

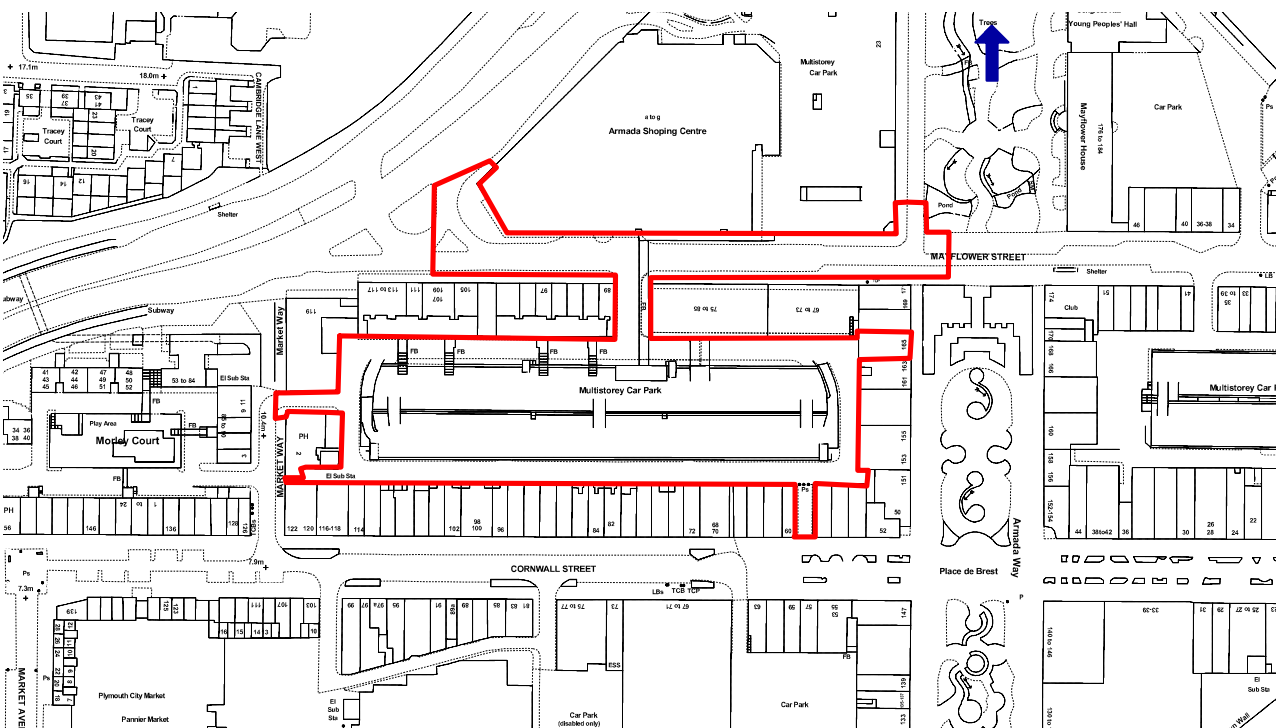
# PLANNING APPLICATION REPORT



<b>Application Number</b>	16/00038/FUL	<b>Item</b>	07
<b>Date Valid</b>	07/01/2016	<b>Ward</b>	St Peter & The Waterfront

<b>Site Address</b>	165 ARMADA WAY PLYMOUTH		
<b>Proposal</b>	Minor material amendments to permission 15/00006/FUL for a new station and car park to include revised retaining wall design, improvements to central footpath to provide full ramped access, and associated changes to condition numbers 2, 4-9, and 13, 15 & 16		
<b>Applicant</b>	Plymouth City Council		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>07/04/2016</b>	<b>Committee Date</b>	<b>Planning Committee: 11 February 2016</b>
<b>Decision Category</b>	Assistant Director of Strategic Planning and Infrastructure Referral		
<b>Case Officer</b>	John Douglass		
<b>Recommendation</b>	Grant Conditionally		

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This application is being referred to committee because there are public interest reasons for the matter to be determined by the committee.

## **I. Description of site**

The site comprises the site of the former Mayflower West multi-storey car park, which is to the rear of shops on Armada Way, Cornwall St, Market Way and Mayflower St, as well as an area of Mayflower St where highway works are proposed. A fuller description of the site is set out in the report to consent 15/00006/FUL. Since that report demolition of the car park has been completed, including the emergency exit bridges from the vacant nightclub on Mayflower St.

