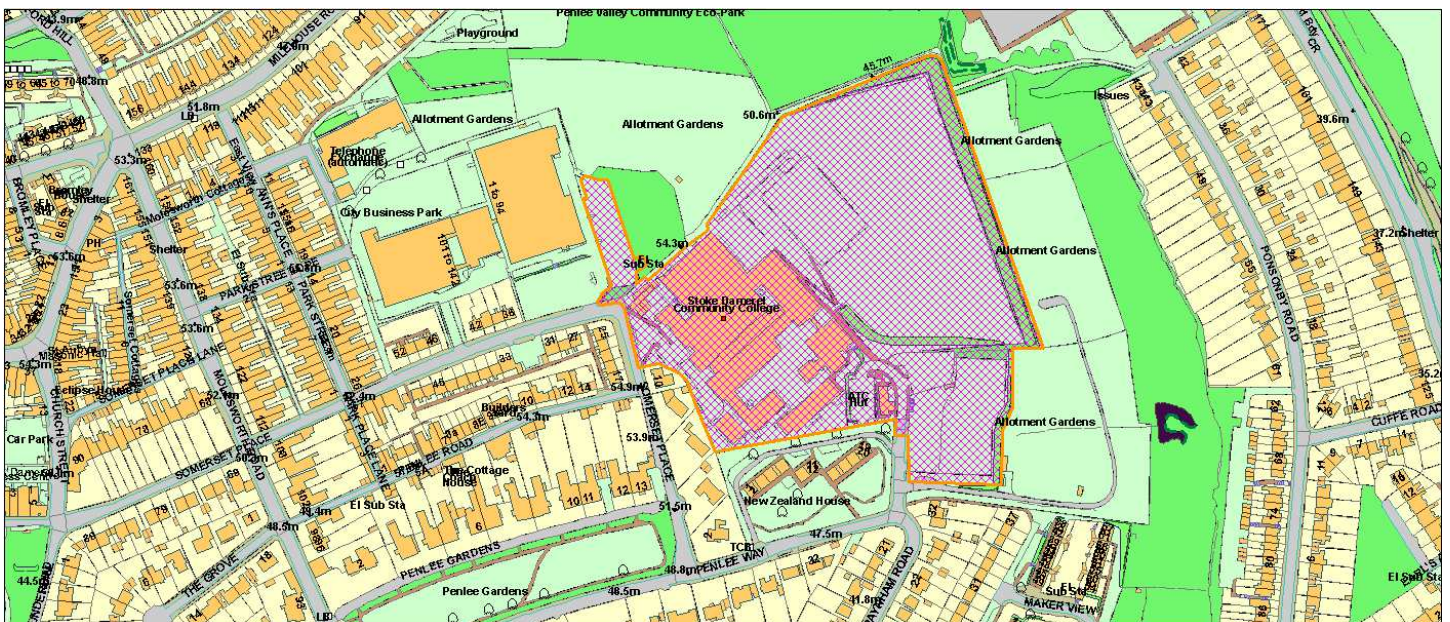


# PLANNING APPLICATION REPORT



<b>Application Number</b>	16/02229/FUL	<b>Item</b>	08
<b>Date Valid</b>	17.11.2016	<b>Ward</b>	STOKE

<b>Site Address</b>	Stoke Damerel Community College, Somerset Place Plymouth PL3 4BD		
<b>Proposal</b>	Demolition of existing educational buildings to facilitate the erection of a new 3 storey educational college specialising in medical and healthcare		
<b>Applicant</b>	Inspiring Schools Partnership		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>16.02.2017</b>	<b>Committee Date</b>	<b>09.02.2017</b>
<b>Decision Category</b>	Member Referral		
<b>Case Officer</b>	Mr Robert McMillan		
<b>Recommendation</b>	Grant Conditionally		



**The application is reported to Committee because Councillor Sam Davey called it in.**

### **1. Description of Site**

The site is on the corner of Somerset Place and forms part of Stoke Damerel Community College and part of the car park at the adjoining City Business Park. The City Business Park lies to the north west, a nature conservation area and allotments to the north. The Stoke Damerel Community College campus to the east and housing to the south and west. The site adjoins the Stoke Conservation area.

The north western part of the site comprises a single storage building with open storage. The south western part is the two storey former sixth form block. To the north east is the three storey building comprising a common room and gymnasium. To the south east is a single storey canteen. The south western part consists of a courtyard area providing access and parking.

The property immediately affected is 10 Somerset Place. This is a bungalow and well screened by a wall and fence and effective evergreen vegetation on the college site three to four metres high. Opposite the site on the other side of Somerset Place are post war bungalows.

### **2. Proposal Description**

The proposal is to demolish the former sixth form block, storage and ancillary buildings in the north west part of the site and erect a new school – the Scott Medical and Health Care College (SMHC). The small Western Power station would be relocated into the area net to the eastern part of the City Business Park (CBP) car park.

It would be three storeys dropping to two storeys at the south eastern part. The ground and first floor would be 46.5 metres long and the second floor would be 35 metres long. It would be 24m wide on the north western elevation. The three storey part would vary in height from 11.4m to 12.2m and the two storey part would be 8m tall. It would be set back at an angle from Somerset Place creating an open entrance and drop off area. The new building would join onto the existing Stoke Damerel Community College (SDCC) at the south western end but would not abut the gym and common room to the north east to create a small courtyard.

The building would have an area of 1820 sq m with 600 sq m demolished giving a net increase of 1,220 sqm. The space would provide:

- Entrance space and reception area with drop in spaces/offices;

A series of Specialist Teaching areas that could be multi functional and provide both drop in learning spaces for small groups and potentially house mock professional spaces such as a GP's Surgery and a Dentist Space for specialist learning opportunities

Health Sciences Teaching spaces with mock up teaching facilities;

- A social space;

- Laboratory and support Science Teaching Spaces;
- A Fitness Space and associated changing spaces;
- General Teaching Spaces;
- Drop in study spaces;
- Associated wc and storage facilities throughout; and
- Opportunity for an external learning space

There would be 375 students and 25 fulltime staff and 20 part time staff.

The 12 parking spaces in front of the existing buildings would be provided at the rear of SDCC accessed from Raynham Road. Part of the application site includes an area of the adjoining CBP car park. This car park would be reconfigured and 15 spaces would be allocated to the SMC.

### **3. Pre-application enquiry**

The applicant made a pre-application under the development enquiry service (DES) in August 2016. There were two meetings between the applicant's team and officers including the Council's transport consultant acting for the local highway authority followed by written advice from officers. The applicant made the application in November 2016.

#### **Statement of Community Involvement**

The applicant submitted a statement of community involvement (SCI). The first part deals with its publicity on standard and social media in the period March 2015-November 2016. It held meetings with the City Business Park manager and tenants and "local opinion formers". They commented on the improved behaviour of the students. While not endorsing or objecting to the proposal they voiced their concerns on traffic and parking.

A public exhibition was held in the school in October. 15 people attended. The applicant sent a newsletter to more than a 100 residents and local members informing them of the project and the exhibition could be seen over part of half term. Seven questionnaires were returned. Four supported the proposal. Three felt it was in the wrong place. All seven wanted SDCC to coordinate discussions to ease local parking concerns, traffic management and issues of congestion at drop off and pick up times.

There was a meeting with seven local residents in November. Many comments related to anti-social behaviour of students. They were concerned about parking and access particularly in Park Street and road safety. The plans were generally welcomed but one resident had concerns over the design. SDCC would take action on the anti-social matters. It arranged a meeting for January with residents and highway officers to discuss the traffic and parking issues.

### **4. Relevant planning history**

13/02328/FUL - Partial demolition of existing buildings, extension to include kitchen, dining, substation, lobby and teaching spaces, ancillary site works and temporary relocation of

prefabricated building – GRANTED – Not implemented,

13/00579/FUL - Formation of new draught lobby to main entrance of school – GRANTED.

12/00759/FUL - Replace existing aluminium windows with UPVC – GRANTED.

12/00311/FUL - Description: Installation of solar photovoltaic panels on 2 roofs of the school building – GRANTED.

11/01018/FUL - Extension of existing sports facility to provide changing rooms and associated spaces, plus dance studio and gym; internal remodelling of existing changing areas to provide new classrooms. Change of use of tennis courts to parking area and provision of a new access –GRANTED.

08/00984/FUL - Two storey extension (to provide additional dining and class room accommodation) adjacent to Somerset Place frontage – GRANTED

07/02128/FUL - Installation of temporary classroom – GRANTED.

04/00982/FUL - Erection of two storey classroom block, covered walkway and two storey glazed entrance – GRANTED.

03/01873/FUL - Provision of artificial turf sports pitch area with floodlighting and security fencing, at rear of College (following site re-grading – GRANTED.

## **5. Consultation responses**

### **Local Highway Authority**

No objections subject to conditions on: details of replacement parking, details of City Business Park parking spaces, construction management plan, surfacing of entrance and cycle provision. Detailed comments are included in the Analysis section of the report.

### **Public Protection Service**

No objection subject to the ground contamination condition.

### **Lead Local Flood Authority**

Any comments to be reported in the addendum report.

### **Natural Infrastructure Team**

No objection subject to conditions on biodiversity and a landscape management plan

### **Historic Environment Team**

No objection subject to conditions on details of natural stone and pointing. Detailed comments are included in the Analysis section of the report.

## **6. Representations**

There are 16 letters of objection raising the following points:

1. The development will make the existing traffic, on-street parking and congestion situation worse;
2. Increased danger and hazards on the surrounding roads arising from the increase in traffic and on-street parking;
3. Increase in the stagger times of arrival and departure will lengthen the times of congestion and coincide with the start and finish times at the City Business Park (CBP);
4. The drop-off area has only been used recently and causes tailbacks;
5. Queries assertions in the transport statement (TS);
6. Little history of development of the Stoke Damerel Community College (SDCC) site in the TS;
7. In 2009 other sites were being considered;
8. This is not a good site, a case of "as quart into a pint pot" as the site's development has intensified over time and has reached its limit given the inadequate access to it;
9. Development should be delayed until a more suitable site is available elsewhere that has adequate access that would cause less disturbance to residents;
10. The City Bus site should be investigated further as an alternative site;
11. Lack of strategic planning for schools;
12. Questions the need for the new school;
13. Previous travel plans (TP) at SDCC have not been monitored and lack teeth;
14. Area already suffers from pavement parking causing stress to residents and hazards for school children and residents especially the elderly and those with mobility difficulties as pedestrians are forced to walk on the roads;
15. More people using the CBP park on-street since the introduction of parking charging;
16. The extra parking is inadequate and there is no guarantee that people will use it;
17. The use of part of the CBP car park for the new college will force more of the CBP users to park on-street;

18. More cycle parking should be provided;
19. A regular minibus, walking bus and cycle bus should be provided from nearby car parks such as Home Park and the Life Centre;
20. If this site is not satisfactory it shouldn't development be delayed until a suitable site is available;
21. Development should be delayed until measures have been introduced to improve the current parking and traffic problems perhaps with a residents parking scheme (RPS);
22. The TP does not allow for any increase in traffic;
23. If it goes ahead there could be pressures for further expansion;
24. Concern at what the SDCC masterplan would entail;
25. The College's consultation was unsatisfactory;
26. Vehicles park on yellow lines and close to junctions causing hazards;
27. At the busy times of arrival and departure congestion makes access difficult for emergency vehicles;
28. A one system might improve matters if formalised instead of being an informal arrangement;
29. School traffic should arrive via Penlee Way and not Somerset Place;
30. The use of Penlee Way and Raynham Road needs to be taken into account and the introduction of a 20 mph zone around the school should be considered to include these streets;
31. Could access be provided from Alma Road?
32. Increase in air pollution;
33. Too close to Somerset Place, it should be set back;
34. Too high and will block out sky light;
35. Colours are inappropriate and should be lighter, softer and warmer;
36. No assessment of the impact on the Victorian properties in Somerset Place;
37. Loss of trees;
38. There should be trees planted;

