

PLANNING APPLICATION REPORT



Application Number	16/00028/FUL	Item	03
Date Valid	11/01/2016	Ward	St Peter & The Waterfront

Site Address	DERRYS DEPARTMENT STORE, 88 ROYAL PARADE, PLYMOUTH		
Proposal	Partial demolition, change of use and extension of building to provide 500 student bedrooms with ancillary facilities, a hotel (Class C1) and 3161sqm of flexible commercial floorspace in use class A1, A2, A3, A4, A5 and/or D2 and associated works		
Applicant	Thames Bank Property Company Ltd		
Application Type	Full Application		
Target Date	11/04/2016	Committee Date	Planning Committee: 07 April 2016
Decision Category	Major - more than 5 Letters of Representation received		
Case Officer	Simon Osborne		
Recommendation	Grant conditionally subject to S106 Obligation - approval subject to the completion of a S106 agreement delegated to Assistant Director for Strategic Planning and Infrastructure to refuse if not signed by target date (11th April 2016) or other date agreed through an extension of time.		

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1. Description of site

The site is located at Derry's Cross in the Southwest area of the City Centre. It comprises a perimeter block of two buildings of varying height comprising of the four storey plus basement Derry's Department store in a predominately art deco style completed in 1962, and the three storey Riley's building in a more modern composition, with stone flank walls and infill curtain wall glazing.

The site is approximately 0.61ha in size with a total floor area of 20,850sqm GIA, of which approximately 13,850sqm GIA is the former department store.

The site overlooks the landscaped Derry's Cross roundabout and the Theatre Royal, Grosvenor Casino. It is bounded by Raleigh Street, Royal Parade, Courtenay Street and New George Street.

2. Proposal description

Partial demolition, change of use and extension of building to provide 500 student bedrooms with ancillary facilities, a hotel (Class C1) and 3161sqm of flexible commercial floorspace in use class A1 (shops), A2 (Financial and Professional Services), A3 (Restaurants and Cafes, A4 (Drinking Establishments), A5 (hotfood takeaways) and/or D2 (assembly and leisure) and associated works.

The student provision comprises 500 student beds in a range of cluster flats and studio rooms, which are centred on large internalised courtyards providing outlook for the residents. Complementary uses have also been accommodated within the building for use by the occupants and include a gym, cinema and laundry area.

The whole ground floor and part of the basement level (below the current Argos unit) are proposed as flexible retail Class A1/A2/A3/A4/A5 and gym Class D2 uses.

The Riley Building block would be converted to a 100 room Hotel, with flexible A1-A5 and D2 uses to the ground floor. The existing retail unit on Courtenay Street will be retained.

The proposal involves the provision of 4 courtyards within the building and a single storey extension setback from the existing canopy and main façade. In addition there will be a 4 storey extension above the loading bay on Courtenay Street and a two storey extension on the Rileys building fronting new George Street.

3. Pre-application enquiry

An extensive pre-application enquiry took place over a number of months where consideration was given to the proposed design internal layout, uses access and highway issues, and quality of the accommodation. The Local Planning Authority adopted a positive, collaborative approach and a number of meetings were held with the applicant. Overall, officers considered the principle of the development was acceptable although further information and details would be required to support a formal application.

The proposal was also taken to the Devon Design Review Panel during the pre-application process as detailed in section 8 below.

In addition to the pre-app process the applicant has carried out public consultation activities which according to the submitted material included: letters to key local stakeholders; letters to 863 residential and commercial properties; a preview exhibition; a public exhibition event; and the continued provision of a consultation telephone, email and Freepost address. The following key stakeholders have been engaged with as part of the pre-application consultation process:

- Plymouth City Council St. Peter & the Waterfront ward (the site ward) members;
- Leader of Plymouth City Council;

- Relevant Plymouth City Council Cabinet Members;
- Joint Chair of Plymouth City Council Planning Committee;
- Plymouth community and civic organisations;
- Local hotels;
- Theatre Royal Plymouth;
- Plymouth City Centre Company;
- Local residents; and
- Plymouth University.

4. Relevant planning history

16/00030/FUL - Partial demolition, change of use and extension of building to provide 500 student bed spaces with ancillary facilities and 3135sqm of flexible commercial floor space in use classes A1, A2, A3, A4, A5 and/or D2 and associated works – Current application.

There are various applications and permissions for various minor works to the building including advertisements, air conditioning, and shutters for example – none of which are considered relevant to this application.

5. Consultation responses

Local Highway Authority – No objections subject to conditions.

Public Protection Service – No objections subject to conditions

Natural Infrastructure Team – No objections subject to conditions

Architectural liaison officer – No objections

Economic Development Department – Support application.

Twentieth Century Society – Concerns regarding the roof extension and the changes to the Riley Building.

Urban Designer – No objections subject to conditions.

City Centre Company – No comments received.

Low Carbon team – No objections subject to conditions.

Environment Agency – still under consideration

Lead Local Flood Authority – Still under consideration

South West Water – awaiting response.

Historic England – No comments received.

Health and Safety Executive – No objections.

Public Health – No objections.

6. Representations

14 letters of objection have been received regarding this application. The issues raised are:

- Student rooms will not help to regenerate the west end. The student rooms will be vacant for several months a year.
- Hotel parking issues.
- Cinema not needed.
- This significant and historical building deserves a more ambitious reuse.
- It would be better for community/public/civic uses.
- If residential it should be a mix of market affordable and or retirement flats.
- Unlikely to encourage businesses.
- Loss of retail.
- Start the closing down of the independent quarter.
- Student market may not be sustainable.
- This is an iconic building.
- Suggestions that lease issues have caused the building to remain vacant and the Lease is due to end in 2021.
- Impact on tourism and visitor offer.
- Contrary to policy 1 and 29.5 of the Plymouth Plan and CS04 and CS05 of the Core Strategy and the City Centre area action plan.
- Anti-social behaviour.
- The site could have been the new library
- Impact of service arrangements on Argos including shutter height and layout together with construction issues.
- Inappropriate short term thinking.
- Impact of additional floor.

Non material planning issues

- No council tax and reduction in business rates

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.

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
- Planning Obligations & Affordable Housing 2nd Review Supplementary Planning Document

8. Analysis

1. This application has been considered in the context of the development plan, the draft Plymouth Plan, the Framework and other material policy documents as set out in Section 7.
2. The policies of most relevance to the determination of this application are CS01 (Sustainable Communities), CS02 (Sustainable Design), CS04 (Future Employment Provision), CS05 (Development of Existing Sites), CS06 (City Centre), CS15 (Overall Housing Provision), CS19 (Wildlife), CS20 (Sustainable Resource Use), CS21 (Flood Risk), CS22 (Pollution), CS28

(Local Transport Considerations), CS32 (Designing Out Crime), CS33 (Community Benefits/Planning Obligations) and CS34 (Planning Application Considerations).

3. The policies of most relevance from the emerging Plymouth Plan are Policy 12 (Delivering strong and safe communities and good quality neighbourhoods), Policy 15 (Meeting local housing needs), Policy 18 (Delivering sufficient land for new jobs), Policy 20 (Delivering sufficient land for new homes to meet Plymouth's housing need), Policy 29 (Place shaping and the quality of the built environment), Policy 30 (Safeguarding environmental quality, function and amenity) and Policy 42 (Improving Plymouth's City Centre).
4. The main planning considerations are the principle of the change of use, design, impact on the character and appearance of the area, highways issues, sustainability, contamination, noise and air quality. The consideration of these issues are explained in full below

Principle of Development

5. CC15 of the City Centre and University AAP supports redevelopment of the area with mixed use developments including office, residential, hotels and university uses such as student accommodation.
6. Policy CC02 of the AAP which relates to the blocks in Royal Parade recognises the need to potentially alter buildings in order to retain viable and successful uses. It states that proposals that seek to widen the use mix of buildings, introducing residential and office uses may be acceptable as long as they retain active groundfloor frontages.
7. Strategic Objective 4 of the Area Action Plan which relates to the West End and Independent District states that it supports proposals which introduce more homes and student accommodation in the West End.
8. Objective 1 of Area vision 3 (City Centre) seeks to diversify the current functions of the City Centre to give it more life outside of shopping ours including intensification of residential, office, and cultural uses. Policy CC04 of the AAP requires developments to contribute to a sustainable neighbourhood by ensuring that amongst others a well-integrated mix of housing types is delivered allowing households of a range of sizes and incomes, and people of all ages.
9. The site has stood predominantly vacant since 2010 when the core department store ceased trading. Since then a number of ancillary units have also closed and more of the site has become vacant, further impacting the vitality and viability of the area. Whilst the site would ideally be brought forward as a department store again, in view of the presence of House of Fraser, Debenhams and M&S in the city and the general downward trend of department store shopper numbers the Council's Economic Development Department considers this unlikely. In response to officer's concerns at pre-application stage the ground floor is now proposed as uses that will result in active frontages which will retain the vibrancy and vitality on this important and prominent corner within the city centre. It is considered necessary to restrict the A5 (hot food takeaways) use to one unit to ensure that there is not an over concentration of similar uses in the area and the vibrancy is maintained in accordance with policy CS06.

10. The proposed hotel would contribute to the objectives of the city and Plymouth Plan Policy 36 as it gears up to Mayflower 400 and the increase in the Visitor Economy as well as helping to address an identified under provision of hotel beds, particularly in central locations. Furthermore a 100 bed hotel would be anticipated to provide in the region of 20 jobs for local people.
11. Policy CS15 of the Core Strategy identifies that 17,250 new homes are required to be built in the city by 2021, and these are required to meet the current and future needs of the population including students.
12. The Emerging Plymouth Plan continues to welcome and support the Universities within the City and the student population. Policy I identifies that it is important that every student feels welcome and has access to quality accommodation near their place of study. Policy 15 supports purpose built student accommodation in the form of cluster flats and studio developments where these are in locations close to the education establishment, support wider regeneration objectives, are acceptable in terms of impact on their existing residential areas, and which provide decent accommodation with support facilities.
13. The application site is in relatively close proximity to the main University Campus which is located within 10-15 minutes walking distance and the proposal would help to regenerate an important but mostly vacant building.
14. Some of the letters of representation received suggest it would be more beneficial for market and affordable housing to be provided in this locality. However whilst the Local Planning Authority is keen to encourage market housing to be delivered within the City Centre unfortunately developments of this nature are not forthcoming at present.
15. The implementation of planning permissions for purpose built student accommodation will however help to release market housing from the residential areas surrounding the University such as Mutley and Greenbank. The Local Planning Authority does have Council Tax data which demonstrates that there has been a reduction in the number of dwellings occupied by students, year on year, since purpose built accommodation has been delivered, and will be looking to publish this data in the summer of 2016 as part of a housing topic paper.
16. If these developments are not supported through planning policy then there could be a greater impact on the existing housing stock as the need generated from the student population would have to be met through existing housing.
17. The supporting Planning Statement submitted with the application highlights the strong need for further student housing in the City. It refers to a Knight Frank report (2015) which highlights that at the time of the report the number of beds provided by a combination of the halls of residence and the private sector schemes totals 5,120. (This figure is likely to have risen since the report was published) This represents just 21.7% of the total student population and leaves 18,470 (78.3%) of the students unable to access university or private sector accommodation. Even if the consented pipeline of development comprising 1,721 bed

spaces (at the time of the report) were to be completed, there would still be an undersupply, with 16,749 (71.0%) students still unable to access purpose built accommodation.

18. A number of concerns have been raised about the student market. The applicant has advised that whilst they are confident that there will continue to be a strong market for this form of student accommodation into the future and that a national student operator has already committed to the scheme, the proposed scheme could be reconfigured for alternative uses in the future:

- The majority of the new sub-dividing internal walls from the first floor upwards will be formed in lightweight stud construction, allowing for potential re-configurations for alternative uses.
- The proposed courtyards / light-wells would easily allow for the upper floors of the building to be re-configured for office use, for example, as the new floor-plate depths would be between 12-15 metres.
- With minimum alterations to the proposed room layouts, the scheme would also be suitable for a larger hotel and serviced apartments use.
- The proposed basement layout could be easily reconfigured as a commercial gym space and / or additional retail space and storage.
- The proposed scheme's multiple street facing lift and stair-cores would also allow for a range of different uses across the building over several floors. For example, the third and fourth floors could be re - configured as residential apartments, utilising the existing third floor terraces and proposed fourth floor set-backs for private amenity spaces.

19. Officers consider that the mixed-use nature of the development is fully compliant with Policies CS04, CS05 and CS15 of Core Strategy alongside Proposal CC02 of the City Centre and University AAP.

Housing Provision

20. When determining applications for residential development it is important to give consideration to housing supply. It should be noted that this does include student accommodation developments that result in additional dwellings to the dwelling stock i.e. cluster flats).

21. Paragraph 47 of the NPPF stipulates that “to boost significantly the supply of housing, local planning authorities should...identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”

22. Paragraph 49 of the NPPF states that “housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the

supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

23. For the reasons set out in the Authority’s Annual Monitoring Report (January 2015) Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2015-20 against the housing requirement set out in the Core Strategy which was set prior to the economic downturn. Plymouth can however identify a net supply of some 5,599 dwellings which equates to a supply of 3.1 years when set against the housing requirement as determined by the requirements of the NPPF or 2.5 years supply when a 20% buffer is also applied.
24. The NPPF (footnote 11) also specifies that to be considered deliverable, a site must be:
 25. Available to develop now
 26. Suitable for residential development in terms of its location and sustainability; and
 27. Achievable, with a reasonable prospect that homes will be delivered on the site within five years and in particular that the development of the site is viable.
28. Paragraph 14 of the NPPF states “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking.
29. For decision-taking this means:
 30. approving development proposals that accord with the development plan without delay; and
 31. where the development plan is absent, silent or relevant policies are out-of date, granting permission unless:
 32. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
 33. specific policies in this Framework indicate development should be restricted”
34. As Plymouth cannot demonstrate a 5 year supply when set against the housing requirement as determined by the requirements of the NPPF, the city’s housing supply policy should not be considered up-to-date. Paragraph 14 of the NPPF is therefore engaged and substantial weight must be accorded to the need for housing in the planning balance when determining housing applications.
35. Due to the need to accelerate housing delivery a 2 year consent rather than a 3 year consent has been secured by condition. This is in accordance with Strategic Objective 10(8) (Delivering Adequate Housing Supply) and paragraphs 10.34, 17.1 and 7.13 of the Core Strategy and Policy 46 of the Plymouth Plan.

Design

36. The application has gone through a detailed pre-application process where officers carefully considered the impact of the alterations to the existing building, particularly the roof extensions and groundfloor openings.

37. A number of representations have raised objections to the proposed roof extension including the Twentieth Century Society. Whilst their concern regarding any impact on the visual quality of this important building is shared officers consider that the removal of the oversized stair tower fronting Raleigh Street and unsightly roof plant has a positive impact on the building. The additional single storey accommodation on the roof has been continuously set-back from the roof line respecting the finely detailed composition of the existing facades.
38. The extension is expressed architecturally with champagne coloured aluminium cladding expressed with vertical fins. The aluminium cladding subtly picks up the hues of the existing stonework, but possesses a reflectivity and lightness that distinguishes it from the existing building and would not appear overly heavy compared to the stone building
39. The hotel design with additional 2 storeys with small set-backs is considered appropriate in its context within the City Centre and the articulation it provides follows the language of the main building, as does the new additional student accommodation on to Courtenay Street which again officers consider is a considerable improvement on the current situation.
40. The planned new door openings through the unique picture windows on the south and western elevations needs to be undertaken in a very sensitive manner. The existing picture windows have a minimal and elegant bronze frame set into a strong moulded granite surround. Officers recognise these openings are necessary in order to address today's requirements however they will need to pick up on this theme and attempt to replicate the minimal framing sections as closely as possible for the new head, cill and jamb profiles. The details will be carefully controlled through condition.
41. The proposal has been designed to ensure that any extraction and plant facilities can be incorporated within the building to negate the need for unsightly external extraction systems should the groundfloor uses require them.
42. At pre-application stage the proposals were also considered by the Devon Design Review Panel who overall was supportive of the proposals including the mix of uses. The applicant has amended the scheme to address comments from the panel including adding an additional storey on the New George Street element, improving wayfinding by providing communal areas with views across courtyards, and by students being given controlled access to courtyard areas.

