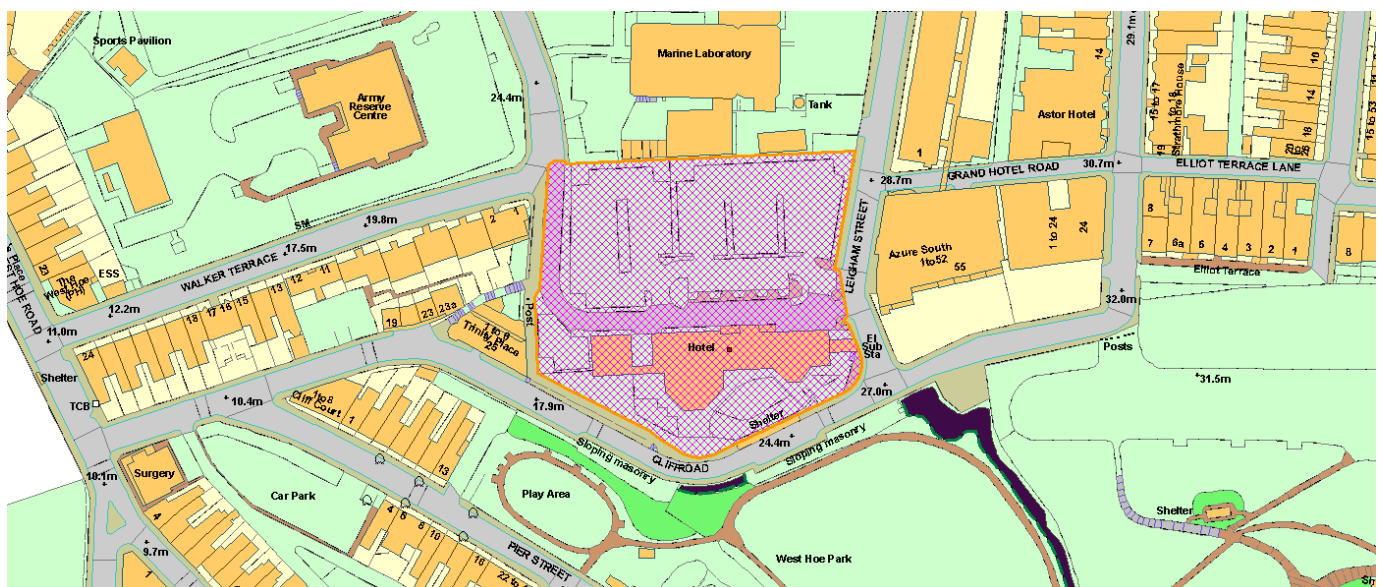


PLANNING APPLICATION OFFICERS REPORT



Application Number	17/00952/FUL	Item	02
Date Valid	04.05.2017	Ward	ST PETER AND THE WATERFRONT
Site Address	Former Quality Hotel Cliff Road Plymouth PL1 3BE		
Proposal	Demolition of the existing sub-station and erection of two buildings comprising a 80-bed hotel and ancillary facilities (11 storeys) and 88 residential dwellings (15 storeys), access, pedestrian/cycle way, landscaping, car parking and servicing and associated infrastructure works		
Applicant	Henley Real Estate Developments Ltd		
Application Type	Full Application		
Target Date	03.08.2017	Committee Date	27.07.2017
Extended Target Date	N/A		
Decision Category	Major - More than 15 Public Comments		
Case Officer	Mr John Douglass		
Recommendation	Grant Conditionally Subject to a S106 Obligation in accordance with agreed timescales. Delegated authority to the Assistant Director of Strategic Planning & Infrastructure to refuse if timescales not met.		



I. Description of Site

The application site is the site of the former Quality Inn hotel, which was recently demolished by Plymouth City Council following its acquisition from the previous owners.

The site adjoins the Plymouth Marine Laboratory (PML) site to the North, Leigham St to the east (beyond which lies the residential development known as 'Azure'), and Prospect Place to the west. To the south of the site lies Cliff Road. The site itself slopes gently downwards from east to west, before the land drops away sharply beyond the western boundary down Walker Terrace and Cliff Road towards Millbay. To the south a large historic retaining wall constructed from Plymouth Limestone supports the site in a prominent, elevated position above Cliff Road. The northern footway of Cliff Rd is also elevated significantly above the carriageway, and with the exception of the area where there is a concrete covered walkway and seating area, there is no railing or wall. Pedestrian access is available to the site's boundaries with the exception of that to the PML site. From the vehicular section of Prospect Place (which immediately west of the site is a single carriageway serving only 5 residential parking spaces to 1 Walker Terrace) a footpath ramps down to Cliff Road. A steep flight of historic steps also leads westwards down to Cliff Road from the Prospect Place footpath.

The natural stone wall encloses the site's southern side, but extends only partly up Leigham St and Prospect Place – other parts of the site boundaries are walls constructed from reconstituted (concrete) stone.

The site has two vehicle accesses – one from Leigham St towards its junction with Cliff Road, and one from Prospect Place at the site's north western corner.

