

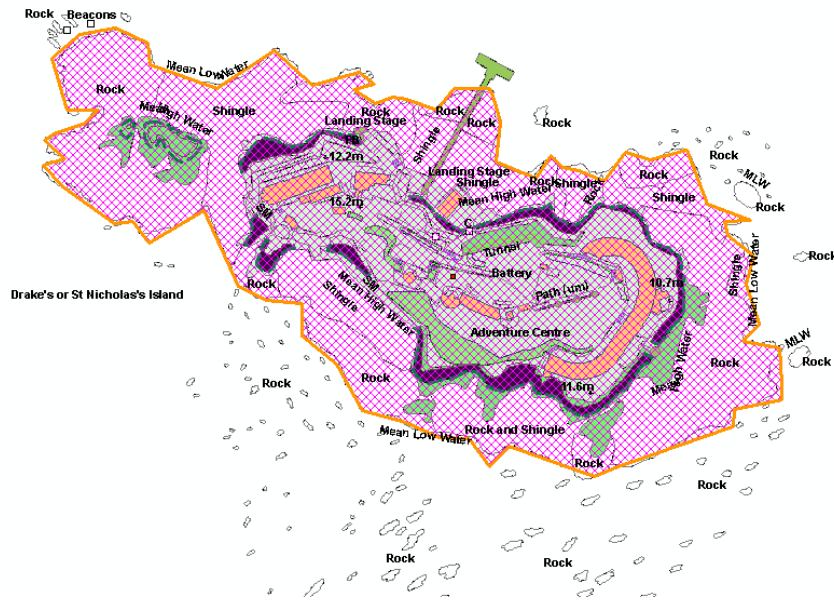
PLANNING APPLICATION OFFICERS REPORT



Application Number	17/00336/FUL
Date Valid	06.02.2017

Item	02
Ward	ST PETER AND THE WATERFRONT

Site Address	Drake's Island Plymouth		
Proposal	Hotel development including conversion of Grade II listed Island House, Barracks and Ablutions Blocks, Scheduled Ancient Monument casemated battery and landscaping, refurbishment of jetty and infrastructure works		
Applicant	Rotolok (Holdings) Ltd		
Application Type	Full Application		
Target Date	08.05.2017	Committee Date	06.04.2017
Extended Target Date	N/A		
Decision Category	Assistant Director for Strategic Planning & Infrastructure referral		
Case Officer	Mr Matthew Coombe		
Recommendation	Grant Subject to S106 Obligation with delegated authority to Assistant Director for Strategic Planning & Infrastructure to refuse if timescales are not met		



This planning application has been referred to Planning Committee by the Assistant Director for Strategic Planning and Infrastructure due to public interest reasons.

1. Description of Site

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

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

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

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

Drake's Island has significant wildlife interest and is located within the Plymouth Sound and

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

2. Proposal Description

The new scheme is very similar to the previous planning applications (14/00001/FUL & 14/00002/LBC). The key differences are that;

- i. the energy from waste plant previously proposed has been removed to address the refusal reason for the above applications in relation to impacts from emissions on the SAC, and
- ii. an off-site ecological mitigation package is included (comprising a new secured and managed site, enhanced for little egrets at Mount Edgcumbe Country Park) to address the refusal reason for the above applications in relation to impacts on Drake's Island's little egret colony and the SPA.

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

The proposed development is largely concentrated in three main areas:

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

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

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

entryway to the casemates from the access tunnel, with the aim of protecting the little egrets from noise disturbance from hotel guests.

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

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

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

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

3. Pre-application enquiry

There were no formal pre-application meetings on the current application. However, officers and Members had several meetings with the applicant and their agents from July 2016 onwards with a view to finding a positive way forward for the proposal in relation to the island's little egret colony and to address the refusal reasons for the previous planning applications (14/00001/FUL & 14/00002/LBC).

4. Relevant planning history

14/00001/FUL & 14/00002/LBC - Hotel development including conversion of Grade II listed Island House, Barracks and Ablutions Blocks, Scheduled Ancient Monument casemated battery and landscaping, refurbishment of jetty and infrastructure works – REFUSED – PLANNING APPEAL CURRENTLY IN PROGRESS (Planning Inspectorate references APP/N1160/W/16/3158601 & APP/N1160/Y/16/3158602)

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

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

5. Consultation responses

Historic England (HE)

Currently unable to support. Historic England's consultation response of 03/03/17 states that the Casemates blast screen arrangement in the current planning applications does not reflect the approach they previously agreed was acceptable. However, at the time of writing the applicant has agreed to revise the drawings to address Historic England's concerns. Historic England have confirmed that they can support the scheme when these changes are complete to their satisfaction. Officers are supporting this process and are recommending approval on the basis that the changes can be finalised and agreed in time for Planning Committee. An update will be provided in the form of an addendum report, with a revised recommendation if necessary.

Historic Environment Officer

Full comments awaited at time of writing. The Historic Environment Officer intends to produce a short comment when Historic England has issued revised comments further to revisions to the Casemates drawings being agreed as above.

Natural England (NE)

No objection – subject to conditions and planning obligations.

Natural England's initial consultation response of 28/02/17 stated that there was insufficient information on the potential impacts the proposal could have on the SAC and SPA to enable them to provide a substantive response. The information referred to was the Habitat Regulations Assessment (HRA) which officers have since provided to NE. Natural England then confirmed in their further consultation response dated 22/03/17 that they have "No objection subject to the mitigation land at Mount Edgcumbe being properly secured, maintained and monitored for little egrets for the duration of the impact in accordance with the Habitats Regulations Assessment dated 21st March 2017, which includes details of the management works proposed. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures."

Environment Agency (EA)

No objection – subject to conditions covering;

- i. the details of flood resilience and resistance measures including the marine glazing and other resistance measures for the Torpedo Room and the flood (wave action) measures for other parts of the island,
- ii. a flood management plan including the details of the flood alarm system to be used and the evacuation/non-occupation of the Torpedo Room upon the issuing of a warning,
- iii. the restriction of the future use of the Torpedo Room,
- iv. the submission of an intrusive investigation report assessing the potential risks to controlled waters from former activities on site,
- v. the appropriate management and remediation of any unexpected contamination found during construction,
- vi. the agreement of a Construction Environment Management Plan and Operational Management System before development starts and,
- vii. the details of an appropriate foul drainage system serving the development.

Local Highway Authority

No objection – subject to conditions on travel plan, parking and transfer details.

Ministry of Defence (MOD)

No objection – subject to detailed design requirements to address MOD explosive safeguarding concerns which can be controlled by condition.

Public Protection Service

No objection – subject to conditions on;

- i. land quality,
- ii. Construction Environmental Management Plan (CEMP),
- iii. outside entertainment, and
- iv. kitchen staff changing areas and welfare facilities.

Police Architectural Liaison Officer

No objection.

Marine Management Organisation (MMO)

The MMO was consulted but made no comments on this application, However, the MMO raised no objection to the previous planning applications, but requested that the applicant submit an enquiry so they can advise whether a marine license is required.

Queen's Harbour Master (QHM)

No objection. Wishes to be consulted on details which may have an impact on marine navigation, including lighting, the proposed ferry service and marine traffic related to the construction phase of the development.

Royal Society for the Protection of Birds (RSPB)

Objects. Welcomes additional measures and efforts to address outstanding risk to little egret colony posed by previous application, but retains concerns, including:

- Adequacy and attractiveness of Mount Edgcumbe off-site mitigation package, to sufficiently accommodate little egrets displaced from Drake's Island.
- Insufficient duration of management of proposed off-site mitigation.
- Efficacy of the proposals to reduce disturbance during hotel operation.

6. Representations

At the time of writing the Officer's report, only one representation has been received, which is as follows:

"The survey work on Seagrass beds is over 4 years out of date, seagrass is known to vary significantly over time and as such this survey should be updated to ensure that it meets the requirements of protecting the SAC and European Marine Site.

The planting scheme contains a significant number of non native plants new to Drake's Island. In order to ensure the continuing biodiversity of the Island and to minimise further garden escapees the planting scheme should only have native plants currently found on the island or plants found in the close vicinity [sic] of the island.

Public access should be available to the Island, there are no proposed public footpaths."

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 Plymouth and South West Devon Joint Local Plan (the JLP) will replace the Core Strategy and other Plymouth Development Plan Documents as the statutory development plan for Plymouth once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For Plymouth's current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation, with the pre-submission version formally approved by Plymouth City Council, West Devon Borough Council and South Hams District Council for a six-week period for representations, pursuant to Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations. It is also considered consistent with the policies of the Framework as well as based on up to date evidence. However, until the Regulation 19 stage has concluded, and the scale and nature of representations known, it is considered that the JLP's policies will generally have limited weight within the planning decision. The precise weight will need to be determined on a case by case basis, having regard to all of the material considerations.

The JLP contains a specific policy for Drake's Island:

Policy PLY35

Drake's Island

Land at Drakes Island is allocated for heritage-led regeneration compatible with the natural and built heritage of the site, including the provision of a new hotel and associated visitor facilities and marine/natural environment-related research and development.

Development should provide for the following:

1. Ensure no significant impact on the European Marine Site (EMS) through the provision of on-site and off-site mitigation measures designed to protect the EMS interest features and which is supported by a robust Habitats Regulation Assessment.
2. A development which respects the site's heritage assets and context, as informed by a detailed heritage character assessment to be undertaken for the proposal.
3. Beneficial renovation of the scheduled ancient monuments and listed buildings.

4. Safeguarding and enhancement of the island's features of historic, architectural and nature conservation interest.
5. Managed public access together with the provision of historic and natural environment interpretation and a public heritage trail.

JLP Policy 20 (Managing and enhancing Plymouth's waterfront) supports "improving key waterfront destinations, assets and opportunities, through a strategic approach which ensures that the waterfront's potential is fulfilled."

JLP Policy 21 (Supporting the visitor economy) supports the delivery of "new high quality hotels [...], especially on sites which reinforce Plymouth's unique assets such as its waterfront, heritage and culture, including offering views over Plymouth Sound."

The NPPF - National Planning Policy Framework (March 2012) – is a key consideration. The National Planning Policy Framework seeks to actively encourage and promote sustainable forms of development. Other material considerations include guidance in National Planning Practice Guidance (NPPG). The following planning documents are also material considerations in the determination of the application:

Core Strategy Area Vision 4 - The Hoe

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

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

The Council's objectives to deliver this vision are:

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

The following Core Strategy policies are also relevant:

CS01 - Sustainable Linked Communities

CS02 - Design

CS03 - Historic Environment

CS04 - Future Employment Provision

CS12 - Cultural / Leisure Development Considerations

CS13 - Evening/Night-time Economy Uses

CS18 - Plymouth's Green Space

CS19 - Wildlife

CS20 - Resource Use

CS21 - Flood Risk

CS22 - Pollution
CS28 - Local Transport Consideration
CS32 - Designing out Crime
CS33 - Community Benefits/Planning Obligation
CS34 - Planning Application Consideration
CS22 - Pollution

The following Supplementary Planning Documents are relevant:

- Planning Obligations and Affordable Housing Supplementary Planning Document (Second Review 2012)
- Design Supplementary Planning Document (2009)
- Development Guidelines Supplementary Planning Document (2010)

8. Analysis

1.0 This application has been considered in the context of the development plan, the approved Joint Local Plan (JLP), the Framework and other material policy documents as set out in Section 7.

2.0 Principle of Development

2.1 The proposed development is well aligned to planning policy objectives, including JLP Policy PLY35 (Drake's Island) and is considered consistent with spirit of the City Vision - to create "one of Europe's most vibrant waterfront cities". The JLP evidence base highlights the need for new high quality hotel accommodation in the city.

3.0 Impact on Historic Environment

3.1 It must be noted that the Council's responsibility as Local Planning Authority, to the historic environment on Drake's Island, extends only to the Listed Buildings and not the Scheduled Ancient Monument (for which Historic England is the authorising body).

3.2 Refurbishment of the jetty and the proposed Arrival Building are considered to have a minimal effect on the island's historic assets and will significantly improve the existing arrangements. The Arrival Building's bold angular design and associated landscaping measures are welcomed, as are the proposals for the gateway approach to the main hotel area.

3.3 With regards to the main hotel complex proposed for the Barrack Block/Island House/Ablutions Block, there are two key issues - the loss of original historic fabric and the proposal to connect the buildings to form one hotel "core". The proposal requires a significant amount of demolition of existing features and fabric, though the most significant elements to be removed are the three stairways on the southern side of the main Barrack Block. While this is regrettable, this building is only assessed as "moderate" in the Heritage Assessment and the loss is justified in both the Heritage Impact Assessment and accepted by Historic England as necessary for the viability of the development. It is therefore considered that any loss here, and with the Artillery Store, can be mitigated by recording.

3.4 The proposal to connect the buildings with a central glazed "core" is considered to be a sound approach. The front of the glazed "link block" has been pulled back into alignment with the north frontage of the Island House – responding to Historic England's request with the earlier scheme (planning applications 12/00095/FUL and 12/00099/LBC), and allowing the

building's historic elevation to be seen in full.

3.5 Both with the current and previous planning applications, there have also been significant negotiations with Historic England regarding the proposals for the Casemates building (a Scheduled Ancient Monument) – particularly with regards to the proposed loss of a number of cast iron blast shields. The applicant has sought to remove a number of historic blast shields to create larger windows (and therefore allow more natural light and wider sea views for the proposed hotel rooms within the Casemates building). Historic England was initially concerned about the number of blast shields proposed for removal. However, further to extensive negotiations during the course of the previous applications and a site visit with Historic England and the applicant's agents, a compromise was reached. Historic England suggested a hybrid solution, whereby key Casemate blast screens could remain in place, but have larger openings cut into them, subject to agreement on detail and a structural survey. Unfortunately, the Casemates drawings initially submitted with this application did not reflect the Historic England compromise. However, at the time of writing the applicant has agreed to revise the drawings to the arrangement agreed with Historic England. Historic England has confirmed that they will support the scheme when these changes are complete to their satisfaction. Officers are supporting this process on the basis that the changes can be finalised and agreed in time for Planning Committee.

4.0 Impact on Natural Environment

4.1 Drake's Island is of great importance in terms of its natural environment on-site and beyond and its redevelopment presents a complex series of challenges in this respect. Officers have worked over a long period of time to find a solution with the applicant, in recognition of the importance of Drake's Island to Plymouth and the unique opportunity presented by the proposal.

4.2 A key issue in the consideration of this planning application is the level of impact on the island's little egret colony - both during the construction and operation phase of the proposal. Little egrets roost in the trees on Drake's Island – notably in the hawthorn trees to the north of the Casemates. The little egret is a key species cited in the designation of the Tamar Estuaries Complex Special Protection Area (SPA). A large proportion of little egrets from the SPA make a long journey from their feeding sites (notably on the River Lynher) expending a great deal of energy specifically to nest on Drake's Island. Any impacts on Drake's Island's little egret colony therefore potentially impact on the integrity of the SPA.

4.3 Little egrets are protected under the Wildlife and Countryside Act 1981, and are vulnerable to a number of factors including:

- Scrub clearance/ground redevelopment
- Disturbance during construction
- Disturbance from increased human presence
- Possible permanent abandonment of the site if developed
- Lighting impacts

4.4 Protected bats are present on Drake's Island, including the Lesser Horseshoe species. The mitigation and enhancement measures proposed include a "bat fridge", a "hibernaculum" located inland opposite the Casemates at the south west corner. These

measures are considered positive and it is considered that the impact on bats can be managed appropriately.

4.5 Drake's Island is located within the Plymouth Sound and Estuaries Special Area of Conservation (SAC). There are several designated interest features of the SAC that are relevant to this application including eelgrass (also referred to as seagrass) beds. Eelgrass beds are essential to the ecological function of the SAC and provide habitat for rare and protected species such as the spiny seahorse. Most of the seagrass habitat on Drake's Island is to the north of the island around the jetty and existing moorings where visitors are likely to anchor their boats. Without proper mitigation and management, there is therefore potential for boat damage to this delicate habitat.

4.6 It should be noted that the marine works associated with the proposal, including works to the jetty, would be subject to a marine licence, which the applicant will need to obtain from the Marine Management Organisation (MMO).

4.7 Natural England (NE) has been positively engaged in the Council's work on Habitat Regulations Assessment (HRA) since its inception in November 2006. An open and constructive dialogue has been maintained throughout the process, and NE have endorsed the conclusions of all the HRAs so far completed for Plymouth's existing Development Plan Documents and Projects with the exception of the draft HRA for Drake's Island dated March 2015 which concluded after the Appropriate Assessment stage that the "project will not affect the integrity of the two Natura 2000 sites and will not result in likely significant impacts." Natural England is currently engaged in the HRA that has been developed to support the Plymouth and South West Devon Joint Local Plan.

4.8 NE were first consulted on the 2012 Drake's Island application and responded with an objection on the basis that there was insufficient information to determine impacts on the European designated sites of the Plymouth Sound and Estuaries Special Area of Conservation (SAC) and Tamar Estuaries Complex Special Protection Area (SPA). This previous application was refused at Planning Committee on the 8th January 2013 in accordance with the officer recommendation which was informed by Natural England's consultation response.

4.9 After discussions with officers and Natural England throughout 2013, the applicant re-submitted the application in January 2014. This application included much more detailed information on the habitats and species that could be impacted by the development. At the submission stage there was still however insufficient information and certainty about effectiveness on the mitigation measures that would be implemented to ensure no adverse effect on the Natura 2000 sites.

4.10 Since this time, the Council and Natural England have been working with the applicant to help them develop a comprehensive mitigation strategy to reduce potential effects on the Natura 2000 sites. The Council has a legal requirement under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) to avoid adverse effects of plans and projects on European Sites. In March and September 2015, further information was submitted by the applicant to identify how the development might progress without resulting in an adverse effect on the SAC or SPA. This information did not however enable the Council to come to a positive conclusion to the HRA and the planning application

14/00001/FUL was refused at Planning Committee on 10/03/15. In summary, the outstanding issues were the impact of the proposal on Drake's Island's little egret colony during the development's operation phase (and therefore the integrity of the SPA) and the impact of emissions from the proposed energy from waste on the SAC. The two refusal reasons were as follows:

IMPACT ON THE TAMAR ESTUARIES COMPLEX SPECIAL PROTECTION AREA (SPA)

1. The proposal is considered to have a negative impact on the integrity of the Tamar Estuaries Complex Special Protection Area (SPA) which was designated to protect features (habitats and species) under the Conservation of Habitat and Species Regulations 2010. The proposals are therefore not compliant with Policy CS19 (Wildlife) of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

IMPACT ON THE PLYMOUTH SOUND AND ESTUARIES SPECIAL AREA OF CONSERVATION (SAC)

2. The proposal has failed to demonstrate that the designated features of the Plymouth Sound and Estuaries Special Area of Conservation (SAC) will be protected during the operation of the proposed development. The proposals are therefore not compliant with Policy CS19 (Wildlife) of the adopted City of Plymouth Local Development Framework Core Strategy (2007).

4.11 The current planning application includes all the on-site mitigation proposed with the previous application. The key differences are that

- i. the energy from waste plant previously proposed has been removed to address the refusal reason for the previous application in relation to impacts from emissions on the SAC, and
- ii. an off-site ecological mitigation package is included (comprising a new secured and managed site, enhanced for little egrets at Mount Edgcumbe Country Park – a proposal proactively developed by officers, working with NE and the applicant's team) to address the refusal reason for the above applications in relation to impacts on Drake's Island's little egret colony and the SPA.

4.12 The Council has drafted an HRA on the new application. As part of this process, officers submitted a draft Appropriate Assessment to NE for comment on 28/02/17. Eight potentially likely significant effects arising from the Drake's Island development identified: Potential Likely Significant Effects on Plymouth Sound and Estuaries SAC

1. Toxic contamination of water as a result of construction activity or operational accident.
2. Physical Damage – increased threats to sub-tidal habitats by refurbishment of the Jetty, seawall, apron and new foul drainage outfall.
3. Physical Damage – increased threats to sub-tidal habitats by increased water transport to the hotel.
4. Physical Damage – increased threats to sub-tidal habitats by increased recreational pressure including anchoring, mooring and physical disturbance.
5. Physical Damage – increased threats to sub-tidal habitats by smothering with litter during construction and operation

Potential Likely Significant Effects on Tamar Estuaries Complex SPA

6. Disturbance caused by increased noise, light and visual presence associated with construction of the hotel development.
7. Disturbance caused by increased noise and visual presence as a result of increased

recreational pressure including anchoring, mooring and physical disturbance in close proximity to little egret nesting and roosting site.

8. Disturbance to roosting Little Egrets caused by increased noise, light and visual presence associated with hotel operation.

The HRA recommends conditions and mechanisms to ensure these likely significant effects have no adverse effect on the integrity of the SPA and SAC.

4.13 The HRA concludes that, with the proposed package of on and off-site mitigation measures proposed and the control mechanisms that will be put in place, there will be no adverse effects on the integrity of the Special Protection Area or Special Area of Conservation.

