

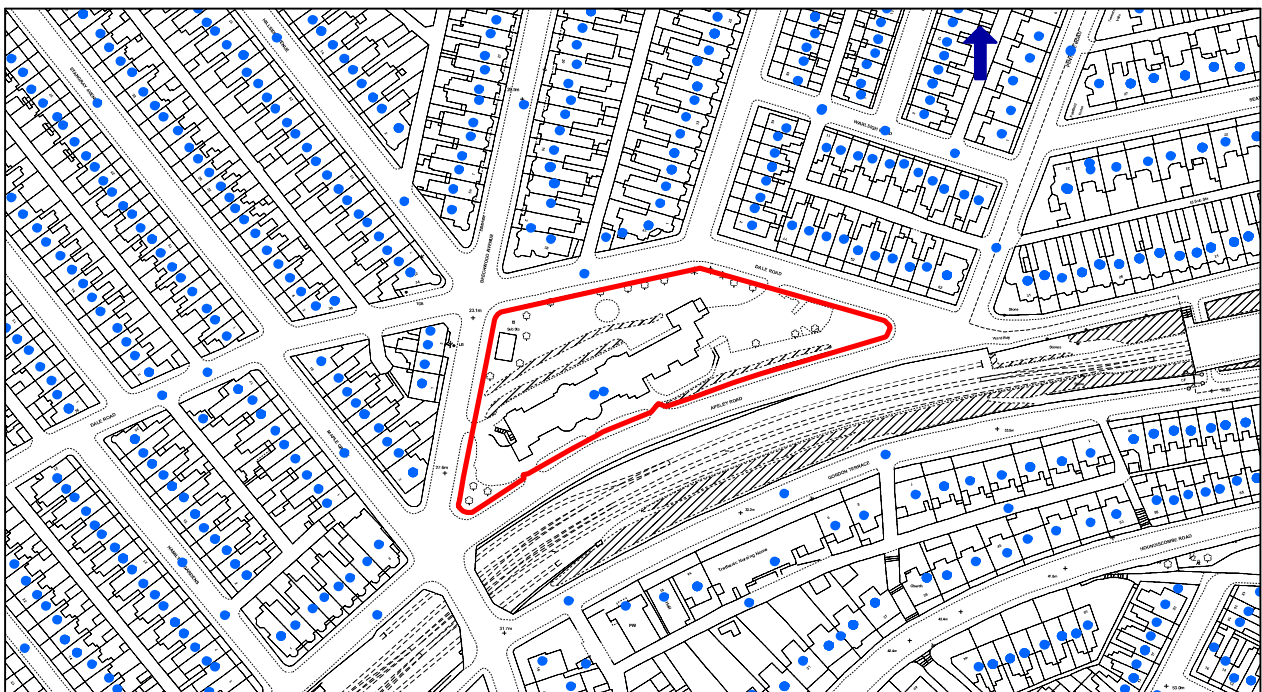
PLANNING APPLICATION REPORT



Application Number	14/01228/FUL	Item	6.3
Date Valid	03/07/2014	Ward	Drake

Site Address	ROYAL EYE INFIRMARY, APSLEY ROAD PLYMOUTH		
Proposal	Change of use, conversion and alterations to existing building to provide 12 apartments and new 4/5 storey building containing 30 cluster flats with 164 bed spaces with ancillary car parking, cycle and refuse storage (demolition of existing extension)		
Applicant	Eagle One Homes Ltd		
Application Type	Full Application		
Target Date	02/10/2014	Committee Date	Planning Committee: 09 October 2014
Decision Category	Major - more than 5 Letters of Representation received		
Case Officer	Robert Heard		
Recommendation	Grant Conditionally		

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1. Description of site

The site is located in a central, predominantly residential area to the west of Mutley Plain and to the north of Plymouth City Centre. The surrounding development is characterised by terraced streets that mostly comprise of Victorian era housing, arranged in a non-uniform street pattern derived from historic ownership boundaries.

Measuring approximately 0.59 of a hectare, the site is bound on all sides by public highway and forms an irregular shaped island. Immediately to the south of the site is the main city railway line, with terraced housing to the north, east and west. The topography of the site slopes down from south to north. The level change across the site is approximately 6m at its greatest.