With the exception of the PML site, the site's context is residential. The Azure building to the east of Leigham St comprises residential apartments (and duplexes) with parking below. To the west of the site are residential uses fronting Walker Terrace and Cliff Road; closest to the site are 6 apartments at number 1 Walker Terrace and the apartments in Trinity Place which are at lower level on Cliff Road. Trinity Place sits at a lower level (fronting Cliff Rd) such that its roof projects only a small amount above the wall along the Prospect Place Footpath. 1 Walker Terrace features south-facing balconies on its rear elevation and benefits from views of the Sound over Trinity Place.

Prior to the demolition, the latterly named 'Quality Inn' was a hotel offering around 110 bedrooms. It comprised of a 10 storey concrete rectangular tower constructed in the 'brutalist' style, with a lower pavilion style 2-storey extension to its western side. The hotel opened in 1970. The building stood significantly forward of the Elliot Terrace/Cliff Road building line with a 148-space car park to the rear (accessed from Prospect Place and Leigham St) so was highly prominent from the Hoe and beyond.

The hotel closed in January 2014 and was initially monitored and secure. However security was removed from the site in early 2015, and it became the subject of vandalism and anti-social behaviour. A major fire occurred at the site in May 2015.

Plymouth City Council acquired the Quality Hotel site in January 2016, and demolition of the existing building was completed during summer 2016. Demolition included the removal of all structures on the site except for a concrete substation which is retained at the south east corner. Areas of hardstanding were broken up and crushed aggregate was spread across the site to form a temporary surface; trees along the northern boundary were protected and have been retained, and the secure site hoarding erected around the whole boundary remains in place.

Although the site does not lie within a Conservation Area, The Hoe Conservation Area extends close to the site to include Azure and the eastern footway of Leigham St, and West Hoe Park and the southern footway to Cliff Road to the south of the site. As discussed in the analysis section of

this report, the Conservation Area also includes some of the city's finest Heritage assets, including the Citadel (Scheduled Monument), Smeaton's Tower and the Lorimer War Memorial (both Grade I listed), several Grade II*, and numerous Grade II listed buildings. The Hoe Park is also listed as Grade 2 on Historic England's Register of Parks and Gardens. To the south of the site its boundary is similar to that of the Conservation Area (although it excludes the Cliff Rd footway), but it extends further west to include the Children's Play Area and Treasure Island.

2. Proposal Description

The proposal is for an 80-bedroom hotel and 88 residential apartments. Each would occupy a separate building, with shared access to communal gardens and a shared parking area (with spaces allocated to either use). At 11 storeys, the hotel is the smaller of the two buildings and occupies the site's south western corner. The apartments occupy the south-eastern part of the site and would be 15-storeys high.

Vehicle access to the site for residents and hotel guests is proposed from Leigham St (the access is to be moved approximately 15m north from its existing position), with access from Prospect Place limited to hotel servicing functions. A total of 130 parking spaces are proposed on-site, with 50 allocated to the hotel (including 3 accessible spaces), and 88 to the apartments (including 4 accessible spaces).

A new pedestrian and cycle route from Prospect Place to Leigham St is proposed along the northern boundary. Half way along this route a gate and some steps will allow pedestrian access to a north-south route through the car park leading to the terrace area at the site's frontage via a gap between the buildings. This terrace area will be publicly accessible, with its main entrance from the Leigham St/Cliff Road junction, and a second access at the base of the ramp between Cliff Road and Prospect Place. Both this access, and the access from the northern boundary will feature gates enabling them to be closed at night. Pedestrian access to both the apartments and the hotel from the Hoe would be via the main pedestrian access at the junction, the frontage space and the gap between the buildings. The main entrances are centrally located to each building on its north side facing the car park.

The site frontage is terraced into a series of levels of garden and pathway separated banks and small retaining walls utilising reclaimed Plymouth Limestone (notwithstanding the references to rendered walls shown on some of the submitted landscape drawings). The central 'garden terrace' is designed such that it can be used as an event space. The ground floor apartments benefit from small private terrace spaces which are at a higher level to give future residents some privacy.

Accessing the hotel from the drop-off area and main entrance facing the car park you would enter the hotel reception/bar, which opens out onto a south facing terrace overlooking the main garden terrace. To the right are the stairs and lifts to the upper floors. A restaurant access also leads directly into this space from the car park. As well as staff offices and facilities, the health suite/spa, swimming pool and gym will be at this level behind a reception area.

Level 01 is occupied by a function suite with access onto terrace on the roof above the swimming pool. The suite totals 236 sq m (plus toilets etc) but can be divided into smaller spaces by flexible partitions. Hotel bedrooms occupy levels 02-09. There are 10 rooms per floor. These are 28 sq m each, except that one larger suite (45sq m) with a terrace is provided at the centre of each floor. Level 10 provides a restaurant with a terrace (62sq m) at its western end and a kitchen at the eastern end.

Hotel kitchens, plant, laundry and associated servicing are provided at basement level (immediately accessible from the western service access) beneath the western end of the hotel. Several store

areas, plant rooms etc, and a bin store would also be provided either side of the servicing access from Prospect Place.

Access via the main apartment entrance (facing the car park) would lead to a lobby area from which the ground floor units, and lifts/stairs to the upper floors would be provided. Two internal refuse stores would be provided (access from either end of the building), and 44 cycle spaces would be provided in a lobby area from the secondