

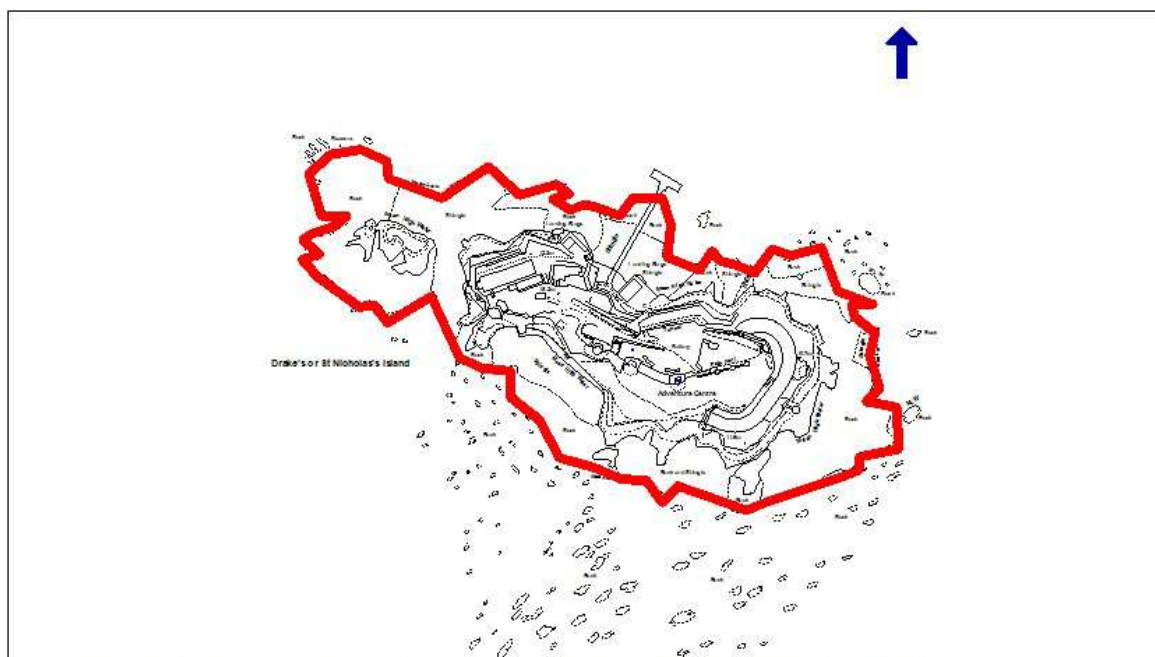
PLANNING APPLICATION REPORT



Application Number	14/00002/LBC	Item	08
Date Valid	02/01/2014	Ward	St Peter & The Waterfront

Site Address	DRAKE'S ISLAND PLYMOUTH		
Proposal	Hotel development including conversion of Grade II listed Island House, Barracks and Ablutions Blocks, Scheduled Ancient Monument casemated battery and landscaping, refurbishment of jetty and infrastructure works		
Applicant	Rotolok (Holdings) Ltd		
Application Type	Listed Building		
Target Date	31/01/2015	Committee Date	Planning Committee: 19 November 2015
Decision Category	Major - more than 5 Letters of Representation received		
Case Officer	Matt Coombe		
Recommendation	Grant Conditionally		

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I. Site Description

Drake's Island is located in Plymouth Sound, about 600 metres south of the Hoe. It extends to about 2.6 hectares and is formed of limestone and volcanic rock rising to a height of some 29 metres.

Formerly known as St Nicholas Island, its strategic position on the approach to Sutton Harbour, the Cattewater, Hamoaze and Dockyard led to it being fortified from at least the 16th century. Military use of the island continued until after World War II. From 1963 to 1989, Plymouth City Council obtained a lease from the Crown and operated a youth adventure training centre there. The current owner bought the island from the Crown in 1995. Since then the island buildings have been unused, and have fallen into disrepair.

A large proportion of the island is a designated Scheduled Ancient Monument (SAM 12614), comprising three designated areas. At the western end of the island, the designated area includes the main entrance, coastal walls and the western gun battery. A small area in the north-east of the island encloses a small area believed to contain remains of a 16th century artillery tower. The largest area includes the majority of the central and eastern parts of the island, enclosing the casemated batteries of 1860-1, and most of the later artillery batteries and magazines. Although excluded from the Scheduled Monument, the group of four principal buildings occupying the north-west end of the island are Grade II listed. These buildings comprise the 18th and 19th century former Barracks, Ablution Blocks, Commanding Officer's House and Guardhouse.

The range of remains and fortifications, and the prominent location of Drake's Island, make it a heritage site of national importance.

Drake's Island has significant wildlife interest and is located within the Plymouth Sound and Estuaries Special Area of Conservation (SAC). There are several designated interest features of the SAC that are relevant to this application including eelgrass (seagrass) beds. Eelgrass beds are essential to the ecological function of the SAC and provide habitat for rare and protected species such as the spiny seahorse. The island also hosts important numbers of breeding and roosting little egrets. The little egret is a designated feature of the Tamar Estuaries Complex Special Protection Area (SPA).