39. Wonders what will be conserved by this application in the conservation area;
40. Would increase noise and disturbance and anti-social behaviour of some of the students;
41. More litter bins should be provided;
42. If permission is granted conditions must have force and be legally enforceable;
43. What would the college do for the community;
44. Disappointed not to receive communication from SDCC or the Council on this proposal;
45. Learner drives use Penlee Way which at times can cause delays for other drivers;
46. Believe it could be a fait accompli;

There are two letters of support and some of the letters of objection state that they support the principle of the proposal.

## **7. Relevant Policy Framework**

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

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007). The relevant policies are: CS01 Development of Sustainable Linked Communities, CS02 Design, CS03 Historic Environment, CS14 New Educational Facilities, CS18 Plymouth's Green Space, CS19 Wildlife, CS20 Sustainable Resource Use, CS22 Pollution, CS28 Local Transport Considerations, CS32 Designing Out Crime and CS34 Planning Application Considerations.

The development plan is currently being reviewed as part of the Plymouth and South West Devon Joint Local Plan (JLP). The Plymouth Plan-Part One, which preceded the JLP, was approved by the City Council in September 2015. The JLP 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 relevant policies are: 9 Delivering the best outcomes for children, young people and families, 12 Delivering strong and safe communities and good quality neighbourhoods, 24 Delivering Plymouth's natural network, 25 Reducing carbon emissions and adapting to climate change, 26 Dealing with flood risk, 28 Promoting Plymouth's Heritage, 29 Place shaping and the quality of the built environment, 30 safeguarding environmental quality, function and amenity and 45 Plymouth's investment priorities.

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.

The relevant paragraphs are: 14, 17, 29, 32, 56-58, 60-61, 66, 72, 93, 97, 103, 109, 111, 117-118, 121, 123, 126, 128-129, 131-132 and 137

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**

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. The main issues with this application are: principle; character and appearance; impact on heritage assets; transport and parking; and effect on living conditions.

### **Background**

2 The Design and Access Statement states that:

“Scott Medical + Healthcare College (SMC) is a new Studio School proposed on the existing Stoke Damerel College site. The studio school will train healthcare and medical professionals



of the future and has been given the green light by the Government via Education Funding Agency (EFA) funding.

3 The Studio School will cater for circa 375 pupils - offering places to young people in Years 9 to 13 to develop highly-valued vocational skills for the wider healthcare sector.

4 The new Studio School is sponsored by Stoke Damerel Community College (SDCC). The studio school will be separate and distinct from SDCC, whilst taking advantage of the economies of scale of being a part of a multi-academy trust."

5 Partners who we have worked on the development for SMC include Public Health Plymouth and Plymouth University Peninsular School of Medicine and Dentistry.

#### Site selection

6 The DES states that:

"To ensure Scott College was a success, the following criteria for the proposed site location were set;

- Within a 20 minute walk of Stoke Damerel – to allow students from Stoke Damerel to join the new school
- Close enough to Stoke Damerel to allow sharing of staff and services and driving the best long term economies of scale
- Good transport links to Derriford and Plymouth University

The application to open Scott College made to the DfE was made on the basis of the school being close to the sponsor school, Stoke Damerel. The DfE recognise that successful small schools can draw on the support and economies of scale that come from a larger sponsor school close by."

7 The applicant looked at five sites: 1 City Bus Depot, and 2 its Sports and Social Club; 3 the tennis courts at SDCC; 4 City Business Park (CBP) and 5 the application site. It discounted 1-4 for various reasons. With 1 and 2 the timing and cost of the land would have delayed the project. The tennis courts posed policy objections contrary to the Framework and CS 30.4 unless suitable alternative facilities could be provided which would be difficult to achieve for feasibility and cost reasons; level and ground conditions issues; and lack of presence. The applicant investigated the CBP site in some detail. It was ruled out because of contamination and cost implications in restoring the land to an acceptable standard.

8 The application site was constrained, would involve relocating parking and cause disruption during construction. The advantages were economies of scale, no ownership or acquisition issues and improving the appearance of the area. It was on this basis that the applicant secured funding and made the pre-application.

## **Principle**

9 Paragraph 72 of the Framework gives strong support for educational development. It states:

“The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- \* give great weight to the need to create, expand or alter schools; and
- \* work with schools promoters to identify and resolve key planning issues before applications are submitted.”

10 Policy CS14 states that new school development should be well designed, well related to neighbourhood services and amenities and be easily accessible by sustainable means of travel and include where appropriate provision for community use.

11 Policies 9, 12 and 45 of the JLP all support the provision of new high quality learning and vocational educational facilities for young people to meet the needs of a growing city.

12 The site is previously developed land on a school premises. There is strong policy support for the proposal provided that it does not cause unacceptable harm to the character and appearance of the area, heritage assets, living conditions of the occupiers of nearby residents or severe transport impacts on the surrounding highway network. These matters are dealt with in the following sections.

## **Character and appearance**

13 This new development will replace the existing sixth form building and storage buildings and structures. This area is characterised by the two and three post war storey school buildings, the 20th Century CBP factory buildings and the post war brick bungalows in this part of Somerset Place. The buildings on the application do not relate well to the street scene or provide a sense of arrival. As such the area has little intrinsic architectural merit in comparison with the Victorian buildings in the wider vicinity.