4.14 NE confirmed in their consultation response dated 22/03/17, that they have "No objection subject to the mitigation land at Mount Edgumbe being properly secured, maintained and monitored for little egrets for the duration of the impact in accordance with the Habitats Regulations Assessment dated 21st March 2017, which includes details of the management works proposed. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures." NE advise that "the full package of on-site and off-site mitigation measures detailed in the Habitats Regulations Assessment dated 21st March 2017, including the production and agreement of a detailed Construction Environmental Management Plan and Operational Environmental Management Plan should be secured by an appropriate planning condition or obligation to mitigate the risk of impacts on the Plymouth Sound and Estuaries Special Area of Conservation and the Tamar Estuaries Complex Special Protection Area." The relevant planning obligations and conditions are set out below accordingly.

4.15 With regards to the issue of ensuring plant species proposed in the development's landscape scheme are appropriate in terms of conservation of its natural environment; it is considered that this can be controlled by condition.

5.0 Flood Risk

5.1 In the previous version of the scheme (planning applications 14/00001/FUL and 14/00002/LBC), hotel bedroom accommodation was proposed at the lower level of the Casemates "Torpedo Room". This gave rise to an Environment Agency (EA) objection. The EA's principle concern was that sleeping accommodation was proposed in a potentially hazardous location where high energy waves carrying debris would be likely to impact upon the openings of the Torpedo Room, which is part of the island's foreshore. The EA feared that any windows, however engineered, could be broken and cause rapid flooding of the room (which has a floor level below the opening).

5.2 The EA had stated that its preferred approach for the Torpedo Room would be to leave it undeveloped. However, the EA indicated that it would accept a compromise if the use of the lower level Torpedo Room was limited to non-bedroom accommodation. This would remove the risk of people sleeping in this highly vulnerable area.

5.3 The current scheme now has revised Casemates plans, showing sleeping accommodation removed from the Torpedo Room. The EA has welcomed this amendment and officers have come to the view that, taking into account other material issues, the flood

risk sequential approach set out in the National Planning Policy Framework has been satisfied because;

- i. the most vulnerable parts of the development (i.e. in this case the bedroom accommodation) has now been located away from the area of flood risk in the Torpedo Room hotel suite,
- ii. the scheme and proposed conditions are sufficient to ensure the development will be appropriately flood resilient and resistant and access and escape arrangements, emergency planning and residual risk can be safely managed.

The EA's consultation response sets out the conditions that they consider would make the proposal acceptable, together with a set of informatives.

6.0 Transport

6.1 All access to Drake's Island will be by boat and there will be no car parking on the island. It is proposed that employees and guests will travel to the island by means of a ferry service.

6.2 The applicant's intention is that employees will be encouraged to use public transport to access the ferry departure points around central Plymouth. The applicant states that they will be provided with bus passes to facilitate this, and that employees living further afield who are unable to use local bus services will be encouraged to use rail and taxi linkage to access the ferry departure points. For those employees that cannot use public transport to access the ferry departure points (for example because of the need to transport heavy equipment or because of timing mismatches with rail timetables) the applicant proposes that a valet car parking service will be provided at both Millbay and Sutton Harbour.

6.3 The proposal is that guests will be provided with information about the opportunities for accessing the ferry departure points in a sustainable manner, whilst recognising that many guests will be travelling with luggage and/or their trips may be linked with visits to other destinations that are not easily accessible by public transport. For those guests, a valet car parking service is proposed to be operated from a 'meet and greet' point at either Millbay or Sutton Harbour. The proposal is that the service will be bookable in advance, with vehicles driven from the meet and greet point to either Millbay or the multi-storey car park at Sutton Harbour.

6.4 The applicant has submitted a Transport Statement in support of the proposal and also a draft Travel Plan for staff and customer/hotel guests alike. Although it is accepted that, due to the unique island location, there will be low levels of associated traffic on the mainland, discussions have taken place with regard to parking and transfer arrangements to the island itself.

6.5 The applicant has not fully engaged with a third party to establish a permanent parking provision for hotel guests. Day trip visitors will be able to utilise local car parks and ferry terminals to suit their needs. However, long stay parking options are somewhat limited.

6.6 A number of car parks, in proximity to public landing stages, have been identified within the Transport Statement but only one offers overnight parking opportunities, at

Barbican Approach. This car park is not only within third party ownership, but it is circa 550m away from the ferry for pedestrians and nearly 2km for vehicles, so it would not in itself be reasonable to suggest that hotel guests will use this car park (considering luggage for example).

6.7 Other options have been suggested at Mount Batten or Royal William Yard. However, both of these sites have existing parking pressures and again are not considered suitable for all long stay hotel guests, but are more appropriate for day visitors or linked trips with other local destinations.

6.8 It is noted that the applicant does not wish to obtain third party signatories to any Planning Obligation in relation to securing parking provision before any planning consent is established. This is accepted, and as such discussions have been held with the Transport Consultants, acting on behalf of the applicant, to discuss suitable options. To this end it is suggested that a condition should be attached to any consent to ensure that a suitably located car park is sourced and made fully operational prior to opening or use of any facilities on the island. The car park will need to meet the demands of long stay parking for guests and offer 24 hour safe and secure parking. Furthermore, suitable transfer provision must also be included in such a proposal to the agreed point of ferry transfer to the island.

6.9 A request has been made to allow the applicant to change the parking provision at any time with prior approval from the Council. This is considered acceptable as future City developments may enable improved parking and berthing facilities which the hotel could make better use of. Such allowance should be secured within the aforementioned suggested condition.

6.10 A technical note has also been submitted with regard to staff parking and deliveries. Again there are no firm proposals at this stage but it is accepted that such trips are likely to be minimal, in terms of impacts on the local highway. Staff will be transported to the island by provided ferry transport and it is noted that shift patterns will need to be linked to tide times. Therefore, these times will be subject to changes and will, as a result, sometimes occur outside of highway peak hours. It is in the interest of the hotel operator to ensure staff travel is provided and there is therefore no need to secure this through condition.

6.11 A staff travel plan is proposed with an incentive scheme to encourage sustainable travel to the staff ferry embarkation point.

6.12 With regard to visitors to the island, access will be restricted and controlled and any such associated mainland parking demand will be minimal.

6.13 Deliveries of goods will also be controlled, and again, an operator to provide this service will be arranged by the applicant following any planning consent. However, any such arrangements are unlikely to cause issues of parking or traffic on the mainland and the local highway network.

6.14 The Queen's Harbour Master does not object to the scheme but wishes to be consulted with regard to the detail – including of the access ferry, marine construction traffic and impact of the development's lighting on marine navigation. It is considered that this can be dealt with by condition and an informative.

6.15 Although it is unfortunate that exact details for transfer to the island cannot be secured at this time, it is accepted that a Grampian condition is appropriate to ensure such provision, in accordance with details to be submitted to and approved in writing by the Local Planning Authority, is secured prior to any use or occupation of the facilities hereby proposed. As such there are no objections to the proposal from a transport perspective.