2. Proposal Description

The proposals seek to carry out conversions and extensions to existing buildings, together with an element of new build, to allow the island to function as a luxury hotel resort. The intention is that the island will be made available not just to hotel residents and guests, but that arrangements will be made to allow controlled access to members of the public.

The proposed development is largely concentrated in three main areas:

- The group of buildings at the western end of the island representing the former residential quarters of soldiers and officers
- The casemated battery at the eastern end of the island
- The arrival point on the north side of the island

In brief, the proposals seek to convert the Barrack Block into 25 hotel bedrooms and suites, to convert Island House into bar and restaurant areas, to convert and extend the Ablution Block, to provide spa, gym and swimming pool facilities and to connect these three buildings with a highly glazed linking element of contemporary architecture that will provide the core services and the main vertical circulation for the hotel as well as space for the bar at ground floor and restaurant at first floor. Space is also allocated for staff and support accommodation and ancillary facilities. Creation of an outside seating area is proposed to the rear of the Barrack Block, together with a circular timber "arbour" and other landscape features. To allow for this space and the Ablutions Block extension it is proposed that the existing ammunitions store here be demolished.

The Napoleonic casemated battery at the east end of the island is proposed for conversion to provide additional hotel accommodation in the form of 18 single and double unit suites, with three “feature rooms” restored to reflect their original historic form and made accessible to the public with displays and information on the island’s heritage and ecology. The three northernmost casemates have been chosen as “feature rooms” in order to provide a “buffer zone” to mitigate the impact on the adjacent little egret roost – the intention being that access to the rooms can be limited to outside the roosting and breeding seasons, minimising the chance of disturbing the birds. Construction of glazed acoustic screen is proposed at the entryway to the casemates from the access tunnel, with the aim of protecting the little egrets from noise disturbance from hotel guests.

The landing jetty at the north side of the island is proposed for repair and refurbishment and the adjacent 1980s Boat House, a dilapidated asbestos-clad structure, triangular in section, is proposed for demolition, to be replaced with a modern “Arrival Building” with a “scenic lift” giving access from the jetty level to the main hotel level at the top of the cliff. A boat store is also proposed within the building.

It is proposed that overgrown vegetation on the island be carefully cut back. On the upper levels it is proposed that historic pathways be uncovered and the area generally be made safe.

Installation of lighting is proposed for the tunnel and store room network beneath the island, which is to be generally cleaned and repaired but with no major changes other than the creation of an ecological enhancement feature in the form of a bat hibernaculum “bat fridge”.

A centralised energy from waste system is proposed to produce electricity and hot water for the hotel. The intention is that suitable waste will be safely incinerated, thereby providing renewable, low carbon energy.

A sewage treatment plant is proposed, including an outfall to the southwest of the island.

3. Pre-Application Enquiry

A pre-application meeting took place in December 2013, through the Council’s Development Enquiry Service. This followed extensive pre-application meetings on the applicant’s previous scheme (applications 12/00095/FUL & 12/00099/LBC) which was very similar in design. Meetings included detailed discussions on ecology, heritage and flood risk with involvement from Natural England, Historic England and the Environment Agency. There were two site visits to the island with the previous scheme, together with two further visits with the current proposal. The applicant held a day-long public consultation event on the previous proposal at the Royal Corinthian Yacht Club on 01/12/11 and conducted further pre-application consultation with the Plymouth Waterfront Partnership and other bodies.

4. Relevant Planning History

12/00095/FUL & 12/00099/LBC - Refurbishment and extensions to existing redundant buildings to form hotel development to include refurbishment of jetty, refurbishment, part demolition and extensions to Grade II listed Barrack Block, Island House, and Ablutions Block. Refurbishment and part demolition to scheduled Ancient Monument Casemated Battery and general landscaping and infrastructure works - REFUSED

99/00980/FUL & 99/00981/LBC - Change of use of Casemates to visitor attraction with cafe; Officers House to a tavern/restaurant (together with rear extension); Barrack Block to hotel (together with extension) - REFUSED

5. Consultation Responses

Historic England

No objection. There have been significant negotiations with Historic England regarding the proposals for the Casemates building (a Scheduled Ancient Monument) – particularly with regards to the proposed loss of a number of cast iron blast shields. The applicant has sought to remove a number of historic blast shields to create larger windows (and therefore allow more natural light and wider sea views for the proposed hotel rooms within the Casemates building). Historic England was initially concerned about the number of blast shields proposed for removal. However, further to extensive negotiations and a site visit with Historic England and the applicant's agents, a compromise was reached. Historic England suggested a hybrid solution, whereby key Casemate blast screens could remain in place, but have larger openings cut into them, subject to agreement on detail and a structural survey. The applicant agreed to this compromise and revised the Casemates drawings accordingly, whilst also commissioning a structural survey as requested by Historic England. Historic England has confirmed their support for the latest version of the proposal in conversations with officers and the applicant's agents. Historic England has requested a number of planning conditions.

6. Representations

At the time of writing the Officer's report, 14 representations have been received.

One representation supports the proposal provided its historic environment, ecology and landscape are protected.