14 The proposal would be taller than buildings it would replace but will be no higher than other SDCC buildings and its primarily three-storey design would add presence to the street scape even though the new building is set obliquely within the site and which lessens the impact on the street-scene. The bulk and massing is reduced by dropping down to two storeys at the south eastern end to lessen the impact on the adjoining bungalow and setting in the second floor on the north western facade to prevent a looming presence on the cycle way/footpath.

15 The contemporary design of the new building is considered to be acceptable in this context, with grey metal sheeting (two-tones) at first and second floor and two different colours render and glazing on the ground floor on the south west façade fronting Somerset

Place. The new building and front open area would add presence and provide a clear entrance to the new college. The designers will need to work with SDCC to ensure that there are adequate signs and directions to direct first time visitors to SDCC which would not have immediate access to Somerset Place but, in a careful way to avoid clutter. There is ample glazing on the frontage to the cycle way/footpath improving the surveillance and sense of security for all users of this route.

16 It is regretted that no natural materials are to be used for the new building, particularly on the south western elevation as this would have provided local distinctiveness. However the proposed boundary wall, and planters would be faced with 'grey stone'. As the wall has been designed to reflect the prevalent use of Limestone boundary walls in the Conservation Area this should ideally be local Limestone with appropriate mortar and pointing. The concrete pavements could be of a more Conservation style particularly at the main entrance where they meet the existing tarmac footway.

17 The contemporary design is considered to be acceptable which should enhance the character and appearance of this part of Stoke in accordance with Core Strategy policies CS01, CS02 and CS34, paragraphs 56-58 and 60-61 of the Framework and JLP policies 12, 29 and 30.

## **Historic environment**

### Legislation, policy and guidance

18 This application site comprises unlisted buildings adjoining the north-east side of the Stoke Conservation Area. There are listed buildings nearby, the most important for consideration being Penlee Gardens which has eleven grade II listed buildings and the nearest to this site is no 13 Penlee Gardens which is paired with no 12. Both these and the Stoke Conservation Area are designated heritage assets and the settings of these are of prime consideration from the historic environment perspective.

19 This assessment is in accordance with paragraph 129 of the Framework requiring Local Authorities to take into account the significance of any heritage asset in order to avoid, or minimise, conflict between the heritage asset's conservation and any aspect of the proposal.

20 In this case these include nearby listed buildings, and the Conservation Area as heritage assets and, importantly, their settings.

21 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in considering whether to grant planning approval (or listed building consent where relevant) for any works the local planning authority .....shall have special regard to the desirability of preserving buildings or their settings or any features of special architectural or historic interest which they possess.

22 The existing buildings to be demolished, a sixth form building and stores, are plain, rather bland, late 20th century building which have no particular features to be retained.

23 The applicant has provided a comprehensive document- Historic Environment Assessment - which identifies the features of significance within a 500m zone of consideration. It has identified the listed buildings above, and more which have been taken into consideration of this new building with regard to its impact. That assessment has identified a total of 24 heritage assets within the 500m study area surrounding the application area, which comprise the Stoke Conservation Area, a single Grade II\* Listed Building (Belmont House) and 17 Grade II Listed Buildings. There are an additional 5 non-designated heritage assets within the study area – mainly under, or overground second world war air-raid shelters. A Scheduled Monument (Mount Pleasant Blockhouse/Redoubt) located just outside of the study area was considered during the assessment for any potential compromise to its setting as it is potentially within the visible setting but is actually visually screened by layers of properties and the topography.

24 The assessment has also stated that 'Within the study area the character of development varies, and includes pairs of early-mid 19th-century villas, denser rows of later 19th-century terraced houses, semi-detached early-mid 20th-century houses, and detached later 20th Century bungalows'.

25 Chapter 12 of the Framework - Conserving and enhancing the historic environment paragraphs 129 (as outlined above), 131 and 132, and 137 are particularly relevant to this application.

26 Paragraph 131 states:

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

27 Paragraph 132 states:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

28 Paragraph 137 states that:

Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset

should be treated favourably.

29 Core Strategy policy CS03 seeks to safeguard and where possible, enhance the character and setting of heritage assets

30 The impact of the proposals on the setting of and the character of the Conservation Area, together with the impact on the setting of the adjacent grade II listed buildings in Penlee Gardens- no 13 being the nearest, have been carefully considered.

31 In addition the emerging JLP policies nos 28 and 29 carry weight:

Policy 28: Promoting Plymouth's Heritage - The City will pursue a proactive and solution-orientated approach for the conservation of the historic environment, ensuring that it is promoted as a key element of local character and distinctiveness, forms a strategic context for regeneration and development, and is conserved as part of the city's cultural offer.

32 Policy 29: Place shaping and quality of the built environment Development proposals will be required to meet good standards of design and protect and improve the quality of the city's built environment

33 Although the Stoke Conservation Area does not have a Conservation Area Appraisal and Management Plan (CAAMP) the principles of the CAAMP for adjacent areas have been applied here for assessment.

#### Impact on heritage assets

34 The impact of the proposals on the adjacent and nearest grade II listed buildings in Penlee Gardens- nos 12 and 13, have been carefully considered together with the impact on the setting and character of the Conservation Area – the aim being always to preserve or enhance the character or appearance of the area.

35 In this context the proposals for the new building and landscape treatment have been considered with regard to the criteria outlined above and found in relation to the heritage assets that:

- the effect on the setting of the grade II listed buildings nearby, and particularly Penlee Gardens and nos 12 and 13 to the south would not be adversely affected by the proposals; and
- the setting and character and appearance of the Stoke Conservation Area would not be harmed.

36 For the above reasons officers believe that the application complies with the legislation, Core Strategy policies CS01, CS02, CS03 and CS34, paragraphs 129, 131-132 and 137 of the Framework and JLP policies 29 and 30.

## **Transport and parking**

37 The Local Highway Authority (LHA) has no objection in principle to the proposal and LHA's consultant has liaised with the applicant's project team on a number of occasions to discuss the proposal and any prevalent issues that arose. The LHA is aware of the local feelings of residents regarding the transport, access and parking issues affecting the area.

38 The LHA stresses that the operation of the Stoke Damerel Community College (SDCC) is an existing secondary school having an existing impact on the local highway network. The proposed development will generate a level of new trips in its own right, in addition to the existing, and therefore a review of such trips has been carried out and appropriate mitigation measures provided where necessary. The application includes a Transport Statement and joint School Travel Plan.

39 In this instance the existing school is sponsoring the development and it is the intention of the applicant to link the proposed and existing schools by way of Travel Planning and parking review. This provides the ability of the Highway and Planning Authorities to request appropriate intervention where required for the site as a whole, albeit it would be unrealistic to expect the existing school to resolve all perceived issues in the local area as a result of this planning application.

40 The proposed building will be situated on land currently containing storage and servicing buildings associated with Stoke Damerel Community College (SDCC). These buildings will be removed to enable construction of a three storey building. The resultant changes to the current school layout, to facilitate the new build and associated access improvements, will result in the loss of 4 mini bus spaces and 10 car parking spaces, currently located at the front of the existing school. The current arrangement mixes pupils with vehicles at the schools main entrance point, which is not considered appropriate.

41 The proposed development allows the full school site to be reviewed and as such a number of car parking spaces, to replace those "lost" car parking spaces, will be provided at the main car park with access from Penlee Way / Raynham Road. This will result in an increase of parking to 12 spaces for cars, whilst the mini bus spaces will be relocated adjacent to the all-weather pitch. Any existing trips associated with these spaces are therefore effectively removed from the current access from Somerset Place. The existing parking spaces should not be closed until such time that the replacement spaces are provided and made available for use. However, if the construction coincides with the school summer holidays then this can be relaxed, subject to further discussions with the LHA.

42 The proposed school will contain up to 375 pupils with 30 new members of staff. 5 staff will be shared between the existing and proposed school. A number of students are expected to transfer from the existing school, but in time their 'spaces' will be filled by new pupils. Therefore, as a worst case, the proposal will result in 375 extra pupils attending the entire

site. The school expects 20% of its students to be on placement at any one time reducing the number of new students on-site to 300, on a daily basis.

43 In order to determine the level of traffic associated by the proposed school a review of the SDCC Travel Plan, following a survey undertaken in 2015/2016 academic year demonstrated that between 15.5 and 17.2% of pupils arrived at the school as a car passenger (depending on the year group). Due to the location of the site, and its close proximity to Public Transport services and footway /cycleway routes it is appropriate to conclude a similar split in modal shift for the new school. Furthermore the schools catchment area is mostly within 2km, due to its popularity, which will encourage non-car based travel in the main.

44 The Transport Statement (TS) indicates that the proposed school will generate 28 pupil car based arrivals, and subsequently their departure, and 12 staff car trips during the morning peak hour. This will reduce to 19 pupil car trips in the afternoon and the 12 staff trips. In order to maintain minimal trip impact the schools start and finish times are staggered from those of SDCC. This will increase the length of the arrivals and departures to the site but will effectively ensure that any associated traffic pressures would not be intensified to an unacceptable level. This approach is satisfactory and is considered appropriate as a measure to reduce the impacts of the new college. Any impacts in terms of additional trips are not considered to be severe with reference made to the paragraph 32 of the Framework.

45 It could be assumed that the removal of the existing parking spaces, at the front of the school, would remove some of their associated trips to be replaced with the new trips. Therefore not all of the trips associated with the proposed school would be additional trips on Somerset Place, when compared with the current situation.

46 The new school is required to make provision to meets its own parking demand. On-site space is limited and the applicant has therefore proposed to reconfigure the public pay and display car park, at the adjoining CBP to provide 15 parking spaces allocated to the proposed college.

47 The car park is owned by the City Council (PCC) and the applicant is negotiating with PCC and CBP to secure these spaces having agreed the principle. A car park survey was carried out which concluded that the car park was not used to its full potential during the day when at least 12 parking spaces were available. The new layout will provide a dedicated area of 15

spaces for use by the proposed college. However, the suggested layout will enable a further 7 spaces to be provided so in effect only 8 spaces will be lost. As the survey concluded that at the busiest time there were still 12 spaces available this shortfall is considered to be acceptable.

48 The car parking spaces for the college should be fully operational prior to occupation of the new college and this will be controlled by condition.

49 The proposed hard surfacing works to the front of the school will provide a drop-off area, in place of the current parking provision. This can be controlled by the school. SDCC provide staff on the street at start and finish times to offer assistance to pupils and to prevent indiscriminate parking where possible. Recently the school has increased the number of staff undertaking this role. By way of providing a managed dropping off area vehicles can be advised to turn left out of the site, following an informal one-way system from Somerset Place towards Penlee Way. The school can actively encourage such a practice.

50 Some of the letters of representation refer to a potential one-way system. The school does not operate all year round, nor at weekends, so the school traffic is limited to term time only. If it were considered necessary to provide a formal one-way system this would have to be subject to full consultation, Traffic Orders and funding. The resultant system would have to be in force all year round and would need to include the surrounding side streets to ensure drivers followed the desired route. This procedure is not considered appropriate or viable given the scale of the new proposed development. Furthermore such a proposal is not supported by all of the local residents.

51 A one-way system could increase traffic speeds as there would be no opposing flow. Any formal one-way system would need to be adhered to by all residents and businesses and could add pressure to the junction of Penlee Way and Molesworth Road.

52 The proposed entrance improvement will declutter the current arrangement, by way of removing parking, and will provide an upgraded area for students. The conflict of reversing vehicles, whilst trying to park, will be removed and the use of the space will be monitored and controlled by school staff. Its design lends itself to promote left turn when vehicles leave.



53 Additional cycle and scooter storage will be included within the overall development which in turn will help encourage sustainable travel, using these modes. In addition to these hard measures the school will promote soft measures to promote healthy choices. The ethos of the 'healthy' school will be to promote healthy living and lifestyle so sustainable travel modes will be linked to the core curriculum objectives. The applicant notes that each pupil will have a personal health and well-being plan. It is assumed that the knowledge could be transferred to the SDCC pupils and family members, which could improve sustainable travel choices, beyond that of just the proposed pupils.

54 The proposed and existing school will be subject to a joint Travel Plan. The application includes a Framework Travel Plan (FTP) which will form the basis of a comprehensive package of measures for each school. It notes that each school will be responsible for completing their own target and actions. A Travel Plan Co-Ordinator (TPC) will be appointed for the new school and the existing TPC retained from SDCC. The FTP provides actions and proposes measures to reduce to the number of car borne trips, whilst encouraging sustainable choices. There is a commitment in the FTP to provide the additional cycle storage and new scooter storage.

55 The TPC's should engage with Plymouth City Council School Travel Plan Officers, who will be able to provide guidance and support throughout the lifetime of the Travel Plan. Targets will be set and agreed and monitoring reports will need to be issued to the Council on an agreed timeframe. A key aspect of the travel plan (TP) will be the formation of a TP Working Group (TPWG) that would assist in monitoring the progress and effects of the TP. Representatives for local residents and ward members would be invited to join. The TP will be subject to a condition.

56 Due to the close proximity of the site to dwellings, SDCC and CBP the applicant will provide a Construction Traffic Management Plan to be subject to a condition.

57 Officers appreciate the measures the applicant is proposing to make to mitigate the impacts of the traffic generation and parking generated by the proposal. These will be formalised by conditions. For the above reasons officers believe that the residual cumulative impacts of the proposal would not be severe to accord with paragraph 32 of the Framework, Core Strategy policies CS28 and CS34 and JLP policy 30.

## **Living conditions**

58 The properties most affected by the proposal are the adjoining bungalow, No10 Somerset Place and the bungalows opposite Nos 17-25 Somerset Place. No 10's main aspect is south west to north east but there is one flank window facing the proposed building. There is effective screening 3-4m high on the boundary. The applicant has shown sensitivity by dropping the building to two storeys at the part closest to No 10. The two storey part is 14m from the side window and the three storey part is 18.9m from it. There are no windows at first and second floor on the south western elevation nearer to No 10. Officers believe that the living conditions for the occupier of No 10 would not be unduly harmed despite its proximity to the proposal.

59 Nos 17-25 Somerset Place are opposite the proposal. As the proposal is chamfered back from the road the distance from these bungalows varies from 21m to 33m. The building would be to the east of the bungalows. Although it would be three storeys officers believe the gap is large enough across the public road to avoid undue overlooking or over-dominance.

60 For these reasons officers believe that the proposal would not cause undue harm to the living conditions of the occupiers of adjoining and nearby properties to comply with Core Strategy policies CS01 and CS34, paragraph 17 of the Framework and policy 30 of the JLP.

## **Other matters**

### Ecology

61 The application site comprises built development and hard surfaces. The applicant carried out an Ecological Survey containing a Conservation Area Statement. No bats were seen emerging from the building having potential for roosting bats. The mitigation and enhancement measure are: the provision of two bird nesting boxes; planting of native species and removal of the non-native invasive cotoneaster plants. The nature conservation interests would be safeguarded in accordance with CS policies CS19 and CS34, JLP policies 24 and 30 and paragraphs 109 and 117-118 of the Framework.

### Residents' concerns

62 The residents' concerns relate primarily to traffic and parking issues which have been taken into account in the 'Transport and parking' section of the report. The area is primarily one of Victorian terraced houses with some narrow roads most notably Penlee Road and Park Street. There is limited off-street parking leading to on-street parking. This they state has increased since the introduction of parking charges at CBP. They experience some disruption at the arrival and departure times with SDCC. They believe that this will intensify with the proposal. Officers understand their position. However the detailed transport section sets out the measures the applicant will introduce to mitigate the impacts which will be regulated by appropriate conditions. With these in place officers do not believe that the development would have severe impacts on the local highways and area.

63 Some comments criticise the design and appearance of the development. These matters are covered in the Character and appearance and Heritage parts of the report. Officers believe that the design of the proposal is acceptable for the reasons set out in those sections.

64 Some residents stated that the applicant's consultation was inadequate. The "Pre-application" section of the report refers to the applicant's statement of community involvement. During the period of consideration of the application the applicant held another meeting with local residents on 16 January. The applicant is taking steps to maintain a dialogue with the local community and this would continue with representatives for local residents represented on the travel plan working group. This will be formalised by condition.

65 Other comments relate to the behaviour of some of the students. This is a management issue for SDCC which they are aware of and are tackling.

## **9. Human Rights**

66 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**

67 None.

## **11. Planning Obligations**

68 Not applicable

## **12. Equalities and Diversities**

69 The new college will be available for all equality groups. It would have a lift to ease access for people with disabilities. Its location serves the less advantaged areas of the city.

## **13. Conclusions**

70 The proposal is for a new studio school specialising in vocational education for the medical and health care professions widening the educational choices in the city. The principle of the development fully complies with national and local policy located on an existing school site.

71 It is a confined site but the architects have designed a modern contemporary building that would add a presence to Somerset Place and would enhance this part of Stoke next to the conservation area in accordance with CS policies CS01, CS02 and CS34, JLP policies 29 and 30 and paragraphs 56-58 and 60-61 of the Framework. Officers are satisfied that the proposal would not harm the setting of listed buildings, notably Nos 12 and 13 Penlee Gardens or the Stoke conservation area which in the immediate surroundings opposite is characterised by post war bungalows to comply with CS policies CS01 and CS03, JLP policies 28-30 and paragraphs 129, 131-132 and 137 of the Framework.