The site is currently occupied by a substantial and imposing building known as the Plymouth Royal Eye Infirmary (REI), a grade II Listed Building Constructed in 1901 and recently vacated by the local health authority. The last use of the building was as an eye infirmary, as originally constructed. It is a red brick Victorian structure with a significant 1930's (as well as other smaller, more recent) extension at the east end. The existing building is in a poor state of repair.

The building sits comfortably within the site curtilage; which is landscaped with a lawn area and car parking, and surrounded by many mature trees, some of which are protected. Access to the site can be taken from all sides. However, Apsley Road to the south and Dale Road to the north east is where the main vehicle access points are located (at different levels).

Unlike many areas of Plymouth, the immediate surrounding area is characterised by housing that is predominantly finished in brick, but there is also evidence of local stone and render; with slate being used on the roofs of much of the surrounding housing. Within the area, corner plots are sometimes defined with differing building features and help to present an attractive book end to many of the nearby terraced streets.

Mutley Plain, to the east of the site; and the city centre, to the south, provide the area with a vast choice of services, facilities and amenities. Plymouth Central Train Station is located within walking distance to the site, to the south west.

2. Proposal description

This application proposes to redevelop the site by converting the existing former eye hospital into 12 apartments, with a new detached 4/5 storey building adjacent providing 30 cluster flats containing 164 student bed spaces with ancillary car parking, cycle and refuse storage.

The main elements of the scheme comprise of:

- Internal alterations and amendments to the existing Listed Building for conversion into 12 two and three bedroom standard open market residential apartments.
- The above conversion works will enable restoration of the original Royal Eye Infirmary building; the scheme proposes conservation work that will help to restore and secure the future of the existing listed building.
- Removal of all extensions to the existing building which are considered by the applicant to have little historical significance (as noted in the Heritage Appraisal which accompanies the application).
- Provision of a contemporary new build scheme within the curtilage as purpose built student accommodation, containing 30 cluster flats providing 164 student bedrooms. Associated managers accommodation is also included.
- Removal of some trees within the site curtilage as part of a wider landscape strategy to ensure that poor or inappropriate specimens are removed and new appropriate trees are planted (as part of a comprehensive landscaping scheme) to mitigate any loss of trees.
- Provision for refuse and recycling storage.
- Car and cycle parking provision (24 car parking spaces for the 12 residential apartments and 6 for the proposed student accommodation).

3. Pre-application enquiry

Re: I4/00620/MAJ; Plymouth Royal Eye Infirmary, Apsley Road, Plymouth, PL4 6PL; Conversion of existing REI building into apartments and new student development. Positive advice given.

4. Relevant planning history

I3/00521/FUL and I3/00523/LBC; Change of use, conversion and alterations to existing building to provide 12 apartments and new 4/5 storey building containing 51 retirement flats with ancillary car parking, cycle and refuse storage (demolition of existing extension). GRANTED

I2/01797/FUL and I2/01799/LBC - Change of use, conversion and alterations to existing building to provide 12 apartments and new 4/5 storey building containing 55 retirement flats with ancillary car parking, cycle and refuse storage (demolition of existing extension). WITHDRAWN.

5. Consultation responses

Public Protection Service

Support subject to conditions.

Local Highway Authority

Support subject to conditions.

6. Representations

48 letters of representation have been received, of these 2 were repeated (sent twice).

All representations received raise objections to the proposed development. Main issues for objection are listed below:

Transport

- Parking is a current problem, development will make it worse. Not enough parking spaces planned.
- Access to site through Dale Rd will be dangerous- poor sight lines, already quite tight.
- Development will increase traffic in and around area.
- Dale Rd is dangerous and busy, cars speed along it, is a bus route.
- 20/25 min allocated slots over moving in weekend to unpack would cause 'chaos'.

Community

- Loss of community cohesion and residential amenities.
- Not a mixed demographic, mainly students.
- Loss of rare and valuable green space that was once available to the community.
- House prices are low because of the amount of student accommodation, unable to sell properties to move away.
- Push away families/ residents that have lived there for years.
- The proposal doesn't meet the needs of the community, doesn't improve the quality of life for existing residents.
- Area is empty during summer term but has constant construction disturbance from landlords improving student lets.

Design

- The closeness of the proposed building to the existing houses is a concern.
- Loss of daylight and bleak views for existing residents. Will dwarf houses on Dale Rd.
- Eye-sore/ ugly.
- REI building has strong historical value and a well-known local landmark, should be preserved.
- REI building needs to be fully restored.
- Design doesn't integrate the student population with community.
- Over development, not of an appropriate scale or size.
- Design is not in keeping with the local character, will look alien among Victorian buildings.