Twelve representations object to the proposal, and the following list summarises the comments and issues of concern raised:

1. Impact on protected wildlife including protected birds (notably, little egrets) and bats.
2. Impact on the seagrass beds.
3. Concerns that environmental mitigation measures will be insufficient.
4. Drake's Island should not just be for the rich, but an affordable, accessible place for all.
5. A luxury hotel can be put anywhere but the "destruction of heritage cannot be reversed".
6. The success of the proposed venture cannot be guaranteed.
7. Suggestion that if the Council or a heritage organisation "bought back the island and preserved it, it would serve a much greater purpose for the city of Plymouth than a hotel."
8. "Giving consent would seriously damage, if not completely destroy, any future chance of developing the island's potential as a 'top tourist attraction'".
9. The casemates should be set up as a museum.
10. A cable car service could be provided as a major attraction – linking the island to the Hoe.

One representation neither supports nor objects to the proposal, but makes the observation that the heritage of Drake's Island should be protected.

7. Analysis

1.0 Planning Policy Position

In the First Deposit Local Plan (FDLP) Proposal 113, Drake's Island was allocated for leisure, recreation and tourism uses, with development to make provisions including for "sensitivity to and enhancement of the island's historic, architectural and nature conservation interests". The

FDLP has now been superseded by the adopted Core Strategy, and the Hoe Area Vision in this document provides general planning policy guidance relevant to Drake's Island:

Core Strategy Area Vision 4 - The Hoe

To enhance the civic quality and focus of The Hoe, including its foreshore and related spaces, promoting in particular its tourism, leisure and residential functions.

To create a balanced neighbourhood at West Hoe, encouraging sustainable mixed-use development including new community facilities.

The Council's objectives to deliver this vision are:

- 1. To maintain a unique, high quality, well-resourced and engaging tourist and leisure destination.*
- 2. To enhance the built environment and address regeneration needs through new development.*
- 3. To improve the range and quality of public facilities and information.*
- 4. To provide a more memorable link between The Hoe and the city.*
- 5. To improve pedestrian movement across The Hoe to its attractions and foreshore.*
- 6. To provide high quality public, water and sustainable transport facilities serving The Hoe and its neighbourhood.*

Drake's Island is not shown in the Hoe Vision Diagram. The emerging Plymouth Plan may include a more detailed proposal to replace the FDLP Proposal 113, but the planning issues and objectives are likely to be similar.

The following Core Strategy policies are relevant:

CS02 - Design

CS03 - Historic Environment

The following Supplementary Planning Documents are relevant:

- Design Supplementary Planning Document (2009)
- Development Guidelines Supplementary Planning Document (2010)

The NPPF - National Planning Policy Framework (March 2012) – is also a key consideration. 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 National Planning Policy Framework guidance.

The development plan is the Local Development Framework Core Strategy (Adopted April 2007). The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One: Consultation Draft was approved by Cabinet for consultation purposes on 9 December 2014. As such it is a material consideration for the purposes of planning decisions. The document contains a number of policies which support this proposal, including the following:

Policy 36 (Positioning Plymouth as a major UK destination) supports the delivery of “new high quality hotels, especially on sites which reinforce Plymouth's unique assets such as its waterfront, heritage and culture, including offering views over Plymouth Sound.”

Policy 46 (Managing and enhancing Plymouth’s waterfront) supports “improving key waterfront destinations for the local community and to grow the visitor economy, including The Barbican / Sutton Harbour, The Hoe, Millbay and the Royal William Yard” and “waterfront development [that] is of high quality design, safeguards the waterfront's primary functions, improves use of and access to underused waterfront sites.”

2.0 Principle of Development

The proposed development is well aligned to planning policy objectives and is considered consistent with spirit of the City Vision - to create "one of Europe's finest, most vibrant waterfront cities". The emerging Plymouth Plan evidence base highlights the need for new high quality hotel accommodation in the city.

3.0 Impact on Historic Environment

- 3.1 It must be noted that the Council's responsibility as Local Planning Authority, to the historic environment on Drake's Island, extends only to the Listed Buildings and not the Scheduled Ancient Monument (for which Historic England is the authorising body).
- 3.2 Refurbishment of the jetty and the proposed Arrival Building are considered to have a minimal effect on the island’s historic assets and will significantly improve the existing arrangements. The Arrival Building’s bold angular design and associated landscaping measures are welcomed, as are the proposals for the gateway approach to the main hotel area.
- 3.3 With regards to the main hotel complex proposed for the Barrack Block/Island House/Ablutions Block, there are two key issues - the loss of original historic fabric and the proposal to connect the buildings to form one hotel “core”. The proposal requires a significant amount of demolition of existing features and fabric, though the most significant elements to be removed are the three stairways on the southern side of the main Barrack Block. While this is regrettable, this building is only assessed as “moderate” in the Heritage Assessment and the loss is justified in both the Heritage Impact Assessment and accepted by Historic England as necessary for the viability of the development. It is therefore considered that any loss here, and with the Artillery Store, can be mitigated by recording.
- 3.4 The proposal to connect the buildings with a central glazed “core” is considered to be a sound approach. The front of the glazed “link block” has been pulled back into alignment with the north frontage of the Island House – responding to Historic England’s request with the previous scheme (planning applications 12/00095/FUL and 12/00099/LBC), and allowing the building’s historic elevation to be seen in full.
- 3.5 Both with the current and previous planning applications, there have also been significant negotiations with Historic England regarding the proposals for the Casemates building (a Scheduled Ancient Monument) – particularly with regards to the proposed loss of a number of cast iron blast shields. The applicant has sought to remove a number of historic blast shields to create larger windows (and therefore allow more natural light and wider sea views for the proposed hotel rooms within the Casemates building). Historic England was initially concerned about the number of blast shields proposed for removal. However, further to extensive negotiations and a site visit with Historic England and the applicant’s agents, a compromise was reached. Historic England suggested a hybrid solution, whereby key Casemate blast screens could remain in place, but have larger openings cut into them, subject to agreement on detail and a structural survey. The applicant agreed to this compromise and

revised the Casemates drawings accordingly, whilst also commissioning a structural survey as requested by Historic England.