72 The contentious nature of the application that has aroused local objections is the impact of the traffic and parking associated with the proposal on the area. This is characterised by Victorian terraces with some narrow streets and the City Business Park (CBP). This impact is

pronounced at the drop-off and pick-up times. Some residents believe that these pressures would become unacceptable if the new school is allowed. The applicant is proposing measures to mitigate these impacts by: providing replacement parking for the existing school; providing additional parking for the new school at CBP; staggering the arrival and departure times; and having a robust travel plan (TP). The operation and monitoring of the TP is critical. The TP Working Group will include local residents and a ward member to maintain the dialogue with the community to deal with issues as they arise.

73 These measures will be subject to appropriate conditions and, when they are in place, officers believe that the residual cumulative impacts of the development would not be severe and would comply with CS policies CS28 and CS34, JLP policy 30 and paragraph 32 of the Framework. Officers understand the residents' concerns but believe the appropriate the transport measures would mitigate the effects of the development. The government advises that local planning authorities should give great weight to the need to create new schools. For these reasons the application is recommended for approval.

#### **14. Recommendation**

In respect of the application dated **17.11.2016** and the submitted drawings DESIGN AND ACCESS STATEMENT, TRANSPORT STATEMENT, JOINT FRAMEWORK TRAVEL PLAN, FLOOD RISK ASSESSMENT, DRAINAGE STRATEGY STATEMENT, DRAINAGE MAINTENANCE SCHEDULE, DESK STUDY AND GROUND INVESTIGATION, HISTORIC ENVIRONMENT ASSESSMENT, ECOLOGY SURVEY, LOW AND ZERO CARBON TECHNOLOGY F, ARBORICULTURAL IMPACT ASSESSMENT, TREE PROTECTION PLAN, REFUSE STATEMENT, VENTILATION STRATEGY, it is recommended to **Grant Conditionally**

#### **15. Conditions**

1) **CONDITION: COMMENCE WITHIN 3 YEARS**

The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason

:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

2) **CONDITION: APPROVED PLANS**

The development hereby permitted shall be carried out in accordance with the following approved plans: 1520-L01.01-Rev C Site Location Plan, 1520-CH-KT-L01.03-Rev E Proposed Site Plan, 1520-CH-KT-L01.04-Rev A Parking Plan, 1520-CH-KT-L01.06-Rev A Proposed Parking Strategy (2), 1520-CH-KT-L01.07-Rev B Landscape Plan, 1520-L04.19-Rev B External Materials and Landscape, 1520-CH-KT-L02.00-Rev G Ground Floor Plan, 1520-CH-KT-L02.01-Rev A First Floor Plan, 1520-CH-KT-L02.02-Rev G Second Floor Plan, 1520-CH-KT-L02.03-Rev B Roof Plan, 1520-CH-KT-L04.01-Rev C North and South Elevations, 1520-CH-KT-L04.04-Rev A Street Elevations, 1520-CH-KT-L04.02-Rev C East and West Elevations, 1520-CH-KT-L03.04-Rev A Site Section 1520-CH-KT-L03.03-Rev, A Neighbouring Property Section, SM-HYD-XX-00-DR-C-1000-P02

## Drainage Layout and 1520-CH-KT-L01.02-Rev D Existing Site Plan and Survey

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.

### 3) **PRE-COMMENCEMENT: DEMOLITION AND CONSTRUCTION TRAFFIC MANAGEMENT PLAN**

#### PRE-COMMENCEMENT

Prior to the commencement of any development hereby approved, including demolition, a detailed construction traffic management plan for the demolition and construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be demolished and constructed in accordance with the approved traffic management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during demolition and construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraph 32 of the National Planning Policy Framework 2012.

Justification

To ensure that the construction traffic management plan is approved before demolition commences to avoid undue traffic congestion and disruption to local residents.

### 4) **CONDITION: CONTAMINATED LAND**

#### PRE-COMMENCEMENT

Unless otherwise agreed by the Local Planning Authority, construction development must not commence until section 1 has been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section 3 has been complied with in relation to that contamination.

#### Section 1. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that

the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

#### Section 2. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in the replaced PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

#### Section 3. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section 1 of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with section 3.

#### Reason:

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

#### Justification for pre-commencement

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

### 5) **CONDITION: PROVISION OF DRAINAGE WORKS**

#### PRE-COMMENCEMENT

No construction development shall commence until details of the surface water drainage have been submitted to and agreed in writing by the local planning

authority. The works shall be carried out in accordance with the approved details before any part of the development is occupied.

Reason:

To ensure that adequate surface water drainage is provided to avoid the increased risk of flooding on and off site to comply with policy CS22 of the adopted City of Plymouth Core Strategy Development Plan Document, 2007 and paragraph 102 of the National Planning Policy Framework 2012.

Justification for pre-commencement

This needs to be a pre-commencement condition as there is doubt as to whether the surface water drainage can discharge into mains drainage and the details must be agreed to prevent the increased risk of flooding in the area.

6) **CONDITION: RELOCATED PARKING SPACES**

PRE-COMMENCEMENT

No development shall take place that prevents the existing car and minibus parking spaces off Somerset Place from being used until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz: relocation of parking spaces to the parking area at the rear of the school accessed from Raynham Road and the timetable for their relocation. The works and replacement parking shall comply with the approved details and timetable.

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 paragraph 32 of the National Planning Policy Framework.

Justification

To ensure that replacement parking is provided before the existing spaces are removed in the interests of highway safety and to prevent unnecessary on-street parking.