- Design takes away value of the historic building.
- The luxury apartments will fail to be sold, as no one will want to live next to students. Will get changed into more student accommodation.
- Proposed student block will be overbearing of the REI and surrounding buildings, new build doesn't complement the existing REI.

Students

- Anti-social behaviour
- Noise at unsociable hours, foul language, loud music, parties.
- Litter, not disposing of waste properly, back lanes full of waste.
- No sense of ownership or regard for the community.
- Area already has a high student population, at saturation point.
- Large amount of student lets within area, some struggling to find tenants.
- Students need 24/7 management.
- There are other developments for student accommodation around the city.
- Student population of area is 24%, which is above the 24% threshold.

General

- The council refuse collection is already stretched and wouldn't cope with additional student population.
- Local businesses are impacted as students will shop in major stores.
- The added litter and disturbances will affect the tax payer. Students not paying council tax.
- A better use of the building to provide something for the community.
- Trees on site need to be protected.

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The National Planning Policy Framework (the Framework) is a weighty material consideration. It replaces the majority of Planning Policy guidance issued at National Government Level. Paragraph 215 of Annex I to the Framework provides that the weight to be afforded to Core Strategy policies will be determined by the degree of consistency of those policies with the Framework.

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- specific policies in the Framework indicate development should be restricted.

In addition to the Framework, the following Adopted Supplementary Planning Documents are also material considerations to the determination of the application: Development Guidelines SPD 1st Review and Planning Obligations and Affordable Housing SPD.

8. Analysis

1. 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, the Adopted Developments Guidelines SPD and the adopted Planning Obligations and Affordable Housing SPD and is considered to be compliant with the National Planning Policy Framework and National Planning Policy Guidance. Specific local policies that are relevant to this application include CS01 (development of Sustainable Linked Communities), CS02 (Design), CS15 (Overall Housing Provision), CS16 (Spatial Distribution of Housing Sites), CS18 (Plymouths Green Space), CS19 (Wildlife), CS20 (Sustainable Resource Use), CS21 (Flood Risk), CS22 (Pollution), CS28 (Local Transport Considerations), CS30 (Sport, Recreation and Children's Play Facilities), CS32 (Designing out Crime), CS33 (Community Benefits/Planning Obligations) and CS34 (Planning Obligations).
2. The application raises a number of important planning issues, including the principle of development, impact upon the listed building and highways issues. These and the other main planning issues are considered below:

The Principle of Development

3. The site is located within an established residential area close to the city centre and is not constrained by any restrictive planning policies. Whilst the existing building is grade II listed the site does not lie within a Conservation Area, although there are protected trees within the site boundary. Being formerly occupied by the NHS, the site can be considered previously developed land. With regards to the principle of development, officers consider that this proposal will ensure that a previously used but now empty site is developed for a use that is compatible with the surrounding development, which is mainly residential.
4. With regards to planning policy, paragraph 10.25 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) states that *'In order to optimise the use of available sites and to reduce the pressure on Greenfield sites, the Government has set minimum density targets of between 30 and 50 dwellings per hectare. The priority will be on the re-use of previously developed sites'* and goes on to state that *'City Centre or urban sites can achieve quality development with densities significantly above the upper target level, as such sites would normally consist of flats and apartments'*. The proposal is considered to achieve these requirements and the development would ensure that a previously used but now redundant site is developed for a use that is compatible with the surrounding development, which is mainly residential.

5. It is considered that the principle of residential development at the site is acceptable and that the application would comply with the requirements of Policy CS01 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) by helping to meet the needs of the neighbourhood (as identified in the SNA) and by contributing to the provision of a sustainable linked community.
6. With regards to the proposed new build and student use specifically, recent Census data shows that 31- 40% of properties in the immediate vicinity of the site are either licensed Houses in Multiple Occupation (HMOs) or Council Tax exempt. This indicates that they are in student use
7. The site is within the Article 4 Direction area (designated in September 2012) which seeks to protect family housing from changing use to HMOs. In this case the proposal is purpose-built student accommodation rather than a HMO and therefore does not come under the Article 4 Direction. Officers consider that the provision of purpose-built student flats relieves the pressure on family housing, and may release some HMOs to family housing. By providing 164 bed spaces, this development could relieve pressure on about 27 small (6-bed space) HMOs elsewhere in the city.
8. Generally the standard of student accommodation proposed appears acceptable. There is a full range of amenities provided for future residents and room sizes are adequate and in accordance with guidance, above minimum thresholds. The development proposed is fairly intense and would result in a high density development but the site is a generous size, providing a reasonable curtilage and access for residents to communal garden areas. Warden's accommodation is included to ensure that there is a 24 hour management presence on site.
9. In summary, purpose-built student housing would therefore appear to be a suitable use for this location. The Development Guidelines SPD states that purpose-built student accommodation will be encouraged as it relieves pressure on family housing to be converted to small HMOs. It also states that it should be suitably located to minimise any negative impacts on residential amenity, and this site is set in its own grounds and separated from all of the surrounding development by a road. It is close to the university, town centre, Mutely Plain and the train station, and is considered a sustainable location that is appropriate for purpose built student accommodation.