8. Conclusion

As with the previous planning applications for Drake's Island, officers, including up to Director level, have put in a significant amount of work to help this proposal move forwards positively, in recognition of the importance of Drake's Island to Plymouth and the unique set of opportunities and challenges presented by this proposal. This planning application has been supported in several ways by the Local Planning Authority, including with the commissioning of work at the Authority's expense to address issues the planning application itself should have sorted out on submission.

Officers have worked very hard to try and address the complex nature conservation, historic environment, European Habitat Regulation Assessment, flooding and transport issues with the aim of getting to a position where a positive recommendation could be put to Planning Committee.

The proposed development is considered to be of a high quality and would potentially secure the restoration and beneficial use of one of Plymouth's most prominent and iconic historic monuments. The scheme is well aligned to planning policy objectives and is considered consistent with spirit of the City Vision - to create "one of Europe's finest, most vibrant waterfront cities". The emerging Plymouth Plan evidence base highlights the need for new high quality hotel accommodation in the city and its importance in terms of the city's visitor offer and economic growth. The list of potential benefits generated by the proposal is considerable.

However, officers are very mindful of the proposal's sensitive relationship with the Tamar Estuaries Complex Special Protection Area (SPA) and the Plymouth Sound and Estuaries Special Area of Conservation (SAC) and take the objections raised by consultees including Natural England and the RSPB very seriously. The Council has a legal requirement under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) to avoid significant effects of plans and projects on European designated sites. This is reflected in officers' recommendation to refuse the accompanying full planning application. However, as all listed building issues have been satisfactorily addressed, officers can recommend that this Listed Building Consent application be approved, subject to the attached conditions.

9. Recommendation

In respect of the application dated **02/01/2014** and the submitted drawings Proposed Arrival Building Elevations 10057 L 04.01 P2, Boat House Existing Sections Demolition 10057 L 09.34 P2, Boat House Existing GF Plan Demolition 10057 L 09.21 P2, Ablutions Block Existing Elevations & Sections Demolition 10057 L 09.34 P2, Casemates - Blast Shield Alterations 10057 SK 01.01, 10057 SK 01.02, 10057 SK 01.03, 10057 SK 01.04, Casemates - Proposed Elevations 10057 L 04.03 P4, Casemates - Proposed Ground Floor Plan 1 of 2 10057 L 02.06 P5, Casemates - Proposed Ground Floor Plan 2 of 2 10057 L 02.07 P4, Casemates Existing Elevations & Sections 10057 L 09.36 P2, 10057 L 09.37 P2, Casemates Existing Ground Floor Plan 10057 L 09.25 P2, 10057 L 09.26 P2, Casemates Proposed Elevations 10057 L 04.03 P2, Casemates Proposed Ground Floor 2 10057 L 02.07 P2, Casemates Proposed Ground Floor Plans 10057 L 02.06 P2, Casemates Proposed Roof Plan 10057 L 02.08 P2, Casemates Proposed Sections 10057 L 03.04 P2, Casemates Roof Plan 10057 L 02.08 P3, Existing Demolition Site Plan 10057 L 09.20 P2, Site Plan 10057 L 09.01, Proposed Site Plan 10057 L 01.01 P2, Arrival Building Ground Floor Plan, 10057 L 02.01 P2, Arrival Building Top Floor Plan 10057 L 02.02 P2, Main Building Proposed Ground Floor Plan 10057 L 02.03 P2, Main Building Proposed Attic Floor Plan 10057 L 02.04 P2, Main Building Proposed Roof Plan 10057 L 02.05 P2, Island House Existing Elevs & Sections Demolition 10057 L 09.35 P2, Main Ablution Island GF Plan Demolition 10057 L 09.23 P2, Main Building Ablution 1st Attic Floor Plan 10057 L 09.24 P2, Main Building Existing Elevations & Sections, Demolition 10057 L 09.33 P2, Main Building Proposed