Standard of Accommodation

43. The development will provide a range of accommodation in the form of various sized cluster flats and individual studios to appeal to a full range of students from first years to postgraduates.
44. The development provides a full range of support facilities including a dedicated reception/communal area providing access to two of the four landscaped courtyards, a student gym, student cinema, general storage laundry and cycle storage .

45. Although there is no specific planning guidance regarding student accommodation it is considered that all the student bedrooms will be of a good size, exceeding sizes within recommended Council HMO guideline. Cluster bedrooms range from 12.5 sqm to 14.4 sqm and studios range from 16.1 sqm to 17.7 sqm and will house all the required facilities. The cluster flats will be served by their own kitchen/living areas which will have high levels of glazing providing courtyard or external outlook, and will be welcoming to future occupiers.
46. The rooms facing the narrower courtyard have been designed to have offset windows to reduce direct overlooking and increase privacy. In response to concerns at pre-application the courtyards have also been reduced in depth to ensure adequate light and sunlight reaches the courtyards and fronting accommodation.
47. Officers consider the accommodation will be of a good standard and will be in accordance with Policy CS15 of the Core Strategy.

Highways

Trip Generation

48. The former Derry's Department store which occupied the majority of the site would have been a major attractor in terms of retail-related trips coming into the City Centre whilst the smaller retail units are unlikely to have been significant trip generators in their own right and more likely to form part of a linked retail trip.
49. Based upon person trip rates derived from the TRIC's database (a nationally recognised database to determine trip rates) and applying mode share data obtained from Census Data the existing uses within the building could be expected to generate in the region of 191 two-way movements during the am peak and 228 two-way trips during the pm.
50. Although the proposed development will be 'car free' with little/no dedicated car parking provision it will still generate some level of car-borne trips. However in terms of the predominant use of the building (that being the student units) it is accepted that this particular use is likely to generate very little in the way of car trips due its' highly sustainable City Centre location. Application of the person trip rates and Census Data mode share figures indicates that the proposed hotel and retail uses would generate around 92 two-way movements during the am peak and 103 during the pm. This is less than half of the number of trips associated with the current lawful use of the building and consequently the Local Highway Authority have not raised any issues in respect of trip generation.

Car Parking

51. Considering the highly sustainable location of the site within the City Centre Core Area (which is also well-served in terms of public car parking), very little dedicated car parking has been proposed to serve the building with just 5 dedicated spaces and 4 drop-off spaces (9 in total).
52. No car parking is considered necessary to serve the student units apart from the 4 spaces within the site which will act as drop-off/collection spaces at the beginning/end of term time. Likewise it is assumed that the ground floor retail uses would be served by existing pay and display car parks within the area (such as Theatre Royal).

53. The applicant has expressed a desire to provide some dedicated car parking to serve the hotel use which would generate its demand for such overnight. At present one option being explored with the Local Authority is changing the Traffic Order associated with the use of the Courtenay Street disabled car park to allow it to be used for pay and display purposes overnight before reverting back to disabled parking during the daytime. This would necessitate a change to the existing Traffic Regulation Order along with the installation of a Pay and Display Machine. The legislation to issue a TRO falls under the Highways Act and so cannot be agreed through a planning consent however the associated costs of these two requirements would be £8,000 and it is recommended that this be secured from the applicant through a Section 106 Agreement.

54. A further alternative would be to 'rent' spaces from PCC within the Theatre Royal car park.

55. Based upon the quantum of development proposed a total of 205 secure and covered cycle parking spaces are proposed which is considered to be acceptable and would meet the cycle parking demands arising from the development.

Layout

56. Following concerns raised by the Local Highway Authority regarding the layout of the loading bay car parking, the number of dedicated car parking spaces serving the development has been reduced slightly from 12 to 9. These changes have resulted in the creation of what is now considered to be a 'workable' car parking layout, with 5 spaces allocated to the hotel and a further 4 spaces assumed to be dedicated drop-off/collection spaces associated with the student accommodation. In view of the number of student units proposed it is considered that for short periods at the beginning and end of term time that all 9 car parking spaces be made available for drop-off/collection and that this be secured through the Parking Management Strategy.

Loading Bay

57. A loading bay in excess of 10m in length by 4m in width has been provided which is considered to be acceptable. It should be noted that Argos the existing retailer have expressed concerns regarding the amount of space provided by the new arrangements and how this could impact upon their servicing strategy. However it is considered that spaces 6-9 would function as dedicated drop-off/collection spaces and as such would only be in operation for short periods of the year. For the remainder this area should be kept clear of parked vehicles and consequently this will increase the amount of space within the loading bay area. The proposal has also been amended to overcome concerns that Argos had about the height of the loading bay openings.

Whilst an individual retailer may have concerns regarding the impact on their particular servicing strategy both the Local Highway Authority and the Economic Development Department consider the servicing arrangements are acceptable to serve the proposed commercial floorspace and therefore in planning terms officers consider the loading bay layout is acceptable.

58. The proposed hotel use is likely to result in some guests arriving by coaches. In order to cater for such PCC are looking to provide a new coach bay on Derry's Cross roundabout as part of the re-provision of coach drop-off facilities associated with the redevelopment of Bretonside Bus Station. Whilst PCC would be undertaking the necessary works this doesn't include providing the actual bus shelter. It is therefore recommended that this be funded by the developer through a S106, the total cost of which would be £15,000.

Travel Plan

59. The applicant has provided a Travel Plan which has been commented upon by the Local Planning Authority and will need to be subject to a condition. In terms of intervention measures should the agreed targets not be met, reference has been made to providing a gift voucher to be used at local cycle shops. It is recommended that this be altered to allow such vouchers to also be used for bus or rail journeys as well. This can be secured through condition.

Land Quality

60. The proposals appear to involve limited and/or no ground works and in addition, sensitive end use is restricted to above ground floor level. Given this and the location of the proposed development, Public Protection has no objections to the application in terms of contamination. However the proposal does involve creation of inner courtyard areas that will be accessible to future residents and/or occupants. The design and access details that have been submitted with the application indicates that courtyard creation will involve some further landscape design, incorporation of soft landscaping and soil import. In order to ensure landscaping and soil suitability for use, a condition is recommended that will require submission of landscape soil details and verification information.

Noise

61. The construction will create disruption and potential noise and for the people living in Colin Campbell Court and possibly to those living in Harwell Court and Morley Court. A number of flats have also recently been developed above the shops around this area. It is for this reason a detailed construction plan should be submitted for approval prior to commencement.
62. In terms of the future occupants of the development the acoustic report discusses the use of mechanical ventilation and additional glazing where necessary. The amount of externally generated noise that will be experienced inside the development will be greater on the lower floors and therefore it is recommended that BS8233:2014 is used to achieve desirable internal noise levels. A verification report should also be submitted prior to occupation secured through condition.
63. It is also recommended that a suitable management plan be formulated in order that behavioural issues from the future occupants can be addressed appropriately.

Air Quality

64. An Air Quality Assessment has been submitted with the application. The Public Protection Service agrees that the development would not create any significant adverse air quality

issues, including any potential impacts from the CHP plant. However, as the development is within an existing Air Quality Management Area and the predicted levels of NO₂, under a worst case scenario, are close to the annual mean air quality objectives, and taking into account margin of uncertainty, additional mitigation will be required in order to protect the air quality of future occupants of the development. It is therefore recommended that the windows on the first and second floors of the development are sealed shut and additional means of ventilation provided. This will be secured by condition.

Sustainability

65. The application is supported by an Energy Strategy which sets out provisions to connect to a future District Energy (DE) scheme and options to deliver CHP onsite (or alternatively an offsite contribution towards delivery of District Energy).
66. An offsite contribution to a future DE scheme is the Council's preferred approach and would (in lieu of onsite CHP) enable the development to comply fully with the City Centre AAP Policy CC05. This policy makes it clear that CS20 is relaxed in favour of CC05 in instances such as this. A contribution of £150,000 has been secured.

Biodiversity

67. The existing site entirely comprises buildings and hardstanding, there is currently little if any ecological value. The proposal includes internal courtyards, as well as green roof areas on the fourth floor roof spaces and brown roof areas over the fifth floor roof. The provision of these courtyards and biodiverse roofs will significantly improve the ecological value of the site and achieve net-biodiversity gain in accordance with policy CS18.

Drainage

68. Discussions are still taking place with South West Water and the Lead Local Flood Authority regarding potential drainage mitigation at the time of writing this report. An update will be provided in an addendum.

Other issues

69. The proposal includes the provision of bin storage space in-line with the guidance found in the development guidelines SPD. A condition has been added to ensure that this is retained for its intended purpose

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 provisional Community Infrastructure Levy liability (CIL) for this development is £0 as the development falls within the zero rated City Centre Zone.

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.

It is considered that the impact of the development requires mitigation for the following infrastructure:

- local greenspace
- playing pitch provision
- public transport use
- potential parking opportunities and
- energy consumption

It is proposed that mitigation will be achieved through the following contributions:

- £122,400 for the provision and maintenance of greenspace facilities at the Hoe
- £222,030 for the provision and maintenance of junior playing pitch facilities at Central Park
- £150,000 Towards a District Energy Network
- £4,000 for amendments to Courtenay Street off-street car park Traffic Order
- £4,000 for the installation of a pay and display machine at Courtenay Street car park
- £15,000 for the provision of a new enlarged bus shelter outside the building on Derry's Roundabout.

The applicant has agreed to pay the above contributions in full which will help to provide improved facilities for potential occupiers alongside existing residents of the City.

12. Equalities and Diversities

The student accommodation will also be provided in different formats to appeal to both undergraduate and postgraduate students of various backgrounds.

Furthermore the provision of purpose built student accommodation is likely to result in the release of traditional family accommodation within the City which will benefit a huge range of people looking for properties to both rent and purchase.

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 university continues to be key economic driver for the City and its continued success means that suitable accommodation must be secured and delivered for its students. This development will provide high quality, managed accommodation in a location within the City Centre where further activity throughout the day and evening is desired. The development will help to ensure the impact of students on traditional residential areas is reduced as existing housing stock is converted back in to family housing.

The proposed hotel would contribute to the objectives of the city as it gears up to Mayflower 400 and the increase in the Visitor Economy as well as helping to address an identified under provision of hotel beds

The student accommodation, together with a hotel and retained active groundfloor uses will contribute to the vitality and vibrancy of the area and therefore the application is recommended for approval subject to the signing of a s106 agreement.

14. Recommendation

In respect of the application dated **11/01/2016** and the submitted drawings 15015.1_S01, 15015.2 GAX.-2, 15015.1 GAX.00, 15015.2 GAX.01, 15015.2 GAX.02/, 15015.2 GAX.03, 15015.1 GAX.04, 15015.2 GAX.05

15015.1 GAX.06 15015.1 GAX.07, 15015.1 GEX.01, 15015.1 GEX.02, 15015.1 GEX.03, 15015.1 GSX.01/A, 15015.A GSX.02/A, 15015.1 GA.-2, 15015.1 GA.00/C, 15015.1 GA.01, 15015.1 GA.02/A, 15015.1 GA.03/A, 15015.1 GA.04/A, 15015.1 GA.05/A, 15015.1 GA.06/A, 15015.1 GA.07/A, 15015.1 GE.01, 15015.1 GE.02, 15015.1 GE.03/A, 15015.1 GE.04, 15015.1 GE.05/A, 15015.1 GS.01/A, 15015.1 GS.02, 15015.1 GS.03, 15015.1 GS.04 Planning Statement (December 2015), Statement of Community Engagement (December 2015), Flood Risk Assessment (December 2015), Planning Stage Acoustic Report (Hotel) ref 6987/AAR/2, Air Quality Report (J2409/2/F1), Transport Statement (Y180-003), Energy Strategy (23/12/2015), Sustainability Statement (06/01/2016), Utilities Statement (Y180-001) , Construction Traffic Management Plan (Y180-005) , Framework Travel Plan (Y180-004) , Student Management Plan Rev B (December 2015), and accompany Design and Access Statement (08/01/16 and 05/01/16), it is recommended to: **Grant Conditionally Subject to a S106 Obligation**

15. Conditions

CONDITION: DEVELOPMENT TO COMMENCE WITHIN 2 YEARS

(1) The development hereby permitted shall be begun before the expiration of two years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004, and due to concessions in Planning Obligation contributions/requirements under Plymouth's temporary Market Recovery measures.

CONDITION: APPROVED PLANS

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 15015.1_S01, 15015.2 GAX.-2, 15015.1 GAX.00, 15015.2 GAX.01, 15015.2 GAX.02/, 15015.2 GAX.03, 15015.1 GAX.04, 15015.2 GAX.05

15015.1 GAX.06 15015.1 GAX.07, 15015.1 GEX.01, 15015.1 GEX.02, 15015.1 GEX.03, 15015.1 GSX.01/A, 15015.A GSX.02/A, 15015.1 GA.-2, 15015.1 GA.00/C, 15015.1 GA.01, 15015.1 GA.02/A, 15015.1 GA.03/A, 15015.1 GA.04/A, 15015.1 GA.05/A, 15015.1 GA.06/A, 15015.1 GA.07/A, 15015.1 GE.01, 15015.1 GE.02, 15015.1 GE.03/A, 15015.1 GE.04, 15015.1 GE.05/A, 15015.1 GS.01/A, 15015.1 GS.02, 15015.1 GS.03, 15015.1 GS.04

Reason:

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

Pre-commencement Conditions

PRE-COMMENCEMENT: 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 Code of practice must

comply with all sections of the Public Protection Service, Code of Practice for construction and demolition sites, with particular regards to the hours of working, crushing and piling operations, control of mud on roads and the control of dust. All sensitive properties surrounding the site boundary shall be notified in writing of the nature and duration of works to be undertaken, and the name and address of a responsible person, to whom an enquiry/complaint should be directed. 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 for pre-commencement: To ensure that the construction phase does not unduly impact amenity of the area.

PRE-COMMENCEMENT: EMPLOYMENT AND SKILLS PLAN (ESP)

(4) No development shall take place until an ESP has been submitted to and approved in writing by the Local Planning Authority. The ESP should demonstrate how local people will benefit from the development in terms of job opportunities, apprenticeship placements, work experience and other employment and skills priorities. The ESP should cover the construction of the development. The development shall thereafter be carried out in accordance with the approved ESP unless a variation in the plan is agreed in writing in advance by the Local Planning Authority. Quarterly monitoring reports will be submitted to the Local Planning Authority, recording actual achievements against the targets outlined in the ESP. The first report shall be submitted three months after construction starts on site.

Reason:

To ensure employment and skills development in accordance with Strategic Objective 6 and Policy CS04 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and in accordance with Policy 19 of the Plymouth Plan Part One (2011-2031).

Justification for pre-commencement: To ensure that the employment and skills plan is adhered to throughout the demolition and construction of the development.

PRE-COMMENCEMENT: ACCESS (CONTRACTORS)

(5) Before any other works are commenced, an adequate road access for contractors with a proper standard of visibility shall be formed to the satisfaction of the Local Planning Authority and connected to the adjacent highway in a position and a manner to be agreed with the Local Planning Authority.

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Justification for pre-commencement: To ensure that the construction phase does not unduly impact amenity of the area.