Works to construct the coach station (in accordance with consent 15/00006/FUL) recently commenced on site.

## **2. Proposal description**

The application proposes a series of minor changes to the approved scheme which have emerged during the detailed design period and following continued discussion with stakeholders, operators and the preferred contractor. The 'minor material amendment' application process is such that it is only the amendments to the scheme that are to be considered by the committee and not the principle of the coach station in this location.

The changes are presented on submitted drawing C2118/009 'Site Plan – Minor Material Amendments', and described in the 'supporting notes' document, and a schedule of superseded and proposed drawings is also submitted. In summary the changes are as follows:

- i. Retaining wall design changed from stone-filled gabion baskets (Coach Station) and exposed structural concrete (car park) to 'aggregate faced reinforced gravity block retaining wall system' (Allan block or equivalent)
- ii. Number of trees planted in perimeter planting belt reduced to 39, with average spacing of 6.5m in between. Tree species now specified as Fastigate Oak (35) and Pinus Strobus (4).
- iii. New ramp added alongside previously proposed steps to southern part of central walkway (to ensure full accessibility from North to South via central route), with associated changes as follows:
  - o Taxi spaces reduced from 6 to 5 spaces
  - o Accessible drop off and pick up in car park reduced from 3 to 2 spaces
- iv. 9 regular drop off and pick up spaces converted to regular car parking spaces
- v. Disabled parking in shoppers car park reduced from 5 to 3 spaces (space immediately outside facilities building rear entrance retained)
- vi. Coach access ramp revised to improve coach access and exit
- vii. Minor change in proposed construction/finish to Coach turning area (grouted Macadam now proposed)
- viii. External lockers omitted
- ix. Underground bin stores omitted and replaced by custom bin store enclosures at ground level
- x. Minor changes to canopies (over coach boarding area)

### 3. Pre-application enquiry

The proposals were subject to extensive pre-application engagement under reference I4/00880/MAJ. Informal advice has also been given since application I5/00006/FUL was decided.

### 4. Relevant planning history

Planning application I5/00006/FUL was APPROVED following consideration at planning committee on 12 March 2015. The current application seeks minor material amendments to the development it consented, which was described as follows:

Construction of new seven-bay coach station and 97 space car park including change of use of ground floor of 165 Armada Way from financial institution (use class A2) to coach station facilities building.

### 5. Consultation responses

#### Local Highway Authority

Raises no objection to the changes and is satisfied that an adequate process is in place to check the Highway Works to be undertaken on behalf of the Highway Authority.

#### Police Architectural Liaison Officer

Makes recommendations in relation to CCTV, to include the fact that cameras should cover the indoor waiting area and alighting bus passengers.

#### Public Protection Service

No comments to make.

As the consultation period is still live, further consultation responses will be confirmed by way of the addendum report.

### 6. Representations

At the time of writing, no letters of representation have been received. As the consultation period is still live (until 09 February), further consultation responses will be confirmed by way of the addendum report.

### 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). In the case of this application, it also comprises the City Centre & University Area Action Plan and Sutton Harbour Area Action Plan.

The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One was approved by the City Council in September 2015. The Plan, which incorporates draft development plan policy, has been prepared following a consultation process. As such it is a material consideration for the purposes of planning decisions.

The policies contained in National Planning Policy Framework (the Framework) and guidance in National Planning Practice Guidance (NPPG) are also material considerations which should be taken into account in the determination of planning applications. Due weight should be given to relevant policies in existing and emerging plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Framework provides that the weight to be given to an emerging draft plan is also to be determined according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The Plymouth Plan is at a relatively early stage of preparation.
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given).

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.

Additionally, the following planning documents are also material considerations in the determination of the application:

- Sustainable Design Supplementary Planning Document
- Development Guidelines Supplementary Planning Document

## **8. Analysis**

### Minor Material Amendment Application

1. This application is made under Section 73 of the Town and Country Planning Act, which allows conditions attached to a planning permission to be deleted or amended. This section of the Act is used to allow amendments to approved permissions that are minor but sufficiently 'material' to require a revised planning permission ('minor material amendments'). Such amendments are made by way of a change to the drawing numbers listed under the 'approved plans' condition

(condition 2 in the case of 15/00006/FUL). Section 73 makes clear that ‘the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted’, and shall either grant the new permission subject to revised condition(s), or if they consider that the conditions should remain the same as previously the application should be refused.