Elevations 10057 L 04.02 P2, Main Building Proposed First Floor Attic Floor 10057 L 02.04 P2, Main Building Proposed Ground Floor Plan 10057 L 02.03 P2, Main Building Proposed Roof Plan 10057 L 02.05 P2, Main Building Proposed Sections 2 10057 L 03.03 P2, Main Tunnels Demolition 1 of 2 10057 L 09.27 P2, Main Tunnels Demolition 2 of 2 10057 L 09.28 P2, Proposed Arrival Building Ground Floor Plan 10057 L 02.01 P2, Proposed Arrival Building Sections Plans 10057 L 03.01 P2, Proposed Bin Store Plan 10057 L 02.02 P2, Proposed Casemate Screen and Gate 10057 L 41.01 P2, Proposed Casemate Sections 10057 L 03.04 P3, Proposed Casemates Ground Floor Plan 10057 L 02.06 P3, Proposed Main Building Proposed Sections 10057 L 03.02 P2, Proposed Planting Plan A 10057 L 93.02 P2, Proposed Planting Plan B 10057 L 93.03 P2, Proposed Recycling Bin Store 10057 L 02.09 P2, Proposed Site Location Plan 10057 L 01.01 P2, Proposed Site Plan 10057 L 01.01 P3, Proposed Wider Landscape Plan 10057 L 93.01 P2, Proposed Wider Landscape Plan 10057 L 93.01 P3, Lighting Report, Tree Survey Plan East, Tree Survey Plan West, Lighting Plan, Upper Battery - Demolition 1 of 2 10057 L 09.31 P2, Upper Battery - Demolition 2 of 2 10057 L 09.30 P2, Upper Tunnels - Demolition 1 of 2 10057 L 09.29 P2, Assessment of Proposed Development on Little Egrets and Addendum, Drake's Island, Plymouth Sound, Devon: Winter and Breeding Bird Survey (Amended Report), Casemate Construction Report, Phase I Environmental Assessment, Design and Access Statement, Drake's Species List, ECIA Extended, Energy Statement, Environmental Statement and Appendices, External Lighting Report, Habitat Survey, Heritage Gazetteer, Information to Inform a Habitat Regulations Assessment, Noise Report, Construction and Operational Environmental Management Plan Information Key Principles and Parameters, EIA Screening Report, Travel Plan, Onsite Acoustic Testing Report, Little Egret Mitigation Strategy, it is recommended to: **Grant Conditionally**

10. Conditions

CONDITION: TIME LIMIT FOR COMMENCEMENT (LBC)

(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 (LISTED BUILDING CONSENT)

(2) The works hereby permitted shall be carried out in accordance with the following approved plans: Proposed Arrival Building Elevations 10057 L 04.01 P2, Boat House Existing Sections Demolition 10057 L 09.34 P2, Boat House Existing GF Plan Demolition 10057 L 09.21 P2, Ablutions Block Existing Elevations & Sections Demolition 10057 L 09.34 P2, Casemates - Blast Shield Alterations 10057 SK 01.01, 10057 SK 01.02, 10057 SK 01.03, 10057 SK 01.04, Casemates - Proposed Elevations 10057 L 04.03 P4, Casemates - Proposed Ground Floor Plan 1 of 2 10057 L 02.06 P5, Casemates - Proposed Ground Floor Plan 2 of 2 10057 L 02.07 P4, Casemates Existing Elevations & Sections 10057 L 09.36 P2, 10057 L 09.37 P2, Casemates Existing Ground Floor Plan 10057 L 09.25 P2, 10057 L 09.26 P2, Casemates Proposed Elevations 10057 L 04.03 P2, Casemates Proposed Ground Floor 2 10057 L 02.07 P2, Casemates Proposed Ground Floor Plans 10057 L 02.06 P2, Casemates Proposed Roof Plan 10057 L 02.08 P2, Casemates Proposed Sections 10057 L 03.04 P2, Casemates Roof Plan 10057 L 02.08 P3, Existing Demolition Site Plan 10057 L 09.20 P2, Site Plan 10057 L 09.01, Proposed Site Plan 10057 L 01.01 P2, Arrival Building Ground Floor Plan, 10057 L 02.01 P2, Arrival Building Top Floor Plan 10057 L 02.02 P2, Main Building Proposed Ground Floor Plan 10057 L 02.03 P2, Main Building Proposed Attic Floor Plan 10057 L 02.04 P2, Main Building Proposed Roof Plan 10057 L 02.05 P2, Island House Existing Elevations & Sections Demolition

10057 L 09.35 P2, Main Ablution Island GF Plan Demolition 10057 L 09.23 P2, Main Building Ablution 1st Attic Floor Plan 10057 L 09.24 P2, Main Building Existing Elevations & Sections, Demolition 10057 L 09.33 P2, Main Building Proposed Elevations 10057 L 04.02 P2, Main Building Proposed First Floor Attic Floor 10057 L 02.04 P2, Main Building Proposed Ground Floor Plan 10057 L 02.03 P2, Main Building Proposed Roof Plan 10057 L 02.05 P2, Main Building Proposed Sections 2 10057 L 03.03 P2, Main Tunnels Demolition 1 of 2 10057 L 09.27 P2, Main Tunnels Demolition 2 of 2 10057 L 09.28 P2, Proposed Arrival Building Ground Floor Plan 10057 L 02.01 P2, Proposed Arrival Building Sections Plans 10057 L 03.01 P2, Proposed Bin Store Plan 10057 L 02.02 P2, Proposed Casemate Screen and Gate 10057 L 41.01 P2, Proposed Casemate Sections 10057 L 03.04 P3, Proposed Casemates Ground Floor Plan 10057 L 02.06 P3, Proposed Main Building Proposed Sections 10057 L 03.02 P2, Proposed Planting Plan A 10057 L 93.02 P2, Proposed Planting Plan B 10057 L 93.03 P2, Proposed Recycling Bin Store 10057 L 02.09 P2, Proposed Site Location Plan 10057 L 01.01 P2, Proposed Site Plan 10057 L 01.01 P3, Proposed Wider Landscape Plan 10057 L 93.01 P2, Proposed Wider Landscape Plan 10057 L 93.01 P3, Lighting Report, Tree Survey Plan East, Tree Survey Plan West, Lighting Plan, Upper Battery - Demolition 1 of 2 10057 L 09.31 P2, Upper Battery - Demolition 2 of 2 10057 L 09.30 P2, Upper Tunnels - Demolition 1 of 2 10057 L 09.29 P2, Assessment of Proposed Development on Little Egrets and Addendum, Drake's Island, Plymouth Sound, Devon: Winter and Breeding Bird Survey (Amended Report), Casemate Construction Report, Phase I Environmental Assessment, Design and Access Statement, Drake's Species List, ECIA Extended, Energy Statement, Environmental Statement and Appendices, External Lighting Report, Habitat Survey, Heritage Gazetteer, Information to Inform a Habitat Regulations Assessment, Noise Report, Construction and Operational Environmental Management Plan Information Key Principles and Parameters, EIA Screening Report, Travel Plan, Onsite Acoustic Testing Report, Little Egret Mitigation Strategy.