7.0 Planning Obligations

The heads of terms in the process of being agreed are as follows:

1. Nature conservation on-site: an appropriate sum (to be agreed) towards the provision of an on-site ecological warden to manage, monitor and safeguard the site's nature conservation (including little egrets, lesser horseshoe bats and eelgrass beds) during the construction and operational phases of the development.
2. Nature conservation off-site: the total sum of £88,459 towards the creation of an off-site mitigation package which includes the provision and management of a little egret roosting area at Mount Edgcumbe.
3. Public access for non-paying guests of the hotel to the site in perpetuity which shall mean the following as a minimum;
 - a. one day per month from October to April,
 - b. one day per week from May to September, and
 - c. ten school visits per annum.
4. Provision of permanent publicly accessible areas of interpretation on the site's historic and nature conservation interests including in the Arrival Building Lobby and Casemate Feature Room.
5. Funding for the creation of a byelaw on request by the Council during the continued use of the Development to prohibit boat anchoring and mooring to prevent any damage to the seagrass beds if the owner's own monitoring and protection scheme is not effective and there is damage to the seagrass beds.
6. A mechanism to review the above contributions after three years of the operation of the development as to necessity and level in ensuring the continuity of having no adverse effects on the SPA and SAC. This review process will be led by the Council and will include Natural England.

8.0 Human Rights

8.1 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.

9.0 Local Finance Considerations

9.1 Local finance considerations are now a material consideration in the determination of planning applications by virtue of the amended section 70 of the Town and Country Planning Act 1990. In this case the development will not generate any New Homes Bonus contributions for the authority. Therefore the development plan and other material considerations, as set out elsewhere in the report, are the only matters to be taken into account in the determination of this application.

10.0 Equalities and Diversities

10.1 This development affects people of all ages and from all backgrounds, as it provides hotel, spa, bar and restaurant facilities which will be made available to the general public, as well as a heritage trail and historic and natural environment exhibitions and interpretation.

10.2 Clearly, due to the island's topography and terrain, access for some groups to some areas may be challenging. The Arrival Building does however propose a lift giving access from the Jetty level to the main hotel level plateau.

Conclusion

As was the case with the previous Drake's Island planning applications, officers, including up to Assistant Director-level, have undertaken extensive work to help this proposal move forwards positively, in recognition of the importance of Drake's Island to Plymouth and the unique set of opportunities and challenges presented by this proposal.

Further to the refusal of the last Drake's Island planning applications, officers have worked proactively with Natural England and the applicant's team to put together the off-site mitigation package which forms part of this planning application. The off-site mitigation package comprises a new, secured and managed site, enhanced for little egrets at Mount Edgcumbe Country Park. This off-site mitigation package, along with the removal of the energy from waste plant proposed with the previous application, combined with the wider range of mitigation and control measures proposed, effectively addresses the refusal reasons for the previous application and has led the Council to conclude in the Habitat Regulations Assessment (HRA), that the project will result in no adverse effects on the integrity of the European designated sites – the Tamar Estuaries Special Protection Area and Plymouth Sound and Estuaries Special Area of Conservation.

At the time of writing, Natural England has highlighted some outstanding detailed issues which they wish to be addressed before they can fully support the HRA. However, officers are continuing to work positively with Natural England and anticipate that the HRA can be

brought to a positive conclusion to enable Natural England to support the scheme by the time the applications are considered by Planning Committee.

The proposed development is considered to be of a high quality and would secure the restoration and beneficial use of one of Plymouth's most prominent and iconic historic monuments.

At the time of writing, Historic England has some outstanding concerns in relation to proposed changes to Casemates blast screens. However, the applicant has agreed to revise the drawings to address these concerns and Historic England have confirmed that they can support the scheme when these changes are complete to their satisfaction. Officers are supporting this process and hope that the changes can be finalised and agreed before the time the application is considered by Planning Committee.

The scheme is well-aligned to planning policy objectives and is considered consistent with spirit of the City Vision - to create "one of Europe's most vibrant waterfront cities". It deliver heritage and natural environment interpretation rooms and managed public access to the island, including for schools and non-paying guests. The emerging Joint Local Plan evidence base highlights the need for new high quality hotel accommodation in the city and its importance in terms of the city's visitor offer and economic growth.

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 and is therefore recommended for conditional approval, subject to a S106 agreement.

14. Recommendation

In respect of the application dated **06.02.2017** it is recommended to **Grant Subject to S106 Obligation with delegated authority to Assistant Director for Strategic Planning & Infrastructure to refuse if timescales are not met.**

15. Conditions / Reasons

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

1. CONDITION – APPROVED PLANS

Site plans 10057 L 00.01 Version: P2 received 31/01/17

Site plans 10057 L 01.01 Version: P3 received 31/01/17

Existing Floor Plans 10057 L 02.01 Version: P2 received 31/01/17

Proposed Floor Plans 10057 L 02.02 Version: P2 received 31/01/17

Proposed Floor Plans 10057 L 02.03 Version: P2 received 31/01/17

Proposed Floor Plans 10057 L 02.04 Version: P2 received 31/01/17
Proposed Floor Plans 10057 L 02.05 Version: P2 received 31/01/17
Proposed Floor Plans 10057 L 02.08 Version: P4 received 31/01/17
Proposed Floor Plans 10057 L 02.09 Version: P2 received 31/01/17
Cross Section 10057 L 03.01 Version: P2 received 31/01/17
Cross Section 10057 L 03.02 Version: P2 received 31/01/17
Cross Section 10057 L 03.03 Version: P2 received 31/01/17
Existing Elevations 10057 L 04.01 Version: P2 received 31/01/17
Proposed Elevations 10057 L 04.02 Version: P2 received 31/01/17
General 10057 L 04.04 Version: P2 received 31/01/17
Proposed Plans 10057 L 02.08 Version: P4 received 02/02/17
General 10057 L 04.05 Version: 1 received 31/01/17
Site plans 10057 L 09.01 Version: 1 received 31/01/17
Existing Floor Plans 10057 L 09.02 Version: 1 received 31/01/17
Existing Floor Plans 10057 L 09.03 Version: 1 received 31/01/17
Existing Floor Plans 10057 L 09.04 Version: 1 received 31/01/17
Existing Floor Plans 10057 L 09.05 Version: 1 received 31/01/17
Existing Floor Plans 10057 L 09.06 Version: 1 received 31/01/17
Existing Plans 10057 L 09.07 Version: 1 received 31/01/17
Existing Plans 10057 L 09.08 Version: 1 received 31/01/17
Existing Plans 10057 L 09.09 Version: 1 received 31/01/17
Existing Plans 10057 L 09.10 Version: 1 received 31/01/17
Existing Plans 10057 L 09.11 Version: 1 received 31/01/17

Existing Plans 10057 L 09.12 Version: 1 received 31/01/17
Existing Plans 10057 L 09.13 Version: 1 received 31/01/17
Existing Plans 10057 L 09.14 Version: 1 received 31/01/17
Existing Plans 10057 L 09.15 Version: 1 received 31/01/17
Existing Plans 10057 L 09.16 Version: 1 received 31/01/17
Existing Plans 10057 L 09.17 Version: 1 received 31/01/17
Site plans 10057 L 09.20 Version: P2 received 31/01/17
Existing Plans 10057 L 09.21 Version: P2 received 31/01/17
Existing Plans 10057 L 09.23 Version: P2 received 31/01/17
Existing Plans 10057 L 09.24 Version: P2 received 31/01/17

General 10057 L 09.27 Version: P2 received 31/01/17
General 10057 L 09.28 Version: P2 received 31/01/17
General 10057 L 09.29 Version: P2 received 31/01/17
General 10057 L 09.30 Version: P2 received 31/01/17
General 10057 L 09.31 Version: P2 received 31/01/17
Existing Plans 10057 L 09.32 Version: P2 received 31/01/17
Existing Plans 10057 L 09.33 Version: P2 received 31/01/17
Existing Plans 10057 L 09.34 Version: P2 received 31/01/17
Existing Plans 10057 L 09.35 Version: P2 received 31/01/17
Existing Plans 10057 L 09.36 Version: P2 received 31/01/17

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.

2) **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.

3) **PRE-COMMENCEMENT: SEAGRASS AND SEAHORSE SURVEY**

No development shall take place until a Phase 2 seagrass and seahorse survey has been submitted to and approved in writing by the Local Planning Authority.

Reason:

To provide a full and up to date understanding of the SAC interest features around the island, to enable a robust CEMP to be developed and agreed prior to works commencing being based on the best available information on the features that must be protected in accordance with Policies CS19, CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies PLY35, SPT11 and DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraph 118 of the National Planning Policy Framework 2012.

Justification:

To ensure that important the SAC interest features around the island are properly understood and protected before construction commences.

4) **PRE-COMMENCEMENT: SEAGRASS MONITORING METHODOLOGY**

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

Reason:

To control potential adverse effects on the SAC in accordance with Policies CS19, CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies PLY35, SPT11 and DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraph 118 of the National Planning Policy Framework 2012.

Justification:

To ensure the SAC interest features around the island are properly protected during the construction phase.

5) **PRE-COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)**

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

Reason:

To safeguard against pollution and adverse effects on the SPA and SAC and to prevent unacceptable impacts on protected wildlife and to avoid conflict with Policies CS19, CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies PLY35, SPT11 and DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraph 118 of the National Planning Policy Framework 2012.

Justification:

To ensure that measures will be in place to ensure no adverse effects on the integrity of the SPA and SAC during the construction phase.

6) **PRE-COMMENCEMENT: CONSTRUCTION MONITORING STRATEGY**

No development shall take place until a detailed Construction Monitoring Strategy to monitor potential adverse effects on the SPA and SAC has been submitted to and approved in writing by the Local Planning Authority.

Reason:

To safeguard against potential adverse effects on the SPA and SAC and unacceptable impacts on protected wildlife and to avoid conflict with Policies CS19, CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies PLY35, SPT11 and DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraph 118 of the National Planning Policy Framework 2012.

Justification:

To ensure that measures will be in place to ensure no adverse effects on the integrity of the SPA and SAC during the construction phase.

7) **PRE-COMMENCEMENT: OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN (OEMP)**

No development shall take place until an Operational Environmental Management Plan (OEMP) has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall set out the arrangements for managing all environmental effects of the development during its operation. The agreed OEMP shall be implemented in full during the operation of the development, unless a variation is agreed in writing by the Local Planning Authority, in advance.

Reason:

To safeguard against pollution and unacceptable impacts on protected wildlife and to avoid conflict with Policies CS19, CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies PLY35, SPT11 and DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraph 118 of the National Planning Policy Framework 2012.

Justification:

To ensure that measures can and will be put in place to ensure no adverse effects on the integrity of the SPA and SAC during the operational phase of the development.

8) **PRE-COMMENCEMENT: LONG-TERM EGRET MONITORING**

No development shall take place until a long term monitoring programme of little egrets in the local estuaries has been submitted and approved by the Local Planning Authority. A complete years' worth of survey data must be available within 13 months of commencement of development to provide the baseline prior to hotel operations.

Reason:

To better understand the number and distribution of the species and to provide a formal record that the hotel has not impacted on the birds, to prevent an effect on the integrity of the SPA and to safeguard against unacceptable impacts on protected wildlife and to avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies PLY35, SPT11 and DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraph 118 of the National Planning Policy Framework 2012.

Justification:

To agree a programme to provide sufficient baseline information to support measures

to ensure no adverse effects on the integrity of the SPA during the construction and operational phases of the development.

9) **PRE-COMMENCEMENT: DESIGN DETAILS**

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

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

Reason:

To enable the Local Planning Authority to consider the above details in the interests of the appearance and character of the building and locality, in accordance with Policies CS01, CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies DEV20 and DEV21 of the Plymouth and South West Devon Joint Local Plan and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

Justification:

To ensure the development's design details are of an appropriately high quality for the important historic context before construction commences.

10) **PRE-COMMENCEMENT: LIGHTING DETAILS**

No development shall take place until details of any external lighting scheme have been submitted to and approved in writing by the Local Planning Authority in consultation with the Harbour Masters. The lighting scheme shall be fully implemented before any building is first occupied and henceforth permanently maintained for the occupiers of the site.

Reason:

To ensure that adequate external lighting is provided for occupiers of the site and that it does not interfere with marine navigation, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 125 of the National Planning Policy Framework 2012.

Justification:

To ensure that marine navigation is not affected during the construction and operational phases of the development.

11) **PRE-COMMENCEMENT: EXTERNAL MATERIALS**

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

Reason:

To enable the Local Planning Authority to consider the above details in the interests of the appearance and character of the building and locality, in accordance with Policies CS01, CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies DEV20 and DEV21 of the Plymouth and South West Devon Joint Local Plan and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

Justification:

To ensure the development's external materials are of an appropriately high quality for the important historic context before construction commences.

12) **PRE-DAMP-PROOF-COURSE: LANDSCAPE DESIGN AND MANAGEMENT PLAN**

Notwithstanding the submitted details, a landscape design and management plan, including planting strategy, long term objectives, management responsibilities and maintenance schedules, shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the development's damp-proof-course. The landscape management plan shall be carried out as approved.

Reason:

To ensure that satisfactory landscaping works are designed, carried out and maintained in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy PLY35 of the Plymouth and South West Devon Joint Local Plan and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

13) **PRE-OCCUPATION: PARKING AND TRANSFER DETAILS**

Prior to occupation of the development, details of car parking and transfer provision must be submitted to and approved in writing by the local Planning Authority to enable long stay, safe and secure guest parking. Details of transfer facilities between the car park and the designated ferry embarkation point shall also be submitted for approval. Such facilities shall remain available for their intended use at all times. Should the applicant wish to amend the location of said facility then written permission shall be obtained from the Council with full details of the amended location and facility details.

Reason:

To enable guests' vehicles to be parked off the public highway in a safe and secure manner so as not to interfere with free flow of traffic on surrounding highway in accordance with Policy CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007. Policy DEV31 of the Plymouth and South West Devon Joint Local Plan and paragraphs 32-36 of the National Planning Policy Framework 2012.