2. Where an application under section 73 is granted, the effect is to issue a new planning permission, sitting alongside the original permission, which remains intact and unamended (hence the applicant would be able to continue to construct the existing permitted scheme even if the amendments now being sought were refused). As well as any amended conditions, decision notices for the grant of planning permission under section 73 should also repeat the relevant conditions from the original planning permission, unless they have already been discharged.
3. Essentially therefore it is only those matters that the applicant is asking to be considered through the amendment application that are to be considered, although any conditions relevant to the wider consent that have not yet been discharged will be reattached to the permission. Where information required by condition has been submitted and agreed, but the relevant element has not yet been complied with on site, a reworded condition is attached to require compliance with the approved detail.
4. The proposals comprise several significant changes, as well as a number of more minor changes. Rather than consider the changes issue by issue, this report considers the proposed changes in turn, starting with the most significant ones.

#### Retaining wall design

5. Although the gabion baskets previously proposed presented the opportunity for a high quality treatment, the applicant advised that the gaps in between the gabion baskets would be used as litter traps. In addition, the wire forming the baskets would ultimately rust in the long term, requiring replacement.
6. The revised proposal comprises of concrete/reconstituted stone structural blocks designed to appear like stone. Two different colours of block would be laid in a pattern (set out in one of the submitted drawings) to give some variety resulting in a more natural appearance. Whilst the wall will have a different appearance to the previously proposed gabion solution, it has clear benefits in terms of maintenance and longevity. Officers ultimately consider that its appearance will be satisfactory, and a further benefit of the proposed change is that the system will also be used around the car park, where bare cast concrete was previously proposed. In this respect the proposed change delivers a significant improvement when considered site-wide.

#### Tree Planting

7. The previously approved plans indicatively suggested a higher number of trees to be planted around the perimeter than are now proposed. However, the landscaping (including proposed tree planting) was previously subject to a planning condition so was not prescribed in detail. A detailed scheme is now submitted in support of the planning application. It proposes 39 trees around the perimeter and at coach ramp entrance, with low ground cover planting below. The trees are considered sufficient to adequately screen views of the rear of surrounding buildings and the types of trees proposed (a variety of Oak which grows to 17-22m with a limited canopy of up to 3.5m) will provide a biodiversity benefit to this hard landscaped area of the city. The ground cover planting comprises hardy evergreens which are designed to be relatively low maintenance yet are described as ‘high flowering’ so will give an attractive finish to coach visitors and those using the shoppers car park. Overall the landscaping is considered high quality and will bring significant improvements to the appearance and biodiversity of this area.

### New Pedestrian Ramp

8. The North-South route through the site has been amended in response to comments made by consultees who had raised concerns that this route was not proposed to be fully accessible. The revised arrangement resolves this shortcoming and officers consider it a significant improvement to the scheme. In particular it will give full accessibility to Cornwall Street for car park users via the entrance adjacent number 60, close to Armada Way. The improvements to this ramp have resulted in other changes to the 'drop-off area' as set out below.

### Changes to Taxi and Other Drop-off

9. Although the number of dedicated taxi and private hire drop-off spaces has been reduced to 5, this enables a further space to have a significant kerb to the side for wheelchairs exiting taxis via a side ramp. As the spaces will be for short-term drop-off only the turnover will be high and the reduced number of spaces is considered sufficient. For the same reasons, the reduced number of wider (accessible) drop-off spaces is acceptable.
10. The applicant advises that the six regular drop-off spaces previously proposed have been removed to secure further revenue for the car park. On the basis that coach passengers can be dropped off very quickly in any of the spaces in the car park officers raise no objection to this change.