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Pre-commencement Conditions

PRE-COMMENCEMENT: CODE OF PRACTICE DURING CONSTRUCTION

(3) Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 -123 of the National Planning Policy Framework 2012.

Justification:

To ensure that the construction phase does not unduly impact on local amenity or cause undue disturbance or pollution.

PRE-COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

(4) No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall set out the arrangements for managing all environmental effects of the development during the construction period. The agreed CEMP shall be implemented in full throughout the duration of the construction works, unless a variation is agreed in writing by the Local Planning Authority, in advance.

Reason:

To safeguard against pollution and unacceptable impacts on protected wildlife and to avoid conflict with Policies 19 and 22 Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021).

Justification:

To ensure that wildlife habitats are adequately protected from the development.

PRE-COMMENCEMENT: DESIGN DETAILS

(5) Notwithstanding the submitted details, the development hereby permitted shall not commence until the following details (to include drawings including sections at a scale of not less than 1:20 with key details at a scale of 1:10) have been submitted to and agreed in writing with the Local Planning Authority:

1. Details of the design, method of construction and finish of the windows, doors and openings, including junctions with head, cills and jambs

2. Details of the proposed siting, design and external materials of any roof plant, services or lift rooms and any wall or roof vents, ducts, pipes or other accretions to the roof or elevations. Unless otherwise agreed in writing with the Local Planning Authority, before any roof plant and/or machinery is used on the premises, it shall be enclosed with sound insulating material and mounted in such a way which will minimise the transmission of structure borne sound in accordance with a scheme to be approved in writing by the Local Planning Authority.

3. Details of the design of the proposed green roofs.

Reason:

To enable the Local Planning Authority to consider the above details in the interests of the appearance and character of the building and area, in accordance with Policies CS01, CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007

PRE-COMMENCEMENT: EXTERNAL MATERIALS

(6) 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.

Justification:

To ensure that the development can reasonably accommodate the external materials that are acceptable to the local planning authority.

PRE-COMMENCEMENT: SURFACING MATERIALS

(7) No development shall take place until details of all materials to be used to surface external areas 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.

Justification:

To ensure that the development can reasonably accommodate the surfacing materials that are acceptable to the local planning authority.

PRE-COMMENCEMENT: HABITAT PROTECTION AND ENHANCEMENT

(8) No development shall take place until an Ecological Mitigation and Enhancement Scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with a timetable forming part of the submitted scheme.

Reason:

To ensure wildlife habitats are protected, to comply with Policies CS19 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 118 of the National Planning Policy Framework 2012.

Justification:

To ensure that wildlife habitats are adequately protected from the development.

PRE-COMMENCEMENT: FLOOD RESILIENCE & RESISTANCE MEASURES

(9) Prior to the commencement of the development a final coastal defence scheme to manage flood risk during a 1 in 200 year coastal storm over the development's lifetime shall, in consultation with the Environment Agency, be submitted to and approved in writing by the Local Planning Authority. In particular, the details shall include:

- i. The detailed design of windows, doors and any other external openings associated with the Torpedo Room.
- ii. The detailed design of windows, doors and any other external openings associated with the Casemates.
- iii. The design details of the landing quay area and all built development below 6m AOD.
- iv. A timetable for construction.
- v. Details of the safe management and drainage of wave related overtopping water.

Prior to first use of the development it shall be demonstrated to the satisfaction of the Local Planning Authority that, the respective parts of the scheme have been completed in accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development and users of the proposed development are adequately protected from the impact of waves during coastal storm conditions in accordance with Core Strategy Policy CS21 and paragraphs 94, 99 to 104 of the National Planning Policy Framework 2012.

Justification:

To ensure that the proposed development and users of the proposed development are adequately protected from the impact of waves during coastal storm conditions.

PRE-COMMENCEMENT: FOUL DRAINAGE STRATEGY

(10) Prior to the commencement of the development hereby approved, a detailed foul drainage strategy for the development shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency and Natural England. The strategy will include turbidity data and plume modelling for all proposed outflows. The development shall be constructed and operated in accordance with this strategy.