PRE-COMMENCEMENT: SUSTAINABILITY

(6) Unless otherwise agreed previously in writing with the Local Planning Authority, prior to commencement of development a report identifying how the development has been designed to be compatible with and allow future connection to a local district heating network in line with current best practice shall be submitted to and approved by the Local Planning Authority. The development shall accord with the approved details.

Reason:

To ensure that the development is in accordance with Policy CC05 of the City Centre Area Action Plan, the draft Plymouth Plan Policy 25 and relevant Central Government guidance contained within the NPPF.

Justification for pre-commencement: To ensure that the development is compatible with and allow future access to a District Energy Network.

PRE CONSTRUCTION - FURTHER DETAILS

(7) No development shall take place until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz:

details of cill, window reveals, adaptations, openings and alterations to the existing ground floor picture windows all at a minimum scale of 1:5.

The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66, 109, 110 and 123 of the National Planning Policy Framework 2012.

PRE- CONSTRUCTION: EXTERNAL MATERIALS

(8) Prior to construction of the extensions and any new facades hereby approved details of the materials to be used in the construction of the external

surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

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

PRE-OCCUPATION: COURTYARDS LANDSCAPING

(9) unless otherwise agreed by the Local Planning Authority, the courtyards landscaping work shall not commence until a detailed courtyard landscaping scheme together with a management plan has been submitted to and approved in writing by the Local Planning Authority. The landscaping will be implemented in accordance with the approved details prior to occupation of any student units and thereafter maintained in accordance with the approved details.

Reason:

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

PRE INSTALLATION: NOISE FROM KITCHEN EXHAUST AND AIR CONDITIONING

(10) Prior to the installation of any mechanical kitchen extract ventilation system or air conditioning system, information on the equipment and installation scheme, including methods to reduce any noise caused by the operation of any proposed extract ventilation system or air conditioning system shall be submitted to and approved in writing, by the Local Planning Authority. Unless agreed in writing 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 any time as measured at the façade of the nearest residential property. The approved extract ventilation system and air conditioning system shall be implemented and installed and thereafter be operated and maintained in accordance with the manufacturers' instructions.

Reason:

To protect the residential and general amenity of the area from noise emanating from the operation of any mechanical extract ventilation system and/or air conditioning system and avoid conflict with Policy CS22 of the Plymouth Local development framework Core Strategy (2006- 2021) 2007.

Pre-occupation Conditions

PRE-OCCUPATION: CONTAMINATED LAND - LANDSCAPING

(11) Unless otherwise agreed by the Local Planning Authority, the courtyard landscaping work shall not commence until a detailed design scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health has been submitted and approved by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed objectives and design criteria, soil import criteria, timetable of works and site management procedures that will be employed to prevent cross contamination. 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 works are complete. The development shall accord with the approved details and 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 design scheme, a verification report that provides evidence and demonstrates the effectiveness of the works carried out shall be submitted and approved in writing of the Local Planning Authority prior to occupation of the development

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-OCCUPATION: NOISE STANDARDS

(12) All dwellings shall be constructed in accordance with BS8233:2014 so as to provide sound insulation against externally generated noise. The good room criteria shall be applied, meaning there must be no more than 35 Db Laeq for living rooms (0700 to 2300 daytime) and 30 Db Laeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided. Prior to any occupation of dwellings, the developer shall submit, for written approval by the LPA, a verification report proving that the dwelling meets the aforementioned criteria. The developer shall ensure a number of monitoring locations are included in the report including but not limited to flats on the first floor.

Reason:

To ensure that the proposed dwellings hereby permitted achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PRE-OCCUPATION: ACCOMMODATION MANAGEMENT

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

Reason:

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

PRE-OCCUPATION: ODOUR FROM COMMERCIAL KITCHEN EXTRACTION SYSTEMS

(14) Before the occupation and use of any commercial kitchens hereby permitted are first implemented, details of the specification and design of equipment to control the emission of fumes and smell from the premises shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the use first commences and shall be retained at all times thereafter. Any alteration or variation to the equipment should receive the written approval of the Local Planning Authority. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason:

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

PRE-OCCUPATION: AIR QUALITY

(15) Prior to occupation of the building windows on the 1st and 2nd floors of the development fronting Royal Parade shall be sealed shut and a mechanical means of ventilation shall be provided, and shall be permanently retained in that condition thereafter.

Reason:

To protect the future occupants of the development from exposure to unacceptable levels of pollution and to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PRE-OCCUPATION: PEDESTRIAN/CYCLE ACCESS

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

Reason:

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

PRE-OCCUPATION -CAR PARKING PROVISION

(17) The building shall not be occupied until the car parking area shown on the approved plans has been surfaced in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

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

PRE-OCCUPATION - CYCLE PROVISION

(18) The building shall not be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 205 bicycles to be securely parked. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PRE- OCCUPATION: PARKING MANAGEMENT STRATEGY

(19) Prior to the occupation of the building a Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The said strategy shall provide information in relation to the control and management of the car parking areas serving the building including details relating to arrangements for drop-off/collection spaces for the student accommodation at the beginning/end of each academic year.

Reason:

To ensure that adequate parking facilities are provided to serve the development (particularly in respect of the student accommodation) in order to avoid vehicles from parking on the public highway giving rise to conditions likely to cause damage to amenity and interference with the free flow of traffic on the highway which is contrary to Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

PRE-OCCUPATION TRAVEL PLAN

(20) The development hereby permitted shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The said Travel Plan shall seek to encourage staff, student and all site users to use modes of transport other than the private car to get to and from the premises. It shall also include measures to control the use of the permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the Travel Plan; and the name, position and contact telephone number of the person responsible for its implementation. From the date of occupation the occupier shall operate the approved Travel Plan.

