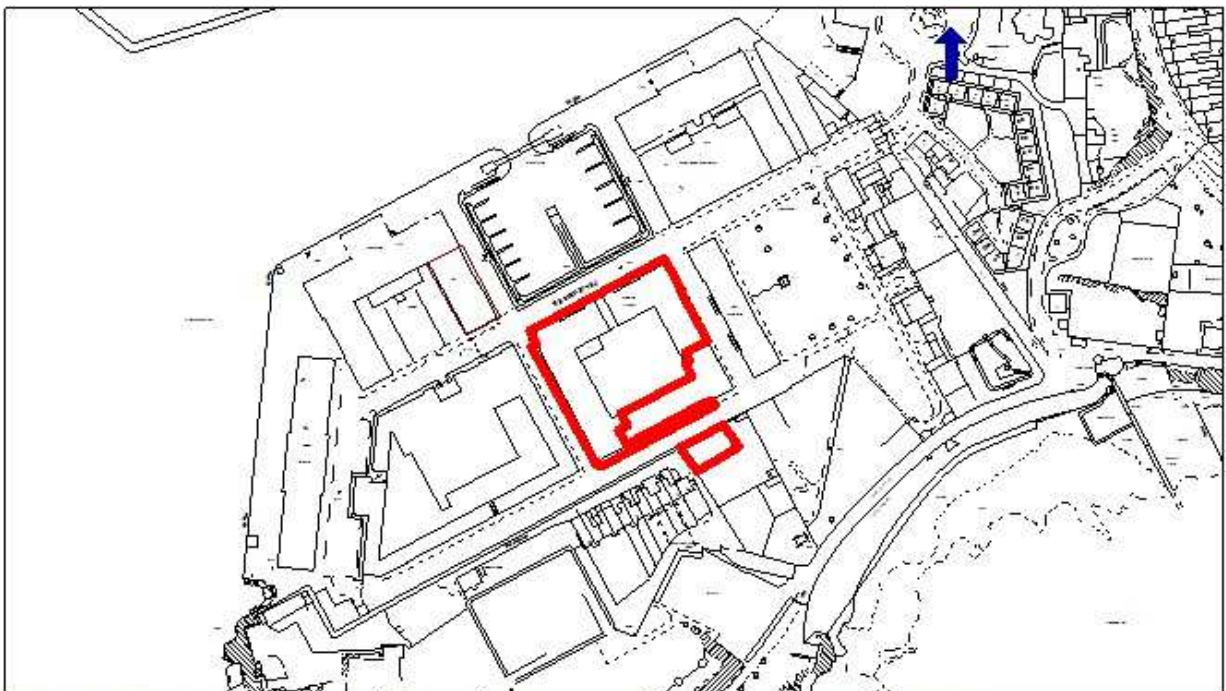
**8/13 Week Date:** 11/03/2014

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

**Case Officer :** Katherine Graham

**Recommendation:** Grant Conditionally

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## **Site Description**

The application site consists of a Grade I Listed Building, “Melville”, and a quarry area, with a Grade II\* retaining wall, sited to the south of the Melville building. These buildings are located in the destination Royal William Yard (RWY), sited within the Stonehouse Peninsula, which is also a designated Conservation Area.

Melville is located centrally within RWY fronting onto the basin. It was originally built as a general store and offices, and was largely complete by 1832. It is constructed from Plymouth limestone with granite trim and timber floors supported by cast iron columns. Melville is partly characterised by a central arched entrance with turret clock and dome above, and symmetrical built form. It is also characterised by a central courtyard, currently used for parking and a substation in the north west corner. There are also parking spaces surrounding the building. The building is currently vacant with the exception of an art gallery in the north east corner of the building.

The quarry site is just 13m to the south of Melville, on the opposite side of the highway. As noted above the retaining wall is Grade II\*. The quarry has an existing arch opening with timber doors.

## **Proposal Description**

This is a Full application for the change of use and conversion of the Grade I listed building to form a 66 bed hotel.

The hotel also includes:

- Reception area located just off the central glazed archway
- Fine dining restaurant split across 2 floors
- “Living space” (informal eating/meeting space)
- Swim club including an outdoor pool that can be accessed by swimming from inside to outside and hot tub
- Swim club lounge with juice bar and gym
- Fitness studio and treatment rooms
- Members bar located in the roof of the building with two roof terraces
- Function space with potential to be subdivided into two areas
- Administration and kitchen facilities
- Installation of Combined Heat and Power unit (CHP), substation, cycle store, plant and refuse store in quarry area

As part of the conversion, there are works of alteration including the installation of a glazed opening in the archway, the creation of a swimming pool and reflective pool in the courtyard, the creation of two roof terraces, the reopening and enlargement of window openings in the courtyard.

There is an associated listed building application (13/02321/LBC) for both repair works to the Melville and works of alteration to allow for the conversion of part of the building to a hotel.

### **Pre-Application Enquiry**

The Council provided pre-application advice (13/01897/MAJ). The proposal submitted under pre-application advice differed from the current application submission.

The key issues discussed at the pre-application stage were the requirements for the Transport Strategy, discussions with the Environment Agency over the flood defences and detailed discussions and site visits with English Heritage to discuss the impact upon the listed building.

### **Relevant Planning History**

General:

10/00591/LBC - Replacement of defective limestone - Grant conditionally 11/06/2011

09/01247/LBC - Replacement of defective limestone - Granted conditionally 09/11/2009

00/00206/FUL - Change of use of the ground floor (south east wing) to form office/film archive areas - Grant Conditionally 26/04/2000

Relevant to proposal:

12/00868/FUL - The development of a new 150 parking space surface car park on the site of the Officers' walled garden, together with associated access and landscape screening works - Conditional Consent 24/09/12

13/01663/FUL - Retrospective change of use of parts of former public realm quay areas to continue use as outdoor seating areas for existing restaurants (use class A3) in Brewhouse and Mills Bakery buildings' - Conditional Consent 05/12/2013

### **Consultation Responses**

#### **Highway Authority:**

This is one of the last buildings within the RWY to come forward for redevelopment. A detailed Transport Statement has been submitted in support of the application and comments on the application are as follows:-

#### Trip Generation

The principle of a hotel use within the Melville building was acknowledged within the original Mott McDonald Transport Assessment submitted for the RWY and subsequently included within the adopted Millbay and Stonehouse AAP. Consequently the principle of a hotel use within this building is acceptable.

Trip rates derived from the TRIC's database indicate that the 66 bed hotel hereby proposed would generate in the region of 36 movements during the am peak (18 arrivals and 18 departures) and 27 during the pm (14 arrivals and 13 departures) with the evening peak hour occurring later between the hours of 7.00 and 8.00pm.

Whilst it has not been in use for some considerable period of time it is noted that the former MOD use of the building would have been a generator of trips in its' own right. On the basis of trip rates derived from both TRIC's (for the warehousing) and the office trip rates included within the original Mott McDonald TA, the previous use of the building would have generated around 84 movements during the am peak (73 arrivals and 11 departures) and 64 in the pm (10 arrivals and 54 departures).

Although it can be seen that a stand alone hotel use would generate less trips than the former use, there will be a number of leisure related uses at the hotel (including a swim club), restaurant and conference facilities which will cater for particular events such as weddings (which are likely to occur at weekends). The applicant's traffic consultant has therefore undertaken a sensitivity test to assess the combined traffic impact of the various uses/activities associated with the hotel which could lead to additional traffic movements.

On the basis that 30% of the trips are likely to be linked to other existing uses within the RWY (office staff based at the RWY visiting the Swim Club after work etc) the sensitivity test reveals that the combined total number of traffic movements increases to 62 trips in the am peak (arrivals and departures) and 55 during the pm. This is still less than the number of trips associated with the former use of the building.

#### Car Parking

Availability of car parking has become a major issue at the RWY as development has come forward and the Yard (as a destination) has become more popular particularly during weekends when demand sometimes outstrips supply (this can occur when events such as the monthly food fare takes place). Consequently it is essential that any development that comes forward is self-sufficient in its' car parking needs.

The alterations to the Melville building will result in the loss of existing car parking spaces (82 in total) both within the courtyard area and in some locations alongside the building. Clearly the loss of any car parking provision at the RWY (even for just a short period of time) would have a major impact upon both residents and businesses. This issue has been acknowledged by Urban Splash who have now agreed to construct the Nursery Car Park before any existing spaces are removed as part of the construction works associated with Melville. It is recommended that this be covered by way of a Grampian Condition.

The provision of the Nursery car park (which already has consent – app no 12/00868/FUL) provides a further 139 spaces. This combined with the provision of a row of 11 parking spaces along the western side of the building and extra spaces on the southern side results in an overall net gain of 76 spaces. There may be some difficulty in providing the 6 spaces along the southern elevation of the site thereby reducing the net gain in numbers of spaces to 70 (see comments below on Layout).

Based upon application of the maximum parking standards as outlined within the Development Guidelines SPD, a total of 61 off-street car parking spaces would be required to serve the 66 bed hotel. However there are other leisure related uses proposed at the hotel (swim club etc) along with conferencing/events which would result in periods where the demand for car parking is likely to outweigh the number of operational spaces provided to serve the hotel. Based upon the floor areas of these uses and current accessibility score for the site these additional uses (restaurant, conferencing, swim club) could generate demand for a further 53 spaces on the basis of the application of the maximum car parking standard for those uses.

Although the creation of the nursery car park will result in a net gain of a maximum of 76 spaces (which may get reduced down to 70) it should be noted that these spaces are not only required to serve the hotel but also office and retail use planned within the remainder of the Melville building which is not being occupied by Watergate Bay.

The applicant has confirmed that from an operational perspective they only require a maximum of 10 permit parking spaces within the Yard (6 of which would be allocated to staff) whilst car parking surveys conducted in August 2013 revealed that demand for spaces only outweighs supply during particular events (such as the monthly food fares) and that during 'normal' working days there is spare parking capacity on-site.

In order to free-up the availability of car parking within the Yard for its' day-to-day operations and address the additional demands associated with events, the applicant has agreed to provide an off-site park and ride site at Stonehouse Creek which will create a further 78 spaces. These spaces will not only be available for those persons attending conferences/events at the hotel but also guests staying at the hotel as a valet parking service will be provided thereby freeing-up spaces within the Yard. A limited number of staff will also be permitted to use these spaces if their circumstances require them to need to drive to work (early or late shifts etc.). A shuttle bus service is proposed to run between the park and ride site and the hotel.

An application for the creation of the off-site park and ride facility is due to be submitted shortly and in view of the need to provide such for events and conferences it is recommended that a Grampian Condition be attached to this application which requires the provision of the park and ride facility prior to the commencement of the hotel use within Melville.

#### Cycle Parking

The applicant has confirmed that a total of 10 secure and covered cycle parking spaces will be provided for staff within the quarry at the southern part of the Yard, immediately to the south of Melville. This is considered to be sufficient.

Whilst reference is made to additional visitor cycle parking spaces being provided along Main Street, there is no commitment to deliver such as part of this application as this requirement falls upon Urban Splash. It is therefore recommend that a Grampian condition be attached relating to the need for further visitor cycle parking to be provided.

### Layout

Due to the close proximity of the building, the width of the 6 car parking spaces proposed along the southern elevation of the building should be increased so that they are a minimum of 2.6m, preferably 2.8m. This alteration will then impact upon the ability to manoeuvre into and out of the spaces located along the back wall. On this basis it may be necessary remove the 6 spaces proposed as part of the works.

Appropriate signing and lining will be required to keep the hotel delivery and drop-off area clear of parked vehicles (unless they are involved in dropping-off/collection).

### Travel Plan

A draft Travel Plan has been submitted for the Melville building which accords with the aims and objectives of the site-wide TP (included within the RWY TS) which seeks to encourage the use of sustainable modes of transport as an alternative to the private car.

Following receipt of comments from the Local Highway Authority the applicant has confirmed that strict criteria will be put in place in respect of the allocation of staff car parking both on and off-site (in respect of the latter a permit/barrier system will be in operation at the park and ride car park which will only allow those staff to park here who are permitted to do so as a result of working pattern etc).

It is also recommended that funding be made available in order to allow travel passes to be provided for some members of staff who may wish to travel to and from the RWY by public transport. This point has been accepted by the applicant and we look forward to receiving details of such within the final version of the TP.

Whilst the site-wide RWY TP is administered/managed by Urban Splash, the hotel will have its' own Hotel TP Representative who will feed back to the site-wide coordinator. It is recommended that the hotel representative is in post no less than 3 months prior to the occupation of the hotel.

As mentioned above, the hotel intends to hold a number of events throughout the year which are likely to attract a significant number of visitors to the Yard. It is therefore recommended that an Events Management Plan be developed in order to better manage the increase in trips being made to and from the RWY as a result of such events taking place. The requirement for such accords with the site wide RWY TS which also includes reference to the need for EMP's. Various measures to be included within the EMP (which will have to be agreed with PCC for each event) are provision of off-site park and ride, off-site signing strategy, dedicated bus and ferry services, additional security staff/parking attendants to direct traffic etc. It is recommended that the EMP form part of the approved TP.

Whilst the TP is not yet in a finalised state, we are content that most of the outstanding points/issues could be addressed through the submission of a revised TP as part of the condition discharge process and therefore it is recommended that a suitably worded condition be attached relating to this.

### RWY Transport Strategy

Following a further public consultation, Urban Splash have now produced an updated version of the RWY TS. Whilst the TS will be an evolving document that maybe subject to further change as the final buildings come forward for redevelopment, much of the principles included within it are now accepted and consequently the Local Highway Authority have no objections to this document now being formally signed-off.

To conclude we would not wish to raise any highway objections to this application it is recommended that the following conditions are attached to any grant of consent.

### **Police Architectural Liaison Officer**

Not opposed to granting of permission

### **Public Protection**

#### Environmental Protection Observations

The applicant has provided details of the CHP plant to this department, based on the specifications received we believe there to be a negligible impact on air quality from the plant and do not have any objection to the granting of planning permission.

#### Land Quality Observations

The Jubb Consulting Engineers Limited, Phase I Environmental Assessment that has been submitted with the application dated November 2013 identifies a low risk from contamination due to the proposal for the outdoor areas to be hard covered. As such we have no objection to the application.

The application includes the removal and relocation of an existing electrical substation. The above named report has identified the substation and potential associated contaminants; however, it concludes that there is limited potential risk from contamination due to the presence of hard standing. Whilst we do not disagree with these conclusions, if on removal of the existing hard standing to pave the area, there is visual or olfactory evidence of contamination below the hard standing, we recommend that further risk assessment is carried out because PCBs associated with substations can be very persistent in the environment. The report identifies a potential risk from radon, this is outside of the remit of this department and we recommend that Building Control is contacted for advice regarding the necessary radon requirements.

#### Food Safety & Standards Team Observations

Limited detail was available of the commercial kitchens. An advisory is including that advice is sought from the Public Protection Service before the fixtures and fittings are installed.

### Health and Safety Observations

Following the pre-application meeting a noise survey has been submitted by the applicant indicating that noise survey from the day to day operation from the hotel will be minimal. Conditions below would be recommended to formalise the control of any noise. It should be noted that external seating outside the events area discussed at the pre application is not included in the application. Should the applicant intend to have external seating in the communal areas of the yard conditions will be added in accordance with the rest of Royal William Yard.

### Neighbourhoods and Environmental Quality Observations

No comments.

### **Natural England**

#### Statutory Nature Conservation Sites – No objection

This application is in close proximity to the Western King Site of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

#### Protected Species

We have not assessed this application and associated documents for impacts on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

#### Biodiversity Enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework.

#### Landscape Enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature.

#### **English Heritage (EH):**

Recognise that Melville is a Building at Risk and considerable investment is required. Broadly supportive of the proposals and recognise significance of bringing the building back into a viable and beneficial use.



### 1 Roof Terraces

The inner roof terrace remains of some concern, especially in longer views across the courtyard from upper level windows, but we recognise that the visual impact of the terrace has been reduced, and we do not object to this element of the proposals.

### 2 New Outdoor Swimming Pool

Considerable progress has been made to address our previous concerns- namely in reducing the impact of the barrier between the swimming pool and the rest of the courtyard. Combining the swimming pool element with a reflecting pool introduces a strong sense of symmetry to the courtyard, and if detailed correctly this will be an interesting and striking addition to the building.

### 3 Glazing to the Central Entrance Way

This remains the area of greatest concern and potential harm to the listed building. We do, however, recognise that efforts have been made to reduce its visual impact and to address some of the more detailed points previously raised. We also recognise the functional driver for such an entrance space and the benefits it would bring in terms of cutting down the wind tunnel effect in the central carriageway. Although there will be some degree of harm to the architectural significance of the listed building, given the overall objective of repairing the building and finding a viable, sustainable use for it, we do not object to this element of the proposal.

### 4 Dropping the Window Cills

Again we remain concerned but accept that if limited in number such an intervention would contribute towards providing a sustainable use for the building.

Whilst exact details of repair have not been received, we will seek highest standard and hope Plymouth can secure such repairs.

### **Council for British Archaeology:**

The CBA strongly support the repair and reuse of this highly significant building. Many aspects of this application meet the requirements of the NPPF paragraph 131 in an exemplary fashion.

The more contentious elements of this application (as identified in the planning statement: the glazing of the arch, roof terraces, and the courtyard pools) are viewed within the context of the benefit of securing a sustainable use for the building.

Measures to ensure these alterations are carried out in the most suitable manner appear to be in place.

The outdoor swimming pool is a concern; the NPPF highlights “viable uses consistent with their conservation” and the CBA note that a swimming pool in this area is likely to lead to future applications to improve a solely outdoor swimming facility in a high-end hotel.

**Environment Agency (EA):**

Whilst we do not wish to raise any in principle objections we advise that the application should not be determined until further information has been submitted in respect of flood risk management over the lifetime of the development. We have reviewed the Flood Risk Assessment (FRA) produced by Jubb Consulting Engineers and consider that it does not include sufficient information to adequately inform the determination of this planning application.

The Melville building is located in Flood Zone 1 (the low risk flood zone) and the access to the building is located in Flood Zone 2 (the medium risk flood zone). However, our flood map does not take account of sea level rise associated with climate change. If climate change is considered, as required by the National Planning Policy Framework (NPPF), over the expected lifetime of the development the building and its access are at risk of coastal flooding during events as low as a 1 in 10 year event.

We expect that the FRA supporting this application should clearly detail the risk of flooding to the proposed development over its lifetime, including an allowance for sea level rise. Based on this information the FRA should assess in detail the flood risk (including residual flood risk) to the proposed hotel accounting for the presence of defences as they currently exist. The FRA should set out the flood risk management, resistance and resilience options for the building itself.

We recommend that the FRA also includes a review of the existing flood action procedure. The procedure includes information on the standard of defence including an allowance for climate change which needs reviewing.

It is important to note that the NPPF expects a new development (including its access/egress) to be safe from flooding over its lifetime. Both the current FRA (paragraph 5.5) and the Mott MacDonald 'Flood Barrier Improvement Assessment' report (dated August 2007), which assesses the ability to upgrade the existing defences and was copied to us on 10 January 2014, highlight the need for the standard of defence to be raised within the lifetime of the development.

We agreed at the pre-application stage that it would be unreasonable for the upgrade to the defences for the whole of Royal William Yard to be delivered solely off the back of this proposal. However, it was agreed that a simple flood management strategy should be prepared which identifies the deficiencies in the present defences for the Yard and a range of viable options (including approximate costings) for how the defences can be upgraded to ensure flood risk is appropriately managed over the lifetime of development in the yard. The findings of the Mott MacDonald barrier improvement report should be incorporated into this strategy. It is envisaged that the strategy then be adopted by your Authority who will need to select an appropriate option, identify funding mechanisms and deliver the upgraded defences in good time.

**Queens Harbour Master:**

Given it's central location within the RWY site and being set well clear of the main navigation channels QHM is content with the proposals and has no comment.

## **Representations**

32 letters of representation were received; these include 28 letters of objection and 4 letters of support.

16 of the 28 objections received stated either no objection or support for the principle of the hotel but had objections as contained within the list below.

### Objections, including some observations

1. It is critical that Urban Splash provide parking spaces from the outset of this development.
2. Through the development, 58 parking spaces in the courtyard and approx. 11 spaces sited around the building be lost, with no plans to replace these during development.
3. These spaces are a necessary supply of parking for residents and businesses.
4. Residents currently have problems with finding parking spaces.
5. The Nursery Garden car park should be built sooner rather than later/prior commencement of development.
6. The off-site parking should be provided prior to opening of hotel.
7. The location of off-site parking along with contractual obligations/arrangements should be revealed prior to start of works.
8. The proposal for off-site parking is very vague, contains no definite commitment, has no site secured, and gives no illustration of how such an apparently unrealistic scheme has worked anywhere else.
9. The 100 space off-site car park would not be sufficient for the proposed development at peak times.
10. Impact on car parking for residents and businesses during construction phase will be severe.
11. Poor public transport links.
12. Current parking problem will be made worse by the extra visitors to hotel.
13. Parking is currently even more of a problem during spring and summer months when RWY is busy and parking areas are usually full.
14. Traffic flow is also a contentious issue.
15. Parking and traffic flow have a considerable knock on effect within RWY and also the Stonehouse peninsula.
16. To date no Transport Strategy has been produced.
17. Oppose this application until a comprehensive transportation and parking plan has been fully discussed and agreed with the community directly concerned.
18. Volume of traffic to RWY has doubled and a hotel will exacerbate the problem
19. Lorries and delivery vehicles have damaged road through potholes.
20. Without conditions relating to the parking provision, approval of application could put the whole site into jeopardy.
21. Request application is put on hold until PCC are satisfied with the overall Transport Strategy and any parking schemes are put in place.
22. The whole experience of visiting the Yard is becoming increasingly compromised because of the high density/movement of vehicles and the pollution.

23. The objective should be that only residents and delivery vehicles can enter/park in the Yard. Visitors to arrive by bus; by car to nearby car park (see below) and park and ride; by ferry; cycling; walking.
24. The priorities then should be for agreement to be reached with the bus company to run buses (of one number only 42/42A) at 10/15 minute intervals from early morning until late evening, seven days a week throughout the year, and travelling without any long interval stops, from RWY through to Derriford/city centre so that this service is so frequent and efficient that many people will choose to use it.
25. Urban Splash and the Hotel to combine to build the offsite car park referred to in the documentation, but the car park must be large and close enough to the Yard so that the 42/42A bus can include it on its route (park and ride).
26. Urgency should be brought to bear to provide an integrated water ferry system across the whole Plymouth waterfront, for as many months of the year as possible (As with the Falmouth ferry system).
27. Object to use of reservoir for overflow parking (proposed as part of Transport Strategy for RWY). Reservoir is listed, in Conservation Area, Area of Outstanding Beauty, used as a picnic recreation area. Use of reservoir for parking will impact upon amenity of neighbouring property. Use of reservoir will require removal of listed wall and provision of access will destroy gardens. If only used as temporary overflow car park, this would encourage a more permanent use. Access to reservoir parking will have highway implication for adjacent residents.
28. Object to pay and display plans.
29. Concerns over smell and noise from kitchen extractions and other systems.
30. Area spoiled by chaos, noise and pollution of cars.
31. I would not expect that hotel guests and event participants will willingly use the planned off site car park (1 to 2 km away) and walk or use buses back to the hotel. Human nature is that people want to park as close as possible to their destination and will drive around and around RWY hunting for spaces.
32. Concern that nursery gardens have consent for use as car park.
33. Historical failure of the developer to comply with planning conditions at Royal William Yard in relation to parking e.g. Mills Bakery, Factory Cooperage.
34. Work has not started on Nursery car park.
35. Request condition valet parking for hotel guests and off-site parking for staff should be monitored to ensure implementation.
36. Transport Strategy should arise from extensive public consultation and discussion and should include traffic surveys when major events are on.
37. Oppose any loss of green space within or outside of the Yard for car-parking
38. Parking on a first come first served basis, with residents paying for privilege, and cannot get parked on various occasions.
39. The suggestion that the Ferry service by sea to the yard from the Barbican should be increased is not really a viable solution as parking is also limited on the Barbican. Even if parking was available on the Barbican this would incur an additional cost to the Ferry boat fee.
40. Cycling not feasible for visitors to yard for evening meals.
41. Green could be used as overflow car parking instead of reservoir, with events held in reservoir instead of the Green.

42. A good robust Park and Ride service from Stonehouse Creek to the Royal William Yard would be an overall solution as it would eliminate the need for additional parking. It is less than a 5 minute bus ride away from the Royal William Yard and car drivers would happily leave their cars parked there as it is easily accessible from most main routes within the city. This could be used by both visitors and staff working at the Royal William Yard. This sort of scheme already works well for the employees at Derriford Hospital as do the local Park and Ride schemes to Plymouth City Centre from the surrounding areas such as Home Park, Roborough, Plympton and Ivybridge.
43. The approved car park for the Officers' Gardens within the Royal William Yard could become a 2 level car park. The ground is raised and could be excavated to create a lower and upper level without having an impact on the height of the landscape.
44. There is unused surplus tarmacked land situated within Millbay Docks just inside a gate which is almost opposite the entrance to the Royal William Yard. Parking on this land could be negotiated with the owners. This would make good use of the land and would also create easy pedestrian access to the Royal William Yard.

#### Support

1. Application is a welcome addition to the ongoing RWY development and will add to success of the yard.
2. Enhance employment prospects in RWY, create jobs.
3. Splendid idea.
4. Subject to objections regarding Transport Strategy resolved, a hotel such as that suggested would be wonderful and a very good addition for Plymouth.
5. Welcome continued development of RWY and watched Melville deteriorate for years.
6. Greatly enhance the Yard and provide a landmark hotel destination.
7. Quality commercial development that will enhance the city and RWY.
8. Attract new visitors to wider Plymouth and will encourage people to think of Plymouth as a tourist destination.
9. Impressive and has great merit.
10. Provide some useful facilities for neighbouring residents.
11. Welcome sustainable development and enterprise in Royal William Yard.
12. Sensitively restored.

#### **Analysis**

1.0 The key issues to consider are:

- Principle and Benefits of Developments
- Impact upon Listed Building
- Transport
- Flooding
- Impact upon Amenity

## 2.0 Principle and Benefits of Development

The site forms part of the site allocation for Royal William Yard (MS01) within the Millbay and Stonehouse Area Action Plan. Policy MS01 specifies the Melville building for use as a hotel. This building is one of the remaining buildings to be converted at Royal William Yard. The hotel proposal includes approx. two thirds of the Melville building, with the remaining building intended to be an office based use which would be assessed as part of a separate future application. Notwithstanding this, the associated listed building application proposes works for the complete building.

2.1 The proposed conversion and listed building works will ensure the preservation of this important listed building, which is currently on the Buildings at Risk register. This will require a substantial amount of investment due to the scale of the building and the extent of repair works required. However, as discussed in more detail below, the proposal will result in an optimum viable use of the building, securing its use for future generations.

2.2 The proposed hotel use will contribute towards Plymouth's visitor offer. Tourism, leisure and attracting visitors are priorities for the City and a priority for the Local Economic Strategy. The Melville Building has been unoccupied since the early 1990's and therefore a mixed use high-end development which will bring this substantial building back into use, create employment opportunities and further increase Royal William Yard's appeal for visitors is strongly supported by Economic Development. In addition, the City has a lack of top-end hotels and therefore a 4\* or 5\* hotel will particularly be encouraged as part of this development.

2.3 As part of the Council's growth agenda, for developments of this size, stature and scale, the Council requires the submission of an Employment and Skills Strategy as part of the planning application, in line with Strategic Objective 6 of the Core Strategy. This should demonstrate how local people and local businesses will benefit from the development in terms of job opportunities, apprenticeship placements, work experience opportunities, business supply chain opportunities and other employment and skills priorities. The Planning Statement advises that the creation of the Hotel within Melville will provide employment for around 200 staff directly and the construction project is likely to employ over of 100 skilled construction workers at any one time across a two year period and a considerable number of associated consultants. A condition will be recommended in order to request further details of the employment and skill strategy.

2.4 The intention is for the hotel to become a focus for the surrounding communities, and it labels itself a 'neighbourhood hotel' with its facilities open to the public and visitors to the area. It is intended to be a catalyst for a range of interesting activities, cultural events and community centred proceedings. This is in compliance with Core Strategy CS01 Development of Sustainable Linked Communities.

2.5 Overall, the proposal is considered to significantly contribute towards the tourism economy of Plymouth and will result in substantial investment in the building which should benefit the surrounding community and the wider Plymouth area. By supporting the development of tourism, the proposal is considered to comply with Core Strategy Policy CS04 Future Employment Provision.

### 3.0 Impact on Listed Building

The key consideration is the impact upon the character and appearance of the listed building and the setting of the adjacent listed buildings, in accordance with Policy CS03 Historic Environment of the Adopted Core Strategy and the NPPF. In addition, the principle of enabling development to secure the viable use of a listed building is a key consideration.

3.1 The proposal includes a variety of repairs and alterations to the listed building. Many of the conservation principles for repair have been established through the previous conversions at Royal William Yard, and also through the Conservation Plan (2007). The submission in some cases presents options for the repair, to be determined as the works are progressed. It is considered that these options of repair can be determined through the associated listed building applications and recommended conditions and are not appropriate for consideration under this application. The key areas of alteration are assessed below.

### 3.2 New glazed opening of entrance

This alteration causes the greatest concern for English Heritage as it would impact upon the understanding and functionality of the archway and also has the potential to impact upon public access to the courtyard. The submission has now removed all furniture and paraphernalia from this area, keeping the area clear, which has reduced its visual impact. The glazing has also been set back from the front elevation by 6m and installed behind pilasters at the front and rear which will then allow for the metal framing to be out of sight.

3.3 The supporting information advises that the glazing is required to allow for circulation space and will prevent the current window tunnel effect through the archway. It is understood that the siting of the entrance to the hotel has been examined however the archway is the natural place for visitors to gravitate towards. It is therefore considered that the glazed archway is required to allow for the successful conversion and re-use of this listed building. With sensitively designed and installed glazing, and a condition preventing the introduction of paraphernalia within the archway, there is no objection to the infilling of the archway. This is also reflected in English Heritage comments.

### 3.4 Creation of Glazed Bridge

The proposal also includes a glass and steel bridge linking the upper floors of the building, within the archway.

3.5 This will require the enlargement of existing window openings within the archway. English Heritage have no objection to this proposal as it was considered necessary for the functioning of the hotel but also was discrete and did not impact upon the functioning of the archway. There is no objection to this element of the proposed scheme.

### 3.6 Roof Terraces

Two roof terraces are proposed to the north and south of the clock tower. A dormer window will be required to be removed as part of these works. As noted above, at the pre-application stage, these were set at a higher level and would therefore be visible and would have a harmful impact upon the character and appearance of the listed building.

3.7 The current scheme proposes the roof terraces set down below a parapet wall, to a level which would mean they would not be visible from the front elevation, and only partially visible from the rear elevation set behind an overhanging roof plane. It should also be noted that roof terraces have been approved and implemented elsewhere in Royal William Yard. Given the reduced visual impact, there is no objection to the roof terraces. English Heritage has no objection to this part of the scheme.

### 3.8 Works to Courtyard

A swimming pool and reflective pool are proposed within the courtyard. At the pre-application stage there were initial concerns over the swimming pool, primarily due to the subdivision of the space, which was indicated to be via a block wall. The current scheme now includes a reflective pool, which will create symmetry within the space, while also enhancing the potential for public enjoyment of the courtyard. The boundary treatment between swimming pool and reflective pool is now a frameless glazed screen which minimises any visual separation of the space. The surface treatments for both pools are proposed to be of the same colour scheme in order to allow for both pools to read as one. English Heritage have acknowledged that considerable progress has been made to this part of the scheme and combining the swimming pool element with a reflecting pool introduces a strong sense of symmetry to the courtyard, and if detailed correctly this will be an interesting and striking addition to the building.

3.9 The comments made by the Council of British Archaeology raise concern over the long term sustainability of an outdoor pool, and question whether permitting this “would lead to further applications, either for an additional indoor pool for which space is not currently allowed within the design, or for covering of the outdoor pool which is likely to have considerable negative impact on the building however it was devised.” It should be noted that any further works would require a listed building and/or planning application.

3.10 One key area of alteration in the courtyard is the removal of the existing substation which is considered to enhance the character and appearance of the space. The substation is relocated within the quarry area, which will be significantly less visually prominent.

3.11 Through the removal of the substation, this will expose an area of wall which currently has blocked up window openings. It is proposed to reopen these windows and enlarge them to create door openings which will allow for direct access to the courtyard. The openings will be formed from steel, in a similar fashion to new door openings in Brewhouse and Mills bakery.



3.12 These works of alterations are largely considered to preserve the character and appearance of the listed building. Some of the works of alteration, including the glazed arch, creation of roof terraces and dropping of window cills, will cause “less than substantial harm” (NPPF para 134). Given that the proposal will result in securing the optimum viable use of the building, these works of alteration are considered acceptable.

Referring to English Heritage comments, they do not object to the proposed scheme on this basis. In addition, by bringing the building back into use and by repairing the building, this will have a positive impact upon the setting of the other listed buildings located within RWY. The proposal is therefore considered to comply with Core Strategy Policy CS03 Historic Environment.

3.13 It is considered that the high quality conversion and resultant design of the building will contribute positively to the areas identity and heritage and will promote the image of the city in this prominent location, and is therefore considered to comply with Core Strategy Policy CS02 Design.

## 4.0 Transport

### 4.1 The RWY Context

This application is supported by a Travel Plan Statement and Transport Statement, both relating to the proposed hotel development. As noted in the Transport comments above, there is no objection to the submitted documents.

4.2 In conjunction with this application process, there is an updated Transport Strategy being developed, relating to the wider Royal William Yard. The previous Transport Strategy for the site is dated 2005 and is now outdated.

4.3 The wider Transport Strategy is a conditional requirement of the consent for the 150 space nursery car park (12/00868/FUL see history above). This application was approved at Committee with the following requirement: “The Council will expect any future applications coming forward for consideration by the Planning Committee to be accompanied by a satisfactory Transport Statement, when relevant to the application in question.” The Transport Strategy has also been developed alongside this application process. This Strategy has been to a public consultation, led by Urban Splash and is currently being updated following the public consultation.

4.4 As evident in the objections received, the parking issues at RWY are the subject of serious concern and the Transport Strategy considered long overdue. This issue is acknowledged in the Transport comments above.

#### 4.5 Loss of Melville Parking

One of the key matters arising from this application is the loss of the car parking spaces, within the Melville courtyard and surrounding the building, which are to be removed as part of the hotel proposals totalling 82 car parking spaces removed. It is considered that the loss of these spaces without any replacement spaces would have a detrimental impact upon the residents and businesses of RWY. In order to mitigate this impact, Urban Splash have agreed to construct the nursery car park prior to the loss of spaces associated with Melville. Many of the objections received request that the nursery car park is brought into use before the parking spaces within/around Melville are lost. Officers consider that this is a reasonable and necessary requirement and recommend a condition on this basis.

4.6 In terms of proposed parking, the hotel will be allocated 4 parking spaces to west of building and will have 6 parking permits for the wider yard area.

4.7 There will be a guest drop off/pick up facility to the front of the building and a delivery entrance to the side of the building.

#### 4.8 Off Site Park and Ride

The use of the building will increase parking demand at the site. On this basis an off-site park and ride facility is proposed as part of the site specific Transport Statement. This proposes to secure approx. 78 off-site car parking spaces available for both guests and staff. Attendees of conferences and functions to be held in the event space would also be able to park in the off-site car parking area. The aim of the off-site parking area is to provide parking for long stay vehicles freeing up space at the Yard for short stay trips allowing greater turnover of spaces. Whilst the exact details of these parking spaces is yet to be confirmed, it is proposed to be within 1-2km of the Yard enabling staff and conference attendees the opportunity to walk/cycle from the off-site car park to the Yard. A shuttle bus is also proposed to run between the park and ride and the hotel.

4.9 In addition a valet service is proposed, which would use this off site car park to store guest vehicles whilst staying at the hotel. Guests would drive to the hotel where they would be met by a member of staff who would then drive their car off-site. It is envisaged that around 30 car parking spaces would be used for the valet service.

4.10 This off-site parking facility will be subject to a separate application. A condition is recommended to ensure the off-site parking facility is constructed and available for use prior to occupation/first use of the hotel.

#### 4.11 Melville Travel Plan and Transport Statement

As noted in the Transport comments above, the Transport Statement has included a sensitivity test to assess the combined traffic impact of the various uses/activities associated with the hotel which could lead to additional traffic movements. The combined total of trips is less than the number of trips associated with the former use of the building.

4.12 The draft Travel Plan requires a Travel Representative to be appointed by the hotel to implement Travel Plan measures within the hotel. Various measures are proposed including Staff Travel Information Packs, Personal Travel Planning service, Guest Travel Information Leaflets, cycle initiatives and car sharing.

4.13 As noted in the Transport comments above, the hotel proposes events which will increase the visitors to the yard. In addition to the off-site park and ride, a condition requiring an updated Travel Plan, including an Events Management Plan is recommended to help to mitigate and manage this impact.

#### 4.15 Cycle Parking

10 staff cycle spaces are proposed in the quarry area which is considered to be a sufficient amount.

4.16 Visitor cycle spaces are not included within this application, but are proposed as part of the Transport Strategy. A condition is recommended for these spaces to be implemented prior to occupation of the hotel.

#### 4.17 Transport Strategy - Other Issues

The Transport Strategy for the RWY proposes the use of the reservoir for overflow parking. It is important to note that this is not in relation to the events proposed for the hotel use, as the off-site car park is proposed for this purpose. Some of the objections received have objected to the use of the reservoir for parking. It is not considered that these comments directly relate to this proposal, as this is not required for the development of the Melville building, and would be subject to a separate application where consultations would be fully considered.

4.18 Transport has commented that many of the principles within the Strategy are now accepted however the submission of the updated Strategy is currently awaited.

4.19 Overall, with the provision of the nursery car park and the proposed off site car park, the impacts from the proposed use, including the loss of parking and increase in demand for parking, will be mitigated by the phased implementation of these car parks. The additional requirements such as the events management plan and cycle parking will also contribute to reducing the impacts from the proposed use. The proposal is therefore considered to comply with Core Strategy Policy CS28 and Section 4 of the NPPF Promoting Sustainable Transport.

#### 5.0 Flood Risk Management

The application site is partially located within Flood Zone 2 along the front (North West) elevation. A site specific flood risk assessment has been submitted. This identifies two primary flood risks to the building (extreme tidal event and surface water flooding). It is suggested these risks will be managed by the provision of an appropriate flood management plan, demountable defences and flood resilient construction.

5.1 The proposed hotel use constitutes a 'More Vulnerable Use' in the NPPF. As the site is allocated through the Area Action Plan for a hotel use, this means there is no requirement for a sequential test. However, under the NPPF requirements, the development needs to be safe, including access/egress, for its lifetime allowing for climate change.

5.2 Due to the above requirement, through this application process, an assessment has been made of the existing defences in place at Royal William Yard. Whilst the existing defences are functioning to current requirements and predicted sea level change for the next 50 years, in the following 50 years onwards, it has been noted that the flood defences in place would not protect the building *for the lifetime* of the development taking into account climate change. Accordingly, the proposal would not strictly comply with the NPPF requirements.

5.3 In negotiation with the EA, it is considered unreasonable for this proposal to deliver an upgraded flood defence scheme for the whole of RWY that would ensure that the hotel is safe over its lifetime. In order to seek to address the NPPF requirements, an updated flood strategy has been requested. This will set out the required works to upgrade the flood defences to bring the flood defences up to the current required standards e.g. for the lifetime of the development, taking into account climate change. This will then feed into the Local Flood Risk Management Strategy and form the basis of a longer term strategy to implement the required works. At the time of writing, this updated strategy has been submitted and is with the LPA and EA for consideration.

5.4 Once the updated strategy has been agreed, the proposal will be considered to comply with Core Strategy Policy CS21 and paras 100 to 104 of the NPPF. It is expected that there will be conditions required following the receipt of the updated EA comments. As these comments are awaited, these conditions will be recommended through an addendum.

#### 6.0 Impact upon Amenity

The proposal includes an outside seating area to the front of the building and also within the courtyard. There is also an outside seating area within the roof terraces.

6.1 It is noted there has been a recently approved application at RWY for the retention of areas of outside seating (13/01663/FUL see planning history above). This approved the retention of the outside seating subject to a number of conditions relating to a management plan, music and smoking area restriction. Public Protection has no objection on this basis. It should be noted that this restriction does not extend to the inside seating within the courtyard as this area of seating is not considered to give rise to any noise impacts given its enclosure within the Melville courtyard.

6.2 An acoustic report has been submitted in support of this application. This has assessed the impact from the outdoor pool, outdoor seating, noise from the function room, restaurant breakout noise, fitness suite and air handling plant. Based on this assessment there are no significant noise impacts arising from the proposed development, which is considered to comply with para 123 of the NPPF and Core Strategy Policy CS22.

6.3 The proposed roof terraces on the front/north elevation are set down by 1.5m from the parapet, which will provide some mitigation against overlooking from the terraces. In addition, the roof terraces are 43m distant from the nearest residential buildings (Mills Bakery and Brewhouse), which is considered to be a sufficient distance to ensure there are no issues over overlooking and impact upon the privacy of the occupants of this property. This is considered to comply with Core Strategy CS34 Planning application considerations.

#### 7.0 Energy Statement

Core Strategy Policy CS20 requires the incorporation of onsite renewable energy production equipment to offset at least 15% of predicted carbon emissions for the period 2010-2016. Due to the heritage constraints of the scheme, principally the Grade I listed nature of the building, the proposal is not considered suitable for a renewable energy technology. However the proposal includes a Combined Heat and Power (CHP) system to be sited within the quarry area. It is acknowledged that this is a low carbon rather than a renewable energy technology, nevertheless this would achieve a 15% reduction in predicted carbon emissions and considered to be an acceptable solution to address the policy requirements. A condition will be recommended to seek details of the proposed system.

#### 8.0 Contaminated Land

A Phase I Environmental Assessment has been submitted in support of the application.

In general the risk of contamination potentially impacting end users of the site, construction workers or controlled waters is considered to be low, as no significant sources of contamination have been identified, and the site is to be hard paved throughout.

8.1 The proposal includes the relocation of the substation, which has the potential for contaminants. The Phase I study concludes this will pose limited risk due to the hardstanding. Public Protection has recommended a condition to deal with unexpected contamination. The proposal is therefore considered to comply with Core Strategy Policy CS22 Pollution and paras 120 to 123 of the NPPF.

#### 9.0 Quarry Area

The quarry, sited to the south of Melville, includes installation of a substation, CHP plant, cycle store, plant and refuse store. The use of this area for servicing requirements is considered an innovative solution that will minimise the impact upon the setting of the surrounding listed buildings. There are no works proposed to the listed wall.

9.1 Details of the CHP plant have been submitted and Public Protection have no concerns in relation to the impact on air quality from the plant and do not have any objection to the granting of planning permission. This is considered to be in compliance with Core Strategy Policy CS22 Pollution and para 123 and 124 of the NPPF.

### 10.0 Biodiversity

Bat surveys were submitted as part of the pre-application enquiry. These did not find any evidence of bats, and therefore no mitigation is required or enhancements have been requested.

### 11.0 National Planning Policy Framework

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. 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**

The proposal has no S106 contributions and the CIL contribution for hotels is £0. Consideration should be given to the investment in the Building at Risk.

### **Equalities and Diversities**

Disabled access will be provided throughout most of the building, with the provision of fully accessible toilets and facilities. Lift access is provided internally, which means most of the rooms are fully accessible. Facilities such as the upper floor swim club treatment rooms, members bar, ground floor fine dining, event space and the sunken roof terrace on the southern side of the clocktower are fully accessible.

It is stated that all customer facing desks, bars and service points will be designed to be fully inclusive, with high and low access, wheelchair recesses, hearing loops, contrasting edges and clear signage.

10 rooms are not fully accessible due to 3 steps and the clocktower terraces would also not be accessible as it cannot be served by a lift access. The fine dining restaurant is fully accessible at the ground floor only.

The intention is for the hotel to become a focus for the surrounding communities, and labels itself a 'neighbourhood hotel' with its facilities open to the public and visitors to the area.

## Conclusions

This is a comprehensive proposal for the conversion of the final remaining and prominent buildings of the Royal William Yard mixed use development. The scheme will include a significant amount of investment into the Building at Risk, securing its optimum viable use as a hotel. The design and alterations will create a unique, high quality environment, which will be considered an asset to the Royal William Yard and to Plymouth's visitor offer. The off-site Park and Ride will provide a solution to the concerns of residents of the site in relation to parking and traffic impacts, as well as the implementation of the onsite Nursery car park, both of which will be secured by means of the recommended Grampian conditions. The scheme has also contributed towards addressing the future flood risk management of the Royal William Yard in years to come.

## Recommendation

In respect of the application dated **10/12/2013** and the submitted drawings, it is recommended to: **Grant Conditionally**

## 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:

1049-GA-001a PL1, 1049-GA-001b PL1, 1049-GA-010 PL1  
1049-GA-011 PL1, 1049-GA-012 PL1, 1049-GA-014 PL1  
1049-GA-020 PL2, 1049-GA-021 PL2, 1049-GA-022 PL1  
1049-GA-023 PL2, 1049-GA-024 PL2, 1049-GA-025 PL1  
1049-GA-026 PL1, 1049-GA-027 PL2, 1049-GA-030 PL1  
1049-GA-031 PL2, 1049-GA-032 PL1, 1049-GA-033 PL2  
1049-GA-034 PL1, 1049-GA-035 PL2, 1049-GA-036 PL1  
1049-GA-037 PL1, 1049-GA-040 PL2, 1049-GA-041 PL2  
1049-GA-042 PL1, 1049-GA-043 PL2, 1049-GA-044 PL2  
1049-GA-045 PL2, 1049-GA-046 PL1, 1049-GA-047 PL2  
1049-GA-048 PL2, 1049-GA-049 PL1, 1049-GA-050 PL2  
1049-GA-051 PL1, 1049-GA-110 /, 1049-GA-111 /,  
1049-GA-112 /, 1049-GA-113 /, 1049-GA-130 /  
1049-GA-131 /, 1049-GA-132 /, 1049-GA-133 /  
1049-GA-134 /, 1049-GA-135 /, 1049-GA-136 /  
1049-GA-137 /, 1049-GA-140 /, 1049-GA-141 /  
1049-GA-142 /, 1049-GA-143 /, 1049-GA-144 /  
1049-GA-145 /, 1049-GA-146 /, 1049-GA-147 /  
1049-GA-148 /, 1049-GA-149 /, 1049-GA-150 /  
1049-GA-151 /, 1049-A-001 PL1, 1049-A-002 PL1  
1049-A-003 PL1, 1049-A-004 /, 1049-A-005 /

1049-A-007 PLI, 1049-A-008 /, 1049-A-009 /  
1049-A-010 /, 1049-A-011 /, 1049-A-050 /  
1049-A-051 /, 1049-A-052 /, 1049-A-053 /  
1049-A-054 /, 1049-A-070 /, 1049-A-072 /  
1049-A-075 /, 1049-A-076 /, 1049-A-078 /  
1049-A-079 PLI, 1049-A-100 /, 1049-A-101 PLI  
1049-A-102 /, 1049-C-001 /, 1049-C-002 /  
1049-C-003 /, 1049-C-004 /, 1049-C-005 /  
1049-C-006 /, 1049-C-007 /, 1049-C-008 /  
1049-C-009 /, 1049-C-010 /, 1049-C-030 /  
1049-C-031 /, 1049-C-032 /, 1049-C-033 /, 1049-C-035 PLI

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, and paragraphs 61-66 of the National Planning Policy Framework 2012.

#### ANCILLARY OR INCIDENTAL USE

(3) The proposed "living space" café, restaurant, function room, swim club, spa, gym and members bar shall only be used for purposes incidental or ancillary to the primary use of the premises as a hotel (CI).

Reason:

Whilst the proposal for such ancillary use is acceptable to the Local Planning Authority, the independent use of different parts of the premises would be likely to produce conditions unacceptable to the Local Planning Authority; this condition is in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 and 123 of the National Planning Policy Framework 2012.

#### REPORTING OF UNEXPECTED CONTAMINATION

(4) In the event that contamination or ground conditions are found when carrying out the approved development, that were not previously identified, expected or anticipated; they 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,
- archeological 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 is suitable for use and 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 environment, future users of the land and neighbouring land are minimised, and ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors; and to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### NOISE FROM PLANT AND EQUIPMENT

(5) The noise emanating from the fans/ventilation equipment/air conditioning/plant/etc (LAeqT) should not exceed the background noise level (LA90) by more than 5dB, including the character/tonalities of the noise, at anytime as measured at the façade of the nearest residential property.

Reason: To protect the residential and general amenity of the area from noise and odour emanating from the operation of any mechanical extract ventilation system and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### NOISE FROM AMPLIFIED MUSIC

(6) Amplified, acoustic and live music is only permitted outside the premises if it takes place within the hotel courtyard. Music is not permitted in the communal parts of Royal William Yard unless agreed in writing from the Local Planning Authority. This is to prevent noise nuisance to nearby residents.

Reason: To protect the residential and general amenity of the area from noise emanating from the external seating areas and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

## NOISE MANAGEMENT PLAN

(7) Prior to the operation of the hotel, a management plan shall be submitted and agreed in writing by the Local Planning Authority. Once agreed the management plan shall be fully implemented and complied with unless otherwise agreed in writing.

As a minimum the management plan must specify;

- The position of the designated smoking areas which must be at least 2 metres away from the façade of any building with residential properties adjacent or above.
- The controls to ensure that the smoking area must be used for smoking only. In line with any time restrictions.
- The actions in place to control any noise likely to affect nearby residential properties.
- How the applicant intends to monitor any activity that may affect residential properties, which should include as a minimum the provision of hourly security checks of the outdoor seating to identify any activity or behaviour that may affect residential properties.
- Procedure for implementation of appropriate control measures to deal with unacceptable activity that may impact on the amenity of the area.
- Supplying residents a phone number of the security desk to contact in the event of any disturbance. Any calls received must be recorded and made available to the Local Authority.
- A system of training must be completed and maintained with local businesses operating in Royal William Yard, to ensure compliance at all times with the management plan.
- The management plan must be reviewed annually and on any occasion when significant changes to the businesses take place or any complaints are received from local residents.

Reason: To protect the residential and general amenity of the area from noise emanating from the external seating areas and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

## NOISE HOURS OF OPERATION

(8) The outdoor seating areas (not including the seating in the courtyard) must not be used outside of the following times: -

Monday to Saturday	10.00 - 22.30 hrs
Sunday	11.00 - 22.30 hrs,

After 21:00 no external seating is to be allocated to customers.

The external seating must be cleared of customers by 22:30.

External furniture must only be set up or removed between the hours of 10:00 am and 22:40pm Monday - Saturday and 11:00am and 22:40pm on Sundays.

Reason: To protect the residential and general amenity of the area from noise emanating from the external seating areas and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### OPERATIONAL RESTRICTIONS TO ENSURE USE REFLECTS USE CLASS

(9) The supply of alcoholic drinks to the external seating area (not including the internal courtyard) must be by waiter/waitress service only.

In prominent positions in the outside seating areas signage must be present stating the opening times of the outside area and that it is served by waiter/waitress service only.

Reason: To protect the residential and general amenity of the area from noise emanating from the external seating areas and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### OUTDOOR TABLES AND FURNITURE

(10) Any moveable furniture used in the outside area must fitted with rubber feet.

Reason: To protect the residential and general amenity of the area from noise emanating from the external seating areas and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### SMOKING AREA - NOISE AND ODOUR NUISANCE

(11) Smoking shall only take place in designated smoking areas which must be at least 2 metres away from the façade of any building with residential properties adjacent or above. Prior to use any smoking area must be approved by the Local Planning Authority. After 22:30 hours the designated area must be used for smoking only.

Reason: To protect the residential and general amenity of the area from noise and odour emanating from the external seating areas and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### CODE OF PRACTICE

(12) During development of the scheme approved by this planning permission, the developer shall comply with the relevant sections of the Public Protection Service, Code of Practice for Construction and Demolition Sites, with particular regards to the hours of working, crushing, piling and noisy operations, control of mud on roads and the control of dust.

Reason: The proposed site is in immediate vicinity to existing residential properties, whose occupants will likely be disturbed by noise and/or dust during demolition or construction work and to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007

#### DELIVERIES AND REFUSE COLLECTION

(13) Deliveries and refuse collections are restricted to the following times: -

Monday to Saturday and 8am	No deliveries or refuse collection between 6pm
Sundays and Bank Holidays	No deliveries or refuse collection

Reason: To protect the residential and general amenity of the area from noise emanating from delivery and waste collection activities and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007

#### USE OF ARCHWAY

(14) The glazed archway shall be kept clear from any furniture, structures or other paraphernalia, unless otherwise agreed in writing.

Reason: To ensure the appropriateness of the proposed works and that these do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### EMPLOYMENT STRATEGY

(15) Prior to commencement of development an employment and skills strategy shall be submitted and approved in writing by the Local Planning Authority. The strategy shall include details of how local people and local businesses will benefit from the development in terms of job opportunities, apprenticeship placements, work experience opportunities, business supply chain opportunities and other employment and skills priorities.

Reason:

To ensure employment and skills development in accordance with policy CS04 of the Plymouth Local Development Framework Core-Strategy (2006-2021) 2007.

#### PEDESTRIAN/CYCLE ACCESS

(16) The building shall not be occupied until a means of access for both pedestrians and cyclists has been constructed in accordance with the approved plans.

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, and paragraph 32 of the National Planning Policy Framework 2012.

#### PROVISION OF PARKING AREA - EXCLUDING THOSE SPACES WITHIN THE NURSERY CAR PARK

(17) Each of the additional car parking spaces shown on the approved plans (excluding those provided within the Nursery Car Park) shall be constructed, drained, surfaced and made available for use prior to first use/occupation of the building and thereafter those spaces shall not be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by staff or visitors to be parked clear of the access roads serving the RWY so as to avoid damage to amenity and interference with the free flow of traffic around the Yard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraph 32 of the National Planning Policy Framework 2012.

### CYCLE PROVISION

(18) The use of the building shall not commence 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 10 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, and paragraph 32 of the National Planning Policy Framework 2012.

### GRAMPIAN CONDITION - VISITOR CYCLE PARKING

(19) No occupation of the building shall take place until a minimum of 30 secure and covered cycle parking spaces for use by visitors to the Hotel and associated uses have been provided by Urban Splash in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON:- In order to support the aims and objectives of the Royal William Yard Transport Strategy in promoting the use of sustainable modes of travel such as cycling as an alternative to the private car in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

### LOADING AND UNLOADING PROVISION

(20) Before the building 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, and paragraph 32 of the National Planning Policy Framework 2012.

### TRAVEL PLAN

(21) The use 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 site. It shall also include details of the Events Management Plan (which shall come into operation when various events take place at the RWY) along with details of 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 occupation the occupier shall operate the approved Travel Plan.

Reason:

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

#### GRAMPIAN CONDITION - NURSERY CAR PARK

(22) No construction works on the Melville building which result in the loss of existing off-street car parking serving the RWY shall take place until the Nursery Car Park (which provides 139 car parking spaces) has been delivered in its' entirety.

REASON:- To ensure that there is no reduction in the level of existing off-street car parking serving the RWY and therefore allow vehicles used by residents or staff/visitors to the Yard to be parked clear of the access roads serving the RWY so as to avoid damage to amenity and interference with the free flow of traffic around the Yard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### GRAMPIAN CONDITION - OFF-SITE PARK AND RIDE FACILITY

(23) The hotel hereby proposed and associated uses shall not commence until an off-site park and ride facility providing a minimum of 78 spaces has been delivered in accordance with details to be submitted to and approved in writing by the Local Planning Authority and that facility shall remain in operation until as such time that the proposed use ceases to operate.

REASON:- In order to meet the car parking demands associated with the proposed use and therefore prevent vehicles of staff or visitors/guests of the hotel parking on-street in the local area giving rise to conditions likely to cause damage to amenity and interference with the free flow of traffic on the highway which is contrary to Policies CS28 and CS34 of the City of Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### SURFACING MATERIALS

(24) No development shall take place until details of all materials to be used to surface the swimming pool and reflecting pool 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 CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

### INFORMATIVE LICENCING ACT 2003

(1) All businesses operating within the Royal William Yard must have regard to the requirements placed on them by their premises licence. These may be more stringent than the planning conditions and may place restrictions on the number of outdoor covers that they are permitted to operate which conflicts with the number for which planning permission has been granted.

### INFORMATIVE SMOKING AREAS

(2) You should consider the effect that patrons of the yard smoking may have on residential properties. In particular it is advisable to designate areas close to any building as non-smoking to minimise any odour or noise having an adverse effect on residential properties.

Public Protection would recommend that any designated smoking area is at least 2 metres away from the façade of any building with residential properties adjacent or above. Prior to use any smoking area must be approved by the Local Planning Authority as identified in the noise management plan. After 22:30 hours the designated area must be used for smoking only.

### CODE OF PRACTICE

(3) A copy of the Public Protection Service, Code of Practice for Construction and Demolition Sites can be adopted either in part or as a whole to satisfy the above condition. It can be downloaded for submission via:  
<http://www.plymouth.gov.uk/homepage/environmentandplanning/pollution/noise/noisecanddeal/constructionnoise.htm>

It is also available on request from the Environmental Protection and Monitoring Team: 01752 304147.

### ADVISORY COMMERCIAL KITCHEN

(4) Before installation of the commercial kitchen it is advisable to contact the Public Protection Service for advice to ensure compliance with the requirements of the Food Safety and Hygiene (England) Regulations 2013

### INFORMATIVE: DEVELOPMENT DOES NOT ATTRACT A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(5) The Local Planning Authority has assessed that this development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to its size or nature, under our current charging schedule. The Levy is subject to change and 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](http://www.plymouth.gov.uk/cil) for guidance. Index-linking may also apply.