Reason:

To minimise the risk of pollution to the sensitive marine environment in accordance Policies 19 and 22 of the Plymouth Local Development Framework Core Strategy (2006-2021).

Justification:

To ensure that wildlife habitats are adequately protected from the development.

PRE-COMMENCEMENT: SEAGRASS MONITORING METHODOLOGY

(11) Prior to commencement of the development a monitoring methodology and threshold of damage for the seagrass beds will be submitted to, and agreed with, the Local Planning Authority and Natural England. Subsequent monitoring will be undertaken in accordance with the agreed methodology.

Reason:

To safeguard against unacceptable damage to the protected seagrass beds and to avoid conflict with Policies 19 and 22 Policy CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021).

Justification:

To ensure that wildlife habitats are adequately protected from the development.

PRE-COMMENCEMENT: MOD EXPLOSIVES SAFEGUARDING

(12) No development shall be commenced until a report (to include detailed technical and structural drawings) has been submitted to and approved in writing by the Local Planning Authority providing verification that the development has been designed to withstand structural collapse or damage that could cause critical injury, in the event of an explosion within the statutory explosive safeguarding zone in Plymouth Sound.

Prior to use of the development commencing, the applicant shall provide written confirmation verifying that the building has been designed and constructed to the above criteria unless otherwise agreed previously in writing with the Local Planning Authority and the approved details shall

thereafter be so retained and maintained unless the written consent of the Local Planning Authority is given to any variation.

The use of an experienced blast consultant is recommended.

Reason:

The site of the proposed development falls within the statutory explosive safeguarding zone in Plymouth Sound. All buildings within this zone should be "non-vulnerable" and of robust construction and design, so that should an explosive incident occur, buildings nearby will not collapse or sustain damage that cause critical injury to the occupants. Further information is therefore required to demonstrate that the development is not a vulnerable structure in accordance with adopted Policy CS02 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Justification:

To ensure users of the development are kept safe from injury in the event of an explosion from the MOD explosives safeguarding zone.

PRE-COMMENCEMENT: CONTAMINATED LAND

(13) 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.

Justification:

To ensure that risks to health through contamination are properly considered and addressed before building works commence.

PRE-COMMENCEMENT: PROGRAMME OF ARCHAEOLOGICAL WORK

(14) No works pursuant to this permission, including laying of temporary services, ground investigation, erection of site accommodation or provision of temporary accesses, shall take place until an Archaeological Methodology Statement with a supporting Archaeological Impact Assessment has been submitted to and approved in writing by the local planning authority in consultation with English Heritage. The Archaeological Impact Assessment shall be based upon a desktop study and site survey of the fortifications and surrounding island to evaluate the impact of parts of the development which require excavation. The Archaeological Impact Assessment shall be used to develop an Archaeological Mitigation Strategy. The Archaeological Mitigation Strategy shall include proposals for recording all archaeological evidence and a justification for the removal and proposed relocation of any artefacts, fixtures and fittings, from in-situ. The Archaeological Mitigation Strategy shall be incorporated into the Archaeological Methodology Statement. All development including demolition and excavation works shall be carried out in accordance with the approved Archaeological Methodology Statement and in the presence of an archaeologist.

Reason:

The site is considered likely to contain archaeological deposits that warrant appropriate investigation and/or recording in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Justification:

To ensure that important archaeological features are properly protected / recorded before construction commences.

PRE-COMMENCEMENT: HISTORIC BUILDINGS SCHEME OF IMPLEMENTATION

(15) No works pursuant to this permission shall take place until a detailed scheme of implementation is submitted to and approved in writing by the Local Planning Authority in consultation with English Heritage. The scheme of implementation shall include details of the phased restoration of the listed buildings and scheduled ancient monuments on the island and ensure that the designated heritage assets are made wind and weathertight to prevent further deterioration to the satisfaction of the Local Planning Authority in consultation with English Heritage prior to the commencement of new-build elements of the proposals.

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Justification:

To ensure that important historic features are properly protected / respected before construction commences.

PRE-COMMENCEMENT: BLAST SHIELD METHOD STATEMENT

(16) No cutting or removals of any part of the existing blast shields shall take place until a coring investigation by a conservation-accredited engineer has confirmed the thickness of the cast iron plates and thickness and material sizes of the infill. The coring investigation report will enable a detailed method statement to be produced on the cutting and part removal of the blast shields which will be submitted to and approved in writing by the Local Planning Authority in consultation with English Heritage.

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Justification:

To ensure that these important historic features are properly protected / respected before construction commences.

PRE-COMMENCEMENT: REMOVAL OF BLAST SHIELDS 15 & 17

(17) Removal or intrusive works to the existing blast shields numbered 15 and 17 in the approved plans shall not take place until a structural survey and report by a conservation-accredited engineer has been undertaken and incorporated into a methodology statement which will be submitted to and approved in writing by the Local Planning Authority in consultation with English Heritage. The structural survey and methodology statement will specifically examine impact associated with the total removal of the blast shield and how this may remove its load bearing support to the flat arch and the inner masonry construction of the casemates. The structural survey and methodology statement will also examine potential impacts on the casemates structure caused by vibration during the course of the works.

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Justification:

To ensure that important these important historic features are properly protected / respected before construction commences.