Density

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

associated with the amount of development proposed the higher density is considered acceptable and in compliance with Strategic Objective 10.2 and Core Strategy policy CS01.2.

Design, character and appearance

13. The existing building is an imposing and attractive grade II listed building set in a large curtilage that contains many protected trees. Policy CS03 (Historic Environment) of the Adopted City of Plymouth Core Strategy (2007) seeks to safeguard and where possible, enhance historic environment interests and listed buildings.
14. The layout of the proposed retirement block is reflective of the existing REI building and faces south onto Apsley Road, overlooking the existing railway line. Removal of the existing 1930's extension (discussed in further detail below) allows for the new build to sit comfortably alongside the existing listed building, oriented on the same axis and providing an imposing street frontage to Apsley Road. The existing building line is respected and the demolition of the existing 1930 extension allows the existing and proposed buildings to sit together but with clear separation between them.
15. Whilst the building line of the proposed student accommodation follows that of the existing building in a linear form, in order to make maximum use of the depth of the plot, at its western end it returns back to the north, providing a small section of street frontage to Dale Road (which equates to approximately half of the length of the section of new build fronting Apsley Road). Due to the changing land levels at the site, the smaller part of the proposed new build that fronts Dale Road is stepped down from the main building presenting 3 storeys with a recessed 4th floor where it sits adjacent to Dale Road.
16. It is considered by officers that the layout of the proposed development respects both the positioning and orientation of the existing listed building on the site, whilst being consistent with the established pattern of development in the surrounding area, which is characterised by a traditional layout with dwellings fronting onto the public highway. The proposed development provides a street frontage to both Apsley Road and Dale Road and is considered a sensible solution to the constraints and opportunities that the site presents.
17. With regards to scale, the existing REI building is large, with generous proportions, high ceilings and a big curtilage. The scale of the proposed building has been carefully considered and whilst containing more storeys, its overall height is less than the existing REI building. This is due to the high floor to ceiling heights in the existing building, which was constructed at a time when building regulations were much different to today's modern standards. Despite the difference in floor to ceiling heights (necessary to ensure compliance with current building regulations), the scale of the proposed new build is very similar to the existing REI building, ensuring that both buildings sit alongside each other comfortably. The overall height of the proposed building, being slightly lower than the ridge height of the existing REI building, ensures that with regards to bulk and massing, the proposed building will be subservient to the existing listed building.
18. The scale of the new build element of the proposal reduces towards the rear of the site where it provides a frontage onto Dale Road. This follows the existing topography at the site and ensures that the massing of the proposal is reduced when the building line is closer to the existing residential development on Dale Road.
19. Overall, the scale and massing of the proposed development is considered acceptable.