7) **CONDITION: LANDSCAPE DESIGN PROPOSALS**

PRE-DPC

No development shall take place above damp proof course level until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these

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

Reason:

To ensure that satisfactory 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.

8) **CONDITION: EXTERNAL MATERIALS**

PRE-DPC

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

Reason:

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

9) **CONDITION: RENEWABLE ENERGY**

PRE-DPC

The development shall be completed in accordance with the submitted Low and Zero Carbon Technology Feasibility Study This proposes the use of Solar Photovoltaic Cells as the preferred method of incorporating onsite renewable energy production together with the proposed installation size of 11.5kWp. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Prior to any development taking place above damp proof course level the applicant shall provide to the Local Planning Authority details of the locations



of the on-site renewable energy production methods (in this case Photovoltaic Cells) for approval in the interests of certainty. The on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the development and retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the development in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 95-97 of the National Planning Policy Framework 2012.

10) **CONDITION: MASONRY**

PRE-DPC

The new boundary wall and planter walls shall be faced with local natural stone, preferably Limestone. A sample of the masonry and pointing shall be prepared for assessment on site and approved in writing by the Local Planning Authority before development commences above damp proof course level.

Reason:

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

11) **CONDITION: CAR PARKING PROVISION**

PRE-OCCUPATION

The building shall not be occupied until the car parking area within the adjacent City Business Park car park, shown on the approved plans has been completed 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 ancillary to the use of the Scott Medical and Health College.

Reason:

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

12) **CONDITION: SURFACING OF ENTRANCE / DROPPING OFF AREA**

PRE-OCCUPATION

Before the development hereby permitted is occupied, the entrance / dropping off area adjacent to Somerset Place shall either be (a) constructed using a permeable construction or (b) hard paved and drained to a private soakaway; and shall thereafter be maintained to ensure satisfactory access to the adjoining highway, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that no private surface water or loose material is deposited onto the adjoining highway in the interests of highway safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

And; To enable vehicles to be loaded and unloaded off the public highway so as to avoid:- (i) damage to amenity; (ii) prejudice to public safety and convenience; and (iii) interference with the free flow of traffic on the highway; in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraph 32 of the National Planning Policy Framework 2012.

13) **CONDITION: CYCLE PROVISION**

PRE-OCCUPATION

The building shall not be occupied until space has been laid out within the wider school site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for at least 20 bicycles to be securely parked. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraph 32 of the National Planning Policy Framework 2012.

14) **CONDITION: TRAVEL PLAN**

PRE-OCCUPATION

The building hereby permitted shall not be occupied until the Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The said Travel Plan shall seek to encourage staff and all site users to use modes of transport other than the private car to get to and from the premises. It shall also include: measures to

stagger school start times; control the use of the permitted car parking areas; arrangements for monitoring the use of provisions available through the operation of the Travel Plan; formation of a Travel Plan Working Group to include representatives for the two colleges, local residents, Ward members and the City Business Park to meet at regular intervals to start within two months of the opening of Scott Medical and Healthcare College; and the name, position and contact telephone number of the person responsible for its implementation. The applicant should contact Plymouth Transport and Infrastructure for site-specific advice prior to preparing the Travel Plan. The occupier shall operate the approved Travel Plan permanently from the date of occupation of the development.

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.

15) **CONDITION: LANDSCAPE MANAGEMENT PLAN**

PRE-OCCUPATION

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

Reason:

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

16) **CONDITION: BIODIVERSITY**

The development shall be carried out in accordance with the Conservation Action Statement in the Ecological Survey Report dated August 2016.

Reason

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

of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraphs 109 and 118 of the National Planning Policy Framework 2012.

17) **CONDITION: TREE/HEDGEROWS TO BE RETAINED/PROTECTED**

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

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

B: If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or pruned in breach of (a) above in a manner which, in the opinion of the Local Planning Authority, leaves it in such a poor condition that it is unlikely to recover and/or attain its previous amenity value, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

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

Reason:

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

18) **CONDITION: RETENTION OF BOUNDARY VEGETATION**

The existing vegetation on the boundary with No 10 Somerset Place shall be retained to a height of 3.0-4.0 metres above ground level permanently. If any of the plants die, become diseased or are removed they shall be replaced with suitable species that can reach the height of 3.0-4.0 metres as soon as is feasible.

Reason:

To prevent overlooking to No 10 Somerset Place to protect the living conditions of the occupiers of that property to comply with policy CS34 of the adopted City of

Plymouth Core Strategy development plan document 2007 and paragraph 17 of the National Planning Policy Framework 2012.

## **Informatives**

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

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).

2) **INFORMATIVE: CONDITIONAL APPROVAL NEGOTIATION**

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 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.

3) **INFORMATIVE: TRAVEL PLAN**

The document required in connection with the Travel Plan should be based upon the Council's guidance for Travel Plans published on the Council's website and should, where possible, be created using iTRACE, an online travel plan management tool available through Plymouth Transport and Infrastructure. The applicant is advised to contact Plymouth Transport and Infrastructure prior to preparation of this document for site-specific advice on the requirements for the Travel Plan, which are likely to include:

- (a) appointment and contact details of a Travel Plan Coordinator
- (b) recommendation of the use of iTRACE
- (c) site specific targets, measures and management/monitoring plan.

4) **INFORMATIVE: PUBLIC HIGHWAY APPROVAL**

This planning permission does not authorise the applicant to carry out works within the publicly maintained highway. The applicant should contact Plymouth Transport and Highways for the necessary approval if required. Precise details of any works within the public highway must be agreed with the Highway Authority and an appropriate Permit must be obtained before works commence.

5) **INFORMATIVE: CODE OF PRACTICE**

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

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

6) **INFORMATIVE: PROPERTY RIGHTS**

Applicants are advised that this grant of planning permission does not over-ride private property rights or their obligations under the Party Wall etc. Act 1996.