PRE-COMMENCEMENT: DETAILS OF FITMENTS AND FEATURES

(18) No works shall take place until full details of the fitments and features to be retained, and those which may be removed, altered or adapted (as may be determined by prior inspection by a representative of the Local Planning Authority at the applicant's request) have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

To ensure that the details of the proposed works do not conflict with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Justification:

To ensure that important important historic features are properly protected / respected before construction commences.

PRE-COMMENCEMENT: RECORDING OF FEATURES

(19) No works shall take place until the applicant, or their agent or successor in title, has secured the implementation of a programme of recording of features that will be destroyed or damaged in the course of the works to which this consent relates, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that a record of such features is made and kept available for inspection, in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Justification:

To ensure that important important historic features are properly protected / respected before construction commences.

Pre-occupation Conditions

PRE-OCCUPATION: ALDERMAN MILLER MEMORIAL GARDEN

(20) Prior to occupation of the development, details of the proposed restoration of the Alderman Miller Memorial Garden shall be submitted to and agreed in writing by the Local Planning Authority. Such agreed details shall be implemented prior to the occupation of the development and maintained throughout its lifetime.

Reason:

To safeguard the restoration of a feature of historic interest in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Other Conditions

CONDITION: REPORTING OF UNEXPECTED CONTAMINATION

(21) In the event that contamination of ground conditions is found when carrying out the approved development that was not previously identified, expected or anticipated, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
- adjoining land
- groundwaters and surface waters
- ecological systems
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 -123 of the National Planning Policy Framework 2012.

CONDITION: USE OF THE TORPEDO ROOM

(22) The lounge area within the former Torpedo Room below Casemate No. 4 (as shown on drawing I0057 L 02.07 Rev. P4) shall be restricted for this use only, shall have no openings made in the windows and shall not be used for any other hotel function unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development and users of the proposed development are adequately protected from the impact of waves during coastal storm conditions in accordance with Core Strategy Policy CS21 and paragraphs 94, 99 to 104 of the National Planning Policy Framework 2012.

Informatives

INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)

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

INFORMATIVE: MOD SAFEGUARDING MEASURES

(2) The proposed scheme will need to be designed so that the development is capable of withstanding the dynamic loadings listed below:

Full Reflected Pressure = 9.053 kPa

Full Reflected Impulse = 1210 kPa-ms

Fictitious Reflected Pressure Duration = 267.37 ms

Incident Pressure = 4.447 kPa

Fictitious Incident Pressure Duration = 303.04 ms

Peak Dynamic Pressure = 0.0690 kPa

Shock Front Velocity = 346.5 m/s

INFORMATIVE: SCHEDULED MONUMENT

(3) The developer is advised that, as the proposed works affect a Scheduled Monument, the prior consent of the Secretary of State for Culture, Media and Sport is required under Section 2 of the Ancient Monuments and Archaeological Areas Act 1979 before the development is commenced.

INFORMATIVE: CODE OF PRACTICE

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

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

INFORMATIVE: NESTING SEASON

(5) It is an offence under the Wildlife and Countryside Act to damage to destroy the nest of any wild bird while it is in use or being built and it is also an offence to disturb many species of wild bird while nesting.

INFORMATIVE: CONTAMINATED LAND - WARNING

(6) There is a possibility that the site is contaminated due to previous activities on the land. The responsibility for the safe development and secure occupancy of the site rests with the developer. The Local Planning Authority has determined this application on the basis of the information available to it at the time, but this does not mean that the land is free from contamination.

INFORMATIVE: SPECIAL WASTES

(7) The Environment Agency advises that buildings when demolished can give rise to Special Wastes. These are subject to additional control prior to disposal. The Environment Agency can advise the applicant on the regulations concerning Special Wastes.

The Special Wastes most likely to be encountered during the demolition/refurbishment of pre-developed sites are: -

- a. asbestos cement building products;
- b. fibrous asbestos insulation, particularly around heating appliances;
- c. central heating oil;
- d. herbicides/pesticides;
- e. oils and chemicals associated with vehicle repairs and maintenance.

INFORMATIVE: CONTAMINATED SITE DRAINAGE

(8) The Environment Agency should be contacted with regard to the discharge of contaminated site drainage to the environment and further advice can be obtained from their website in the form of Pollution Prevention Guidelines 13: High Pressure Water and Steam Cleaners.

INFORMATIVE: ENVIRONMENTAL PERMITTING (FOUL DRAINAGE)

(9) Any non-mains foul drainage system associated with this development will require an Environmental Permit from the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2010, unless it satisfies the General Binding Rules for small sewage discharges in England. The General Binding Rules can be found online at <https://www.gov.uk/government/publications/small-sewage-discharges-in-england-general-binding-rules>.

If the proposed foul discharge will not satisfy the General Binding Rules the applicant is advised to contact the Environment Agency's National Permitting Service on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that the permit may not be granted. Additional 'Environmental Permitting Guidance' can be accessed online at <https://www.gov.uk/permits-you-need-for-septic-tanks>.

INFORMATIVE: ENVIRONMENTAL PERMITTING (ANAEROBIC DIGESTION PLANT)

(10) This development will require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency, unless a waste exemption applies. The applicant is advised to contact our local Environment Officer (Waste) Clarissa Newell on 01208 265405 to discuss the issues likely to be raised.