Reason:

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

PRE OCCUPATION: BIODIVERSITY NET GAIN

(21) Further details shall be submitted to and approved in writing by the Local Planning Authority detailing how the development will achieve a biodiversity net gain. The details shall include full details of the brown roofs hereby approved together with a scheme for their management. The development shall be carried out in accordance with the approved details prior to occupation of the hotel or student accommodation hereby approved.

Reason:

To deliver net biodiversity gain in accordance with Policy CS19 of the Core Strategy and NPPF paragraphs 109 and 118.

Other Conditions

CONDITION: STUDENT USE

(22) The units of residential accommodation (not including the hotel) within the buildings shall only be occupied by students in full-time education , by a warden (who may not be in full-time education), by student delegates attending university conferences or courses during vacation periods (No such delegate shall occupy the premises for more than four weeks in any calendar year), or any registered student of any college or university , provided that the student is studying a for a qualification at Higher Education level on a course that satisfies the criteria on eligibility for council tax exemption for student occupation of premises that is in force at the date of this planning permission, or any future such criteria as apply from time to time and for no other purpose. If any occupation is required not in-line with the above a written request detailing the type and duration of the occupation required and justification for it shall be submitted to and approved in writing prior to said occupation taking place. The occupation shall then accord with the approved request.

Reason:

The proposed development has been designed for the specific use as student accommodation. It is not suited to other residential uses without substantial alterations given the limited internal space per unit to comply with policy CS34 of the Local Development Framework Core Strategy (2006-2021) 2007 and guidance in the National Planning Policy Framework 2012 .

CONDITION: BEDROOMS

(23) No more than 500 rooms at the property shall be used as bedrooms (not including the hotel). Only the rooms shown with a bed on the approved floor plans shall be used as bedrooms, unless the Local Planning Authority gives written approval to any variation of this requirement.

Reason:

The number of bedrooms proposed in the application is considered to be the maximum that can reasonably be accommodated at the site. The proposed layout, together with the use of the remaining rooms for communal facilities, has been assessed and considered acceptable in planning terms and any other arrangement would need to be assessed on its merits. This condition is in accordance with policy CS15 of the Plymouth Local Development Framework Core Strategy

CONDITION: SPECIFIED USE RESTRICTION - A5

(24) The groundfloor shall contain a maximum of one A5 unit unless agreed in writing by the Local Planning Authority.

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 and 123 of the National Planning Policy Framework 2012.

CONDITION: ACTIVE COMMERCIAL WINDOW

(25) The commercial units hereby approved on the lower and upper ground floor shall retain an active window free from any applied vinyl advertisements, curtains, display stands or any other features that could restrict views in to the premises at all times, unless otherwise previously agreed in writing.

Reason:

To maintain the character and appearance of the existing shopping frontage. In accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 61 of the National Planning Policy Framework 2012.

CONDITION: ROOF PLANT

(26) No additional roof plant, masts railings or other roof accretions shall be added to the building without the written consent of the Local Planning Authority.

Reason:

In order to ensure the building is maintained to a high quality and continues to positively contribute to the townscape in accordance with Policy CS02 and CS34 of the Local Development Framework Core Strategy (2006-2021) 2007 and guidance in the NPPF

CONDITION: DELIVERY/COLLECTION HOURS

(27) No deliveries or refuse collections shall be taken at or dispatched from the site outside the following hours; 08.00 until 18.00hrs Monday to Saturday; nor at any time on Sunday, unless agreed in writing by the Local Planning Authority.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, such as noise and to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraph 123 of the National Planning Policy Framework 2012.

CONDITION: OPENING HOURS

(28) Any non-residential uses within use classes A5 and C2 as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) hereby permitted shall not be open to customers outside the following times: 0600 - 2300 hours Monday - Sundays including Bank or Public Holidays, unless agreed in writing by the Local Planning Authority

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, including noise and disturbance likely to be caused by persons arriving at and leaving the premises, and avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 123 of the National Planning Policy Framework 2012.

USE OF LOADING AREAS

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

Reason:

To ensure that space is available at all times to enable such vehicles to be loaded and unloaded off the public highway so as to avoid:- (i) damage to amenity; (ii) prejudice to public safety and convenience, and (iii) interference with the free flow of traffic on the highway; in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

BIN STORAGE

(30) The bin storage areas shown on the approved plan shall be provided prior to the occupation of the units to which it relates. The areas will thereafter be retained for their intended use as a bin store, unless agreed in writing by the Local Planning Authority.

Reason:

To ensure that the amenity of the area is protected in accordance with policy CS34 of the Plymouth Local Development framework Core Strategy 2007.

Informatives

INFORMATIVE: STUDENT MANAGEMENT PLAN

(1) With regard to the student management plan, it is recommended that there is an appropriate selection process for tenants and that an appropriate anti-social behaviour clause is included in the tenancy agreement so that any anti-social behaviour or noise nuisance created by the tenants can be adequately addressed. Should a noise nuisance be created at the property, then action may be taken in line with statutory nuisance provisions under the Environmental Protection Act 1990.

It is also advised that the management plan should include restrictions with regard to hanging washing from windows on external elevations.

INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(2) The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)

(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.