14) **PRE-COMMENCEMENT: GLAZED ACOUSTIC SCREEN**

No development or construction activities shall take place until the glazed acoustic screen between the Casemates and the tunnel opening has been completed.

Reason:

To prevent an effect on the integrity of the SPA and to safeguard against unacceptable impacts on protected wildlife to avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies PLY35, SPT11 and DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraph 118 of the National Planning Policy Framework 2012.

Justification:

To ensure there is no adverse effect on the SPA during the construction and operational phases of the development.

15) **PRE-DAMP-PROOF-COURSE: SUSTAINABILITY**

Unless otherwise agreed previously in writing with the Local Planning Authority, prior to the development being constructed to damp-proof-course-level, the applicant shall provide to the Local Planning Authority a report for approval identifying how a minimum of 15% of the carbon emissions for which the development is responsible will be off-set by low carbon production methods. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations. Unless otherwise agreed in writing, the approved on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, DEV34 of the Plymouth and South West Devon Joint Local Plan and paragraphs 93-98 of the National Planning Policy Framework 2012.

16) **PRE-COMMENCEMENT: FLOOD RESILIENCE & RESISTANCE MEASURES**

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

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

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

Reason:

To ensure that the proposed development and users of the proposed development are adequately protected from the impact of waves during coastal storm conditions in accordance with Policy CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, DEV37 of the Plymouth and South West Devon Joint Local Plan and paragraphs 93-98 of the National Planning Policy Framework 2012.

Justification:

To ensure that appropriate measures will be put in place during the construction and operational phases, to protect the proposed development and its users from the impact of waves during coastal storm conditions.

17) **PRE-COMMENCEMENT: FOUL WATER DRAINAGE PLAN**

Prior to the commencement of the development hereby approved, a detailed foul water drainage plan for the development shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency and Natural England. The strategy will include turbidity data and plume modelling for all proposed outflows and details and location of

the foul drainage discharge, pumping stations and treatment plant. The development shall be constructed and operated in accordance with this strategy.

Reason:

To minimise the risk of pollution to the sensitive marine environment in accordance with Policies 19 and 22 of the Plymouth Local Development Framework Core Strategy (2006-2021), Policy DEV37 of the Plymouth and South West Devon Joint Local Plan and paragraph 109 of the National Planning Policy Framework 2012.

Justification:

To prevent pollution to the sensitive marine environment during the construction and operational phases of the development.

18) **PRE-COMMENCEMENT: MOD EXPLOSIVES SAFEGUARDING**

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

Prior to use of the development commencing, the applicant shall provide written confirmation verifying that the building has been designed and constructed to the above criteria unless otherwise agreed previously in writing with the Local Planning Authority and the approved details shall thereafter be so retained and maintained unless the written consent of the Local Planning Authority is given to any variation. The use of an experienced blast consultant is recommended.

Reason:

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

Justification:

To ensure that, should an explosive incident occur during the construction or operational phases, the development will not collapse or sustain damage that cause critical injury.

19) **PRE-COMMENCEMENT: CONTAMINATED LAND**

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation shall not take place until sections 1 to 3 of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section 4 of this condition has been complied with in relation to that contamination.

Section 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to:

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

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

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model

Procedures for the Management of Land Contamination, CLR 11'.

Section 2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Section 3. Implementation of Approved Remediation Scheme

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

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

Section 4. Reporting of Unexpected Contamination

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

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV37 of the Plymouth and South West Devon Joint Local Plan and paragraphs 120 – 123 of the National Planning Policy Framework 2012.

Justification:

To ensure that the construction and operation of the development can be carried out safely without unacceptable risks from contaminated land.

20) **PRE-COMMENCEMENT: PROGRAMME OF ARCHAEOLOGICAL WORK**

No works pursuant to this permission, including laying of temporary services, ground investigation, erection of site accommodation or provision of temporary accesses, shall take place until an Archaeological Methodology Statement with a supporting Archaeological Impact Assessment has been submitted to and approved in writing by the local planning authority in

consultation with Historic England. The Archaeological Impact Assessment shall be based upon a desktop study and site survey of the fortifications and surrounding island to evaluate the impact of parts of the development which require excavation. The Archaeological Impact Assessment shall be used to develop an Archaeological Mitigation Strategy. The Archaeological Mitigation Strategy shall include proposals for recording all archaeological evidence and a justification for the removal and proposed relocation of any artefacts, fixtures and fittings, from in-situ. The Archaeological Mitigation Strategy shall be incorporated into the Archaeological Methodology Statement. All development including demolition and excavation works shall be carried out in accordance with the approved Archaeological Methodology Statement and in the presence of an archaeologist.

Reason:

The site is considered likely to contain archaeological deposits that warrant appropriate investigation and/or recording in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV21 of the Plymouth and South West Devon Joint Local Plan and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Justification:

To ensure archaeological deposits are investigated, recorded and protected during the construction phase.

21) **PRE-COMMENCEMENT: HISTORIC BUILDINGS SCHEME OF IMPLEMENTATION**

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

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV21 of the Plymouth and South West Devon Joint Local Plan and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Justification:

To ensure the island's listed buildings and scheduled ancient monuments are properly protected during the construction and operational phases of the development.

22) **PRE-COMMENCEMENT: BLAST SHIELD METHOD STATEMENT**

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

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV21 of the Plymouth and South West Devon Joint Local Plan and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Justification:

To ensure the historic blast shields can be conserved appropriately during the construction

23) **PRE-COMMENCEMENT: REMOVAL OF BLAST SHIELDS 15 & 17**

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

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV21 of the Plymouth and South West Devon Joint Local Plan and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Justification:

To ensure appropriate protection for the historic Casemates and blast screens during the construction phase.

24) **PRE-COMMENCEMENT: DETAILS OF FITMENTS AND FEATURES**

No works shall take place until full details of the fitments and features to be retained, and those which may be removed, altered or adapted (as may be determined by prior inspection by a representative of the Local Planning

Authority at the applicant's request) have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV21 of the Plymouth and South West Devon Joint Local Plan and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Justification:

To ensure that Drake's Island's significant historic building fittings and features are protected appropriately during the construction and operational phases of the development.

25) **PRE-COMMENCEMENT: RECORDING OF FEATURES**

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

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV21 of the Plymouth and South West Devon Joint Local Plan and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Justification:

To ensure appropriate recording of features that will be destroyed or damaged in the course of the works to which this consent relates.

26) **PRE-OCCUPATION: FLOOD RISK MANAGEMENT PLAN**

Prior to occupation of the permitted development it shall be demonstrated, in consultation with the Environment Agency, to the satisfaction of the Local Planning Authority, that a Flood Risk Management Plan has been created for the future users of the development that includes information on the flood risks and methods of managing these risks appropriately. The Plan shall include:

- a. Details of the flood warning and evacuation procedure
- b. Management of occupation to Casemate No. 4 (which includes the Torpedo Room) during coastal storms, with the basis that this accommodation must not be occupied during hazardous conditions.
- c. Management of risks to occupants of the casemates during coastal storm conditions, to include details of safe access routes and areas to minimise the risk of being impacted by coastal conditions.
- d. The details of areas to be closed during hazardous coastal conditions and the management of these closed areas.