### Disabled and electric car parking spaces

11. The number of disabled parking spaces within the car park (designed for use by shoppers who hold blue badges) has been reduced from 5 to 3. The applicant points out that there is existing provision of more conveniently located blue badge spaces for shoppers on both Cornwall St and in a dedicated car park within Woolworths West. Officers agree that this level of provision is acceptable.
12. Two car parking spaces will be dedicated to electric car charging. The submitted drawing no. 29237/2001/1200B 'proposed traffic signs and road marking' suggests that these would be the two spaces in the north western corner of the site. The previous condition will be reworded to ensure the necessary charging facilities for electric car users are provided to encourage the use of such vehicles (in recognition of the benefits they bring to local air quality and in limiting CO2 emissions which contribute to climate change).

### Cycle Parking

13. The additional cycle lockers referred to in the applicant's statement did not form part of the previous permission, but were being discussed as a potential improvement to the facilities on site. Whilst it is unfortunate that these longer-stay facilities cannot be provided they cannot be insisted on by this application. However the application continues to propose 5 cycle hoops (offering sufficient parking for 10 bicycles) in the coach boarding area in a similar location to the 5 previously proposed.

### Coach access ramp

14. Although the previous scheme had been proven to be workable by way of tracking diagrams, the ramp has been splayed following feedback from the coach operators to make the site more easily accessed. Officers agree that this offers an improvement and support this change.

### Bin Stores

15. At the time of the last application, underground bin stores were being considered as a means of improving the appearance of the coach station surroundings. However, paragraph 17 to the previous committee report confirmed that these had been ruled out by the time the application was determined due to the need for a specialist collection vehicle. The application indicates that a total of 32 new bin stores are proposed (20 twin and 6 single enclosures, plus adaptations to

the alcoves at the rear of Iceland and the new City Centre library), but full details are not yet provided. A condition therefore remains necessary to secure these details.

#### Other Minor Changes

16. The proposed finish for the Coach turning area will remain subject to a condition requiring a sample for approval.
17. The external lockers were to be provided at the request of the parking services team but the main coach company does not wish to provide this service. Concerns have also been raised about their vulnerability and future maintenance liability. The lockers were not a requirement of any planning policy and no objection is raised to their loss.
18. The changes to the canopy would reduce cost by adopting straight rather than curved forms. These changes are not considered material as they will barely be noticeable on site.

#### Amended Conditions

19. The following conditions can be amended/deleted on the basis of the information submitted with this application, and following the discharge of some conditions by application 15/002299/CDM. Any conditions not listed remain the same:

1/ (Time limit for commencement): As construction of the scheme approved by 15/00006/FUL has already commenced on site, no time limit condition is required. Consequently this condition is no longer required.

2/ (Approved documents): the approved document list has been updated and additional documents listed as required (see below)

3/ (Contaminated land): sections 1, 2 & 3 of the condition were discharged by 15/02299/CDM (relevant documentation has been added to the approved documents condition). Condition reworded to control 'Unexpected Contamination' only (previously section 4)

4/ (Highway Details): the majority of details were discharged by 15/02299/CDM (relevant documentation has been added to the approved documents condition). Condition amended to request details of shared surface area. Safety and Highway aspects of highway design and construction adequately covered by separate Highway Authority processes as set out in statement submitted with application 15/02299/CDM

5/ (Noise and Air Quality Management Plan): the details were discharged by 15/02299/CDM (relevant documentation has been added to the approved documents condition). Condition retained in reworded form to ensure compliance with submitted documentation.

6/ (Code of Practice during Construction): the details were discharged by 15/02299/CDM (relevant documentation has been added to the approved documents condition). Condition retained in reworded form to ensure compliance with submitted documentation.

7/ (Surface Water Drainage Scheme): the details were discharged by 15/02299/CDM (relevant documentation has been added to the approved documents condition). Condition retained in reworded form to ensure compliance with submitted documentation.

8/ (Design Details): the condition is amended to reflect proposed use of 'Allan Block' retaining wall system in lieu of Gabion basket walls and omission of luggage lockers. Details of the fencing to be provided around the car park and coach station have also been provided with this application so these can be removed from the list of requirements.

9/ (Soft Landscape & Biodiversity): the condition is amended to reflect submission of further landscape information in support of this application

13/ (Further Environmental Improvements): The changes to the rear elevation of 165 are noted and considered acceptable, and changes proposed as part of the library application are also noted. The extension of the Allan Block system around the site is also noted as a further environmental improvement. Although a plan showing the locations for the proposed bin stores were submitted with this application, further information is required. The part of the condition that requires the bin store detail therefore remains necessary and is reattached.