20. In comparison to the scheme approved under application references I3/00521/FUL and I3/00523/LBC: The footprint of the proposed development has been reduced by 143sqm (the plot coverage has been reduced by 2%); and the overall floor space of the proposed development has reduced by approximately 142sqm.
21. The proposed new build is considered to be an appropriate size, being large enough to have a presence at the site whilst not being dominated by the existing REI building. The separation distance between the buildings helps to ensure that the setting of the original REI building is not harmed and that the buildings are clearly individual.
22. Concerning appearance and design, the existing REI building has a strong presence in the area, being a unique and imposing building that has a distinctive symmetrical plan and elevation. The application proposes to restore the original symmetry and balance of the existing listed building by removing the 1938 extension. Where the extension is removed it is proposed to restore the walls and re-insert windows in their original positions. The only difference to the layout of the original east elevation will be an escape staircase that is required for emergency egress from the building. The existing dormer windows will be retained and refurbished and the original chimneys will be restored.
23. The design of the proposed new build is contemporary, but with subtle reference to the existing REI building through repetition of materials and features. It was considered that a pastiche style development would never be able to successfully replicate the high quality design and appearance of the existing building, which is a spectacular example of architecture from a previous period. Any attempt to copy the existing building would no doubt lessen its impact and destroy its uniqueness, whilst significantly harming its setting.
24. The proposed new build has thus been designed to complement the existing building and not compete with it. Whilst the storey heights cannot be repeated due to current building regulations requirements, the simple string course eaves trim of the existing REI is repeated on the new build, to ensure there is consistency in the design and treatment of the elevations. The top floor of the proposed new build has been recessed and treated in a different finish and colour to the main building in order to reference the roof of the existing REI building, so that despite the difference in floor to ceiling heights, the overall proportions of the existing REI building are respected.
25. The contemporary form of the proposal, the generous proportioning of openings, and features such as the recessed top floor ensures that the proposed development has a modern appearance, whilst heavy use of materials such as brick, the repetition of the eaves string course and the overall balance and symmetry of the new build provides a clear link to the adjacent listed building, without harming its appearance.
26. The overall design of the proposed development and use of the materials palette is considered positive, ensuring an acceptable balance is struck between the protection of the existing building, its heritage and setting and the introduction of contemporary features and materials at the site.
27. The proposed layout of the site and scale, massing and design of the proposed new build apartments is considered acceptable, being complimentary to the existing listed REI building and compatible with the existing surrounding townscape. In summary, it is considered that the application will provide a positive addition to the streetscene and help to improve local

visual amenity, whilst securing the long term future of the existing REI listed building. It is therefore compliant with Policies CS02 (Design), CS03 (Historic Environment) and CS34 (Planning Application Consideration) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

Impact upon existing REI building

28. The Royal Eye Infirmary was formally opened in 1901 and has remained in use as an eye hospital up until the end of 2012. The proposed development is a result of the need to find a new viable use for the redundant building and site. Since the NHS has vacated the building, the need for a new use to be implemented has become urgent if the listed building is not to lose any fabric of historic interest.
29. The building is prominent in the area by virtue of its size, style, construction, materials and setting. It stands out as a large, tall, predominantly red coloured building, with classical detailing, on its own green site, surrounded by smaller, densely arranged, two storey Victorian terraced houses. There are two main parts to the current building; the original, classically detailed, Victorian section which was opened in 1901 and an eastern extension, of a more utilitarian style, which was added in 1938.
30. Both parts of the building are constructed of red brick. The original part has Douling stone (limestone) dressings: string courses, window surrounds and transoms, door surrounds and eaves corncing. The original part has a steeply sloping roof, covered in plain, clay tiles. The new part of the building has a flat roof. The original part of the building is constructed as a fine, symmetrical composition. The south elevation has a central entrance flanked by curved wings, topped with half conical roofs fitted with crested ridges, and there are shallow, square wings, or pavilions, at either end of the elevation.
31. The north elevation has a central curved bay, with faceted shallow bays at each end. The south central curved wings and the section between them over the entrance porch are of three full storeys, elsewhere the third storey is accommodated in the steeply sloping roof, lit by dormer windows. All windows are original, multi-pane, vertical sliding sashes, except the first floor window of the north elevation, central bay which noticeably has no glazing bars. The lack of glazing bars is because this room is the original operating theatre and large sheets of plate glass were fitted there, to maximise light.
32. Internally it is apparent that there has been much subdivision of large rooms, all carried out prior to the listing of the building in 1998, but some original partitions, joinery and plasterwork remain. The features of greatest interest that remain are the curving stairs fitted in the south elevation, central wings, doors and door architraves, fire places and pantry fittings.
33. The condition of the building is beginning to decline. The building is suffering failures for which the cost of remedial work, because of the extent of the building, will be significant. The problems include rotting windows, failing rainwater goods, movement and decay in the stone dressings, notably the cornice, and slipping roof tiles
34. With regards to the proposed removal of the 1938 extension, whilst it may have been of architectural significance at the time of construction, it has been altered significantly and is no longer considered to retain architectural or historic significance. The plan form and external appearance of the extension were much altered as part of the major works to the hospital

between 1976 – 1978, when the main operating theatre was moved from the original hospital to the extension. The loss of any remaining architectural or historic interest that the extension may be considered to have, is considered to be outweighed by the benefits offered to the listed building by the removal of the extension. The benefits presented by the removal of the much altered 1938 extension are the restoration of the original mass of the historic hospital building and the opportunity to construct a new building next to it that will help to fund the repair of the existing REI building.