- e. The details of access to and from the island during coastal storm conditions.
- f. The methods of updating the plan to reflect updated knowledge on coastal flood risk and other changes.

Reason:

To manage the safety of users of the development during coastal storm events over the lifetime of the development in accordance with Policy CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, DEV37 of the Plymouth and South West Devon Joint Local Plan and paragraphs 93-98 of the National Planning Policy Framework 2012.

27) **PRE-OCCUPATION: TRAVEL PLAN**

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

Reason:

The Local Planning Authority considers that such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV31 of the Plymouth and South West Devon Joint Local Plan and paragraphs 32 and 34 of the National Planning Policy Framework 2012. The applicant should contact Plymouth Transport and Infrastructure for site-specific advice prior to preparing the Travel Plan.

28) **PRE-OCCUPATION: ALDERMAN MILLER MEMORIAL GARDEN**

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

Reason:

To safeguard the restoration of a feature of historic interest in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV21 of the Plymouth and South West Devon Joint Local Plan and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

29) **CONDITION: REPORTING OF UNEXPECTED CONTAMINATION**

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

- (i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks to:
 - human health
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
 - adjoining land
 - groundwaters and surface waters
 - ecological systems
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

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

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy SPT1 of the Plymouth and South West Devon Joint Local Plan and paragraphs 120 -

123 of the National Planning Policy Framework 2012.

30) **CONDITION: USE OF THE TORPEDO ROOM**

The lounge area within the former Torpedo Room below Casemate No. 4 (as shown on drawing 10057 L 02.07 Rev. P4) shall be restricted for this use only, shall have no openings made in the windows and shall not be used for any other hotel function unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the proposed development and users of the proposed development are adequately protected from the impact of waves during coastal storm conditions in accordance with Policy CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, DEV37 of the Plymouth and South West Devon Joint Local Plan and paragraphs 93-98 of the National Planning Policy Framework 2012.

31) **CONDITION: RESTRICTIONS ON PERMITTED DEVELOPMENT**

Notwithstanding the provisions of Article 3 and Classes A, B and C of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no enlargements, improvements or other alterations, including to the roof, shall be constructed to the dwelling[s] hereby approved.

Reason:

In order to safeguard the special character of the island and its setting, in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV21 of the Plymouth and South West Devon Joint Local Plan and paragraphs 120-123 of the National Planning Policy Framework 2012.

32) **CONDITION: SENSITIVE PERIODS FOR WORKS**

All works whether planned or unplanned and in direct line of sight with little egret nests/roosts will take place out of sensitive periods (nesting/roosting).

Reason:

To prevent an effect on the integrity of the SPA and to safeguard against unacceptable impacts on protected wildlife and to avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies PLY35, SPT11 and DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraph 118 of the National Planning Policy Framework 2012.

33) **CONDITION: NOISE LEVELS**

Noise levels on the island shall be monitored and maximum noise levels of 30dB shall be maintained within 50m of the little egret nesting area and

roosting areas during sensitive times. After one year, noise monitoring may be scaled back with the agreement of the Local Planning Authority and Natural England.

Reason:

To prevent an effect on the integrity of the SPA and to safeguard against unacceptable impacts on protected wildlife and to avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies PLY35, SPT11 and DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraph 118 of the National Planning Policy Framework 2012.

34) **CONDITION: NO HELICOPTER ACCESS**

No helicopter access will be allowed to Drake's Island except in an absolute emergency.

Reason:

To prevent an effect on the integrity of the SPA and to safeguard against unacceptable impacts on protected wildlife and to avoid conflict with Policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies PLY35, SPT11 and DEV28 of the Plymouth and South West Devon Joint Local Plan and paragraph 118 of the National Planning Policy Framework 2012.

Informatives

1) **INFORMATIVE: CONDITIONAL APPROVAL (WITH NEGOTIATION)**

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 through pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.

2) **INFORMATIVE: 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)

3) **INFORMATIVE: MOD SAFEGUARDING MEASURES**

The proposed scheme will need to be designed to be compatible with MOD explosive safeguarding requirements. It is strongly recommended that the developer engages an experienced blast-design consultant as this is a specialised field of engineering.

The Register of Security Engineers & Specialists (RSES), which is administered by the Institution of Civil Engineers (ICE), contains details of a number of firms who may be able to assist.

4) **INFORMATIVE: SCHEDULED MONUMENT**

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

5) **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:

- i. appointment and contact details of a Travel Plan Coordinator
- ii. recommendation of the use of Itrace
- iii. site specific targets, measures and a management/monitoring plan.

6) **INFORMATIVE: TREE SURGERY**

All works to trees should be carried out in accordance with the relevant recommendations of BS 3998:2010 (Recommendations for Tree Work).

7) **INFORMATIVE: NESTING SEASON**

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

8) **INFORMATIVE: CONTAMINATED LAND - WARNING**

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

9) **INFORMATIVE: SPECIAL WASTES**

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

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

sites are: -

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

10) **INFORMATIVE: CONTAMINATED SITE DRAINAGE**

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

11) **INFORMATIVE: ENVIRONMENTAL PERMITTING (FOUL DRAINAGE)**

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

If the proposed foul discharge will not satisfy the General Binding Rules the applicant is advised to contact the Environment Agency's National Permitting Service on 03708

506 506 for further advice and to discuss the issues likely to be raised. You should be aware that the permit may not be granted. Additional 'Environmental Permitting Guidance' can be accessed online at <https://www.gov.uk/permits-you-need-for-septic-tanks>.

12) **INFORMATIVE: ENVIRONMENTAL PERMITTING (ANAEROBIC DIGESTION PLANT)**

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

13) **INFORMATIVE: CONSULT HARBOUR MASTERS**

The applicant is advised to consult the relevant Harbour Masters on the detail of the development with regards to marine traffic and navigation.

Mr Carl Necker is the Queen's Harbour Master (QHM) and has responsibility for all waterways from the port limit to as far as the tide flows; Capt. Tim Charlesworth is the Harbour Master for the Cattewater Harbour Commission and is responsible for the waterway east of the Cobbler Channel whilst Commander David Vaughan is Harbour Master for ABP Millbay.

QHM requests to be consulted and asked for approval should there be any plans to lay any additional marker buoys on the approaches to the jetty on Drake's Island.

With regards to the ferry service to transport staff and guests to the island, QHM would wish to know the route and schedule at the earliest opportunity so that this new service can be factored in to the Whole Port Risk Assessment. Any craft employed must be correctly certified dependent on size, passenger capacity and crew training.

During construction there will be a considerable number of loads of material being transported to the island. It is incumbent on the contractor to utilise appropriately certified craft for this purpose and to ensure that load calculations have been conducted on the vessel to ensure that they are not overloaded and become unstable. Any loss of equipment or sinking of vessels would likely occur in the main navigation channel and would constitute a hazard to navigation and likely impose a restriction on navigation in the area, including access to and from the HM Naval Base.

Once the jetty is in commission the appropriate notification will need to be issued to the United Kingdom Hydrographic Office (UKHO) for inclusion in navigational charting.