15/ (Delivery of Particular Elements of Scheme): The condition remains necessary, but is subject to a minor change to reflect the fact that the blue badge spaces have reduced from 5 to 3.

16/ (Electric Car Charging): This condition has been reworded to require the delivery of car charging points on 2 of the car parking spaces as set out in the application details.

17/ (Coach Access Route): Although a revised plan submitted with the application shows coach access only from the west, this condition remains relevant as worded so is to be retained.

## 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

The use proposed is zero rated for CIL purposes so no CIL is payable.

## 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.

As reported in the previous committee report, the Highway Works proposed to ensure the safe operation of the Coach Station are proposed as part of the application and will be carried out by/on behalf of PCC as Highway Authority. Consequently no legal agreement is needed to secure these works.

The Public Protection Team has confirmed that the financial contribution of £1509.75 sought to enable air quality on Mayflower St to be monitored (for a period of 6 months prior to opening of the facility and 6 months afterwards) has already been paid, and that monitoring equipment is already in place.



## 12. Equalities and Diversities

The amendments propose improvements to accessibility across the site by way of a new ramp suitable for wheelchair use (as well as for buggies and those less able to use steps). Although there is some reduction in disabled car parking, the applicant points out that there are better located facilities elsewhere in the city centre, and that the 3 spaces retained are sufficient. On the whole the scheme therefore proposes an overall improvement in accessibility.

## 13. Conclusions

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance. The changes proposed are relatively minor and the overall benefits of the scheme to this area of the city are therefore maintained. Conditions are recommended (in a reworded manner where relevant) as set out below.

## 13. Recommendation

In respect of the application dated **07/01/2016** and the submitted drawings -Peter Brett Associates Phase I Ground Condition Assessment, August 2014, Ref: 29237/3501 (Rev: 00) (Received 08 December 2015).

-Peter Brett Associates Report on Phase I Ground Condition Assessment, September 2014, Ref: 29237/3501 (Rev 0) (Received 08 December 2015).

-Geotechnics Limited Factual Report, March 2015, Project No: Project Number: PE141163 (Received 08 December 2015).

-Peter Brett Associates Ground Investigation Report, April 2015, Ref: 29237/3501 (R002/Rev0) (Received 08 December 2015)

34024/2002/1102 Public Realm Sections (received 08 January 2016)

- Statement 'Discharge of Planning Condition Number 7 - Surface Water drainage' (dated 8 December 2015, received 11 December 2015)

- 34024/2002/501 - Proposed Drainage Schedules and Long Sections (Received 08 December 2015)

-Drainage Calculations Issued 04.01.2016 in 10yr storm only (Received 04 January 2016)

-Drainage Calculations Issued 19 June 2015 (Received 04 January 2016)

- Agent Email Providing Drainage Calculations (Received 06 January 2016)

- Agent Email Providing Hydrobrake Information (Received 06 January 2016)

- RainClean Product Literature (Received 13 January 2016)

-29237/2001/500 Rev C Updated 'Surface Water Strategy' drawing (Received 13 January 2016), it is recommended to: **Grant Conditionally**

## 14. Conditions

### CONDITION: APPROVED PLANS

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

- 2118-001 Rev 4 Existing and Proposed Site Plans
- 2118-002 Rev 3 Proposed coach station plan
- 2118-003 Rev 2 Existing and Proposed South elevation
- 2118-004 Rev 2 Existing and Proposed East Elevation
- 2118-005 Rev 2 Existing and Proposed West Elevation
- 2118-006 Rev - Existing Plans and Elevations
- 2118-007 Rev 2 Proposed Plans and Elevations
- 2118-008 Rev 3 Existing and Proposed Signage Elevations
- 2118-009 Proposed Minor Amendment plan
- 2118-010 Proposed Fencing Layout
- 2118-L90-000 Rev 3 Coach Overrun Barrier
- 2118-L-90-004 Rev 4 Pedestrian Barriers
- View 1 Sheet Rev A 3D visual of coach station
- View 2 Sheet 3D visual of coach station internal unit
- View 3 Sheet Rev A 3D visual of coach station canopy
- 29237/2001/101A Topographical survey
- 29237/2001/2700B Existing Utilities
- 29237/2001/100 Location Plan
- 29237/2001/102D General Arrangement
- 29237/2001/103B Contour Plan
- 29237/2001/104A Cross sections
- 29237/2001/105B Proposed access routes
- 29237/2001/106B Vehicle swept area
- 29237/2001/107B Vehicle swept area
- 29237/2001/108B Visibility splays
- 29237/2001/109A Vehicle swept paths
- 29237/2001/110B Future Responsibility Plan
- 29237/2001/1100B Paved areas and surface finishes
- 29237/2001/1300B Street Lighting classes and CCTV
- 29237/2001/500B Drainage Water Strategy
- 150/1 Rev B External Works Planting Plan
- 150-2 New Trade waste bin enclosures measures