35. It is also relevant that the storey heights of the 1938 extension, particularly on the ground floor at 4.2m, would not allow efficient re-use of the building. Conversion of the floor plan would be difficult and expensive, due to the load bearing construction. Further, the building has no insulation, nor double glazed windows, the provision of which would only add to the already very high cost of conversion for the original building. Considering the above it is considered by officers appropriate to remove this section to enable the proposed scheme to be realised.
36. Concerning the proposed use of the building as apartments, it is not considered to be a realistic expectation that a new hospital use for the building would be found nor would the retention of a hospital use necessarily be the optimum use for the listed building, as a modern hospital use would require significant changes to be made to the building. Residential conversion is proposed as it is considered to be the most appropriate use for the area, being close to local amenities and accessible to the city centre.
37. With regards to proposed external alterations, other than the removal of the 1938 extension, which is considered to be beneficial to the heritage significance of the building, the only alteration to the elevations of the existing REI listed building is the refurbishment of the fire escape against the western gable. It is considered by officers that the proposal does not include any significant changes to the elevations.
38. The interior, to accommodate the proposed new use, does require the building to be subdivided. The subdivision proposed is considered by officers to be appropriate and according to the applicant, could be reversed if required in the future. It is considered by officers that the proposed development would help to safeguard the future of the existing REI listed building, and that with regards to the impact of the development upon it, the application is compliant with Policy CS03 (Historic Environment) of the Core Strategy.

Residential Amenity

39. It is important that all new residential development should be designed to ensure that the degree of privacy enjoyed by existing nearby properties is not unacceptably reduced and that new problems of overlooking are not created. It is also imperative that the relationship between the new dwellings proposed is acceptable and that each property has an adequate level of privacy and natural light.
40. The closest development to the site is across the highway to the north of the site, on Dale Road. The section of the proposed development in the northern part of the site will front onto Dale Road and provide a street frontage across the road from the existing properties. This will create relationships between the existing and proposed development which are similar to those already witnessed in the area, and considered normal with regards to residential amenity standards. In fact, the closest development to the existing surrounding dwellings will be located directly opposite the side of the end of terraces properties on

Beechwood Avenue and Kingsley Road. These properties are oriented to face onto the roads that they are located on, with their primary windows therefore facing the street and away from the site.

41. It is considered that there will thus be no significant impact from the proposed development upon the existing nearby residential properties, and there will no loss of light or overlooking created.
42. The layout of the site has been arranged so that the relationships between the proposed dwellings within the site is considered acceptable and designed so that all new dwellings will benefit from adequate levels of residential amenity, in accordance with the guidance contained within the Council's Adopted Development Guidelines SPD. With regards to residential amenity standards, all of the proposed student bedrooms are in accordance with the space standards quoted in the SPD. Bin stores and cycle storage are also included within the development, in accordance with the guidance contained within the Development Guidelines SPD.

Highways Issues

43. This application proposes 12 private apartments in the former REI listed building for which 24 private off street car parking spaces are proposed. The proposed new build, which will provide accommodation for 164 students to be resident at the site, makes provision for 6 accessible short stay drop off spaces.
44. The City Councils Developer Guidelines document suggests that the maximum parking standard for such uses is 1 space per 2 occupiers which would create a maximum demand of 82 parking spaces. It also advises that any car parking should be managed within the site and new development should not create overspill parking into surrounding streets. Where sites are located within Residents Parking Zones operating for all or most of the day it might be acceptable to approve such a use without any car parking, and to exclude residents of new development from the issue of permits. Where there are more limited waiting restrictions car parking should still be provided.
45. Due to the concerns expressed by the Highways Officer about car parking in relation to the proposed student accommodation the applicant has, at the suggestion of the Highways Officer, undertaken car parking surveys in the area to establish the current level of demand for car parking. These surveys have now been submitted in support of the application, the results of which have been considered.
46. The results of these surveys show that during the day the on street spaces surrounding the site are almost fully parked. During the evening when the peak demand for car parking from this development will occur there are significant areas of the street where on street car parking is available. For example, on Apsley Road there are reported to be between 30-40 car parking spaces available for members of the public or future residents to park. While the eye hospital was in operation these spaces would have been used by patients visiting the site.
47. On balance, whilst additional dedicated car parking within the site for the proposed student accommodation would be preferable, it is considered that the car parking demand generated by the development would not have a significant adverse impact upon local parking provision in the area.