051-08 Allan Block retaining wall visual options

150-10 Vertical Bar steel railing detail

-Peter Brett Associates Phase I Ground Condition Assessment, August 2014, Ref: 29237/3501 (Rev: 00) (Received 08 December 2015).

-Peter Brett Associates Report on Phase I Ground Condition Assessment, September 2014, Ref: 29237/3501 (Rev 0) (Received 08 December 2015).

-Geotechnics Limited Factual Report, March 2015, Project No: Project Number: PE141163 (Received 08 December 2015).

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- Agent Email Providing Hydrobrake Information (Received 06 January 2016)

- RainClean Product Literature (Received 13 January 2016)

-29237/2001/500 Rev C Updated 'Surface Water Strategy' drawing (Received 13 January 2016)

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.

#### CONDITION: REPORTING OF UNEXPECTED CONTAMINATION

(2) 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.

### **Pre-commencement Conditions**

#### **PRE-COMMENCEMENT: HIGHWAY DETAILS**

(3) The proposed paved areas and surface finishes shall be completed in accordance with the details set out on approved drawing 29237/2001/1100B unless alternative details are submitted to and approved in writing by the Local Planning Authority.

Details of the construction and surface treatment of the proposed shared surface area to the southern perimeter road shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of this part of the works. The works shall be completed in accordance with that approval prior to the first use of the Coach Station hereby approved unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To provide a road and footpath pattern that secures a safe and convenient /environment and a satisfactory quality of public realm in accordance with Policies CS28 and BCS34 of the Plymouth Local Development Framework Core Strategy 2007.

## COMPLIANCE: NOISE AND AIR QUALITY MANAGEMENT PLAN

(4) The Coach Station hereby approved shall be operated in accordance with the measures set out in the Noise and Air Quality Management Plan 'Peter Brett Associates: PCS - Condition 5 - Noise and Air quality management plan Rev 2.pdf

(24/12/15)' submitted with application 15/02299/CDM on an ongoing basis unless an alternative plan is submitted to and approved in writing by the Local Planning Authority (in which case the facility shall be operated in accordance with that approval).

### Reason:

To protect the site and its immediate surroundings from pollution in the form of noise and vehicle emissions in order to ensure a reasonable environment for users of the facility and for existing residential occupiers, and to ensure that future development introducing uses sensitive to such pollution is not deterred by the proposal, in order to comply with policies CS22 and CS34, and Area Vision 3 (City Centre) of the adopted City of Plymouth Core Strategy Development Plan Document 2007, and the National Planning Policy Framework 2012.

## COMPLIANCE: CONDITION: CODE OF PRACTICE DURING CONSTRUCTION

(5) Construction of the development shall be carried out in accordance with the construction management plan 'South West Highways: 2015 12 23 - Const Phase HS Plan A.pdf (23/12/15)' submitted with application 15/02299/CDM.

### 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 .

(6) The surface water drainage system for the development hereby approved shall be constructed in accordance with the details approved by application 15/02299/CDM (including plan 29237/2001/500B approved by this consent) prior to the first use of the development hereby approved (unless alternative details are first submitted to and approved in writing by the Local Planning Authority) and shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

### Reason:

To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development in accordance with the requirements of Policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007

## BEFORE ELEMENT COMMENCES: DESIGN DETAILS

(7) Full details of the following external parts of the scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant part of the scheme. The works shall thereafter be carried out in accordance with that approval prior to the

first use of the Coach Station hereby approved unless an alternative timetable is agreed in writing in advance by the Local Planning Authority:

- a. Allan Block retaining wall system (Sample)
- b. Access ramp to rear of 165 Armada Way
- c. Canopy,
- e. Barrier to coach access ramp
- f. External seating,
- h. Information screens
- i. Signage,
- j. Shop fronts to front and rear
- k. Granite paving sample
- l. Kerb edge sample to granite paving areas
- m. Edgings to planting area
- n. Coach apron surface samples

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

#### BEFORE ELEMENT COMMENCES: SOFT LANDSCAPE & BIODIVERSITY

(8) Further details of proposed soft landscape works and a programme for their implementation shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance that approval (and in conjunction with the drawings hereby approved) prior to the first use of the Coach Station hereby approved unless an alternative programme is agreed in writing in advance by the Local Planning Authority. These details shall include:

- b. 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 (as relevant).
- D. Details of how the scheme will deliver a net on-site gain in biodiversity, and if this is not achieved through planting, other means of delivering biodiversity gain (for example bird boxes or similar)
- e. Landscape Management Plan detailing how each element will be managed and maintained, and including a commitment to replace any dead or defective planting stock for a period of 5 years.

Reason:

To ensure that satisfactory soft landscape works and biodiversity gains are delivered in accordance with Policies CS18, CS19 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

## BEFORE ELEMENT COMMENCES: KITCHEN EXTRACT EQUIPMENT

(9) No mechanical extract equipment required in association with cooking on the premises shall be installed on the premises unless details of the equipment are first submitted to and approved in writing by the Local Planning Authority. Details shall include position on the building, visual appearance, details of hours of operation of the equipment, details of noise levels, odour control measures, and the manufacturer's instructions along with a description of the cooking equipment proposed.

Any mechanical extract equipment shall be provided in accordance with the details approved prior to the use of any cooking equipment that requires the equipment, and shall thereafter be maintained in accordance with that approval. The noise emanating from equipment (LAeqT) shall not exceed the background noise level (LA90) by more than 5dB, including the character/tonalities of the noise, at anytime as measured at the façade of the nearest residential property.

### Reason:

In the absence of details of a mechanical extract system to protect the residential and general amenity of the area from odour emanating from cooking activity in accordance with the requirements of policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, the site is suitable only for the preparation of simple types of food which do not require mechanical extract equipment unless details are first submitted to the Local Planning Authority for review and approval.

## BEFORE ELEMENT COMMENCES: AIR CONDITIONING EQUIPMENT

(10) No condensers or other equipment required in association with air conditioning/climate control within the premises shall be installed unless details of that equipment are first submitted to and approved in writing by the Local Planning Authority. Details shall include position on the building, visual appearance, details of hours of operation of the equipment, details of noise levels, and the manufacturer's instructions.

Any equipment shall be provided in accordance with the details approved prior to its use at the premises, and shall thereafter be maintained in accordance with that approval. The noise emanating from equipment (LAeqT) shall not exceed the background noise level (LA90) by more than 5dB, including the character/tonalities of the noise, at anytime as measured at the façade of the nearest residential property.

### Reason:

To enable consideration of the impacts of any air conditioning equipment which may be required in future to protect the residential and general amenity of the area in accordance with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

## **Pre-occupation Conditions**

### **PRE-OCCUPATION: SAFETY AND SECURITY**

(11) Full details of the package of proposed safety and security measures for the site shall be submitted to and approved in writing by the Local Planning Authority, and provided in accordance with that approval prior to the first use of the Coach Station hereby approved unless an alternative programme is agreed in writing in advance by the Local Planning Authority. These details shall include:

- a. External artificial lighting for all areas of the site, including location and appearance of all light fittings, luminance levels (including details which demonstrate that lighting levels will not be harmful to the amenity of any surrounding occupiers), and where appropriate timing of use/means of control
- b. CCTV system, including details of camera locations and coverage and monitoring, management and maintenance arrangements
- c. Help button, including details of operation and response, management and maintenance arrangements

Reason:

To ensure that the site is safe and secure for all users at all times in accordance with policy CS32 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 58 and 69 of the National Planning Policy Framework 2012.