48. In terms of cycle parking the provision for the private flats is considered acceptable. In terms of the student element the provision is below the Council's minimum standard which is 1 space per 2 bedspaces. These spaces would need to be secure and under cover ideally in the ground floor of the building. Cycle racks are shown outside the building and details showing how these are to be enclosed would need to be provided. Open sided shelters would not be appropriate for residential use.

Landscaping and Trees

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

Ecology

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

Sustainability

55. Policy CS20 (Sustainable Resource Use) of the Adopted City of Plymouth Local Development Framework Core Strategy (2007) requires all new residential developments of 10 units or

more to incorporate onsite renewable energy production equipment to off set at least 15% of predicted carbon emissions for the period 2010 – 2016.

56. In order to meet the requirement of Policy CS20 it is proposed to have Photovoltaic Panels installed on the roofs of the proposed new build. These will be almost flush with the roofline of the proposed development, so will only have a very minimal visual impact. Photovoltaic Panels generate electricity from light and their energy source is therefore sunlight, meaning that they do not require fuel to operate and produce no air pollution or hazardous waste. The use of Photovoltaic Panels is more than adequate to meet the 15% energy saving and the application is therefore compliant with Policy CS20.

9. 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.

10. Local Finance Considerations

Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended section 70 of the Town and Country Planning Act 1990. This development will generate a total of approximately £305, 068 in New Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in the report, continue to be the matters that carry greatest weight in the determination of this application.

The provisional Community Infrastructure Levy liability (CIL) for this development is £315, 415.98 including any potentially qualifying demolished floorspace. This information is based on the CIL information form submitted with the application and is based on current rates.

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

There are no planning obligations required to mitigate the impacts of this planning application. It is considered that the proposed development would not have a significant impact upon any local service area to the point that it would become overbearing and require mitigation.

12. Equalities and Diversities

The application proposes 12 new apartments and 164 new student bed spaces no negative impact to any equality group is anticipated.

13. Conclusions

It is considered that residential development and specialist student development in this location is acceptable in principle.

The application proposes development with a layout that is sensitive to the existing pattern of development in the area and constraints of the site. The design of the new build is contemporary although the form of the development is traditional, with consistency in appearance achieved through subtle repetition of proportions and materials. The layout is a positive response to the constraints of the site and the proposal will secure the reuse and future of one of the finest red brick buildings in the city.

The proposed development would not impact significantly upon nearby properties residential amenities due to its layout and orientation and would not harm the surrounding highway network, providing adequate levels of off street car parking. The application is therefore recommended for approval subject to conditions.

13. Recommendation

In respect of the application dated **03/07/2014** and the submitted drawings ,it is recommended to:
Grant Conditionally

14. Conditions

CONDITION: TIME LIMIT FOR COMMENCEMENT (1)

(1) The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason:

To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans:

- 1885 – 001 – Site Location Plan;
- 1885 – 002 – Site Plan as Existing;
- 1885 – 003 – Demolition and Tree Removal Plan;

- 1885 – 004 – Floor Plans as Existing;
- 1885 – 005 – Floor Plans as Existing;
- 1885 – 006 – Elevations as Existing;
- 1885 – 007 – Existing Block Proposed Floor Plans;
- 1885 – 010D – REI Proposed Ground Floor Plan;
- 1885 – 011J – REI Proposed First Floor Plan;
- 1885 – 012J – REI Proposed Second Floor Plan;
- 1885 – 013J – REI Proposed Third Floor Plan;
- 1885 – 014K – REI Proposed Fourth Floor Plan;
- 1885 – 017A – REI Proposed Roof Plan;
- 1885 – 019D – Proposed Site Plan;
- 1885 – 023 – Site Elevations and Sections;
- 1885 – 024 – New Block Elevations (North and East);
- 1885 – 025A – New Block Elevations (South and West);
- 1885 – 026 – Site Sections;
- 1885 – 027 – Site Sections.

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66 of the National Planning Policy Framework 2012.

Pre-commencement Conditions

PRE-COMMENCEMENT: 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, and paragraphs 120 – 123 of the National Planning Policy Framework 2012.