### **PRE-OCCUPATION: FURTHER ENVIRONMENTAL IMPROVEMENTS**

(12) Details of proposed arrangements to screen existing commercial waste receptacles shall be submitted to and approved in writing by the Local Planning Authority, and thereafter provided in accordance with that approval prior to the first use of the Coach Station hereby approved.

Reason:

To improve the visual amenity of the area and improve the visitor arrival experience in accordance with Policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

### **PRE-OCCUPATION: SIGNAGE AND WAYFINDING STRATEGY**

(13) Details of a package of vehicular and pedestrian directional signage and wayfinding measures shall be submitted to and approved in writing by the Local Planning Authority and provided in accordance with that approval prior to the first use of the Coach Station hereby approved unless an alternative timetable is agreed in writing in advance by the Local Planning Authority. The measures could include creative wayfinding measures such as public art interventions as well as traditional signage.

Reason:

To ensure that the facility is easy to find and that visitors arriving at the facility can readily access other parts of the city to satisfy relevant parts of policies CS02, CS06, CS28, CS34, of the Plymouth Local Development Framework Core Strategy 2007, policy CC03 of the Plymouth Local



Development Framework City Centre and University Area Action Plan (2006-2021) 2010, and paragraphs 30, 58, and 69 of the National Planning Policy Framework 2012.

#### **PRE-OCCUPATION: DELIVERY OF PARTICULAR ELEMENTS**

(14) The following elements shall be provided in accordance with the details shown on the drawings hereby approved prior to the first use of the relevant part of the scheme unless alternative details are first submitted to and approved in writing by the Local Planning Authority. The relevant part of the scheme shall be permanently maintained and remain available for its intended purpose in accordance with that approval and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Prior to first use of the coach station:

- a. Cycle parking stands
- b. Taxi/private hire drop off spaces within car park area
- c. Other drop off and pick up spaces (to be clearly signed as such)
- d. Blue badge space adjacent rear entrance to 165 Armada Way

Prior to first use of the car park:

- e. 3 no. blue badge parking bays

Reason:

To ensure that the development is accessible by a range of transport modes to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

#### **Other Conditions**

(15) A scheme for the provision of electric car charging points for the shoppers' car park shall be submitted to and approved in writing by the Local Planning Authority and provided in accordance with that approval prior to the first use of the new car park hereby approved.

Reason:

In accordance with policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 35 of the National Planning Policy Framework.

#### **CONDITION: COACH ACCESS ROUTE**

(16) Coaches shall access and egress the site via the preferred route from Western Approach unless exceptional circumstances (such as highway closures) dictate otherwise, or unless an alternative route plan has first been submitted to and approved in writing by the local planning authority.

## Reason:

In accordance with policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and policies CC04 and CC06 of the Plymouth Local Development Framework City Centre and University Area Action Plan (2006-2021) 2010 in the interests of pedestrian and highway safety within the city centre and because the air quality impacts of regular coach access via Mayflower St from the east have not been fully assessed.

## Informatives

### INFORMATIVE: TRAFFIC REGULATION ORDERS

(1) Traffic Regulation Orders will be required in order to implement and enforce the proposed one way street in Mayflower Street and the proposed alterations to parking controls within the public highway. The applicant should contact Plymouth Transport and Highways in order to initiate the necessary procedures.

### INFORMATIVE: ADVERTISING

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

### INFORMATIVE: CONDITIONAL APPROVAL

(3) 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] and has negotiated amendments to the application to enable the grant of planning permission.

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

(4) The Local Planning Authority has assessed that this development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to its size or nature, under our current charging schedule. The Levy is subject to change and you should check the current rates at the time planning permission first permits development (if applicable) see [www.plymouth.gov.uk/cil](http://www.plymouth.gov.uk/cil) for guidance.

(5) You are hereby advised, if submitting a revised surface water drainage scheme for the scheme as required by condition 7 attached to this approval, to consult South West Water who are carrying out an Integrated Urban Drainage (IUD) study which covers this catchment which is identifying locations to take surface water out of the combined drainage system. Information about this study can be obtained via Richard Behan (SWW) and Alex Midlen (PCC). You are also advised to discuss your proposals with to the City Council's Principal drainage engineer Mr Andy Cottam (01752 398064). Please also note that the Environment Agency also queried whether project is able to make a 'reasonable and proportionate contribution' towards the development of an improved surface water drainage network for this part of the city.