CODE OF PRACTICE

(4) No development shall take place, including any works of demolition, until a Code of Practice has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. Noise and vibration from equipment and activities associated with construction including piling.
- ii. Hours of work.
- iii. Lighting.
- iv. Measures to control the emission of dust and dirt during construction including wheel washing facilities.
- v. A scheme for recycling/disposing of waste resulting from demolition and construction works.
- vi. Pest control.
- vii. Contamination where applicable.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, such as noise, vibration and dust and to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PRE-COMMENCEMENT: SURFACE WATER DISPOSAL

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

Reason:

To enable consideration to be given to any effects of changes in the drainage regime on landscape features in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 94 and 100-103 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: LANDSCAPE DESIGN PROPOSALS

(6) No development shall take place until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include

proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant; planting plans including the location of all proposed plants and trees, their species, numbers, densities, type (i.e. bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: EXTERNAL MATERIALS

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

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: DETAILS OF BOUNDARY TREATMENT

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

Reason:

To ensure that the details of the development are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

PRE-COMMENCEMENT: ARBORICULTURAL METHOD STATEMENT

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

measures contained in the approved statement shall be fully implemented and shall remain in place until construction work has ceased.

Reason:

To ensure that the trees on site are protected during construction work in accordance with Policy CS18 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61,109 and 118 of the National Planning Policy Framework 2012.

SUSTAINABILITY

(10) Unless otherwise agreed in writing, on-site renewable energy production methods shall be provided in accordance with the recommendations of the Energy Statement dated 11/6/2014 by Energy Compliance, which proposes the use of photovoltaic panels on the roof of the proposed new build.

Details of these shall be submitted to and approved in writing prior to commencement of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

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

Pre-occupation Conditions

PRE-OCCUPATION: MINIMUM CAR PARKING PROVISION

(11) The proposed development shall not be occupied until space has been laid out within the site in accordance with the approved plan for a minimum of 30 cars to be parked

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

PRE-OCCUPATION: PROVISION OF PARKING AREA

(12) Each parking space shown on the approved plans shall be constructed, drained, surfaced and made available for use before the unit of accommodation that it serves is first occupied and thereafter that space shall not be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

PRE-OCCUPATION: CYCLE PROVISION

(13) The building shall not be occupied until space has been laid out within the site in accordance with details to be submitted and approved in writing by the Local Planning Authority for 82 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.

PRE-OCCUPATION: TRAVEL PLAN

(14) The building hereby permitted shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The said Travel Plan shall seek to encourage staff and all site users to use modes of transport other than the private car to get to and from the premises. It shall also include measures to control the use of the permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the Travel Plan; and the name, position and contact telephone number of the person responsible for its implementation. From the date of 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, and paragraphs 32 and 34 of the National Planning Policy Framework 2012. The applicant should contact Plymouth Transport and Infrastructure for site-specific advice prior to preparing the Travel Plan.

PRE-OCCUPATION: ACCOMMODATION MANAGEMENT

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

Reason:

To assist in protecting the residential amenities of the area, in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 123 of the National Planning Policy Framework 2012.

PRE-OCCUPATION: LANDSCAPE WORKS IMPLEMENTATION

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

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

PRE-OCCUPATION: LANDSCAPE MANAGEMENT PLAN

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

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

Other Conditions

ACCOMMODATION MANAGEMENT

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

Reason:

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

CONDITION: STUDENT ACCOMMODATION

(19) The occupation of the new build 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, and paragraph 61 of the National Planning Policy Framework 2012, but its occupation by any other persons would need to be the subject of a further planning application for consideration on its merits.

CONDITION: SOFT LANDSCAPE WORKS

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

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

BIODIVERSITY

(21) Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy (dated July 2014) for the site.

Reason

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

CONDITION: EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

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

A: No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be pruned other than in accordance with the approved plans ref: D14 26 P3 and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with BS 3998: 2010 Tree Work Recommendations.

B: If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or pruned in breach of (a) above in a manner which, in the opinion of the Local Planning Authority, leaves it in such a

poor condition that it is unlikely to recover and/or attain its previous amenity value, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

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

Reason:

To ensure that trees or hedgerows retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61,109 and 118 of the National Planning Policy Framework 2012.

INFORMATIVE: (1) 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: CONDITIONAL APPROVAL

(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: RESIDENT PARKING PERMIT SCHEME

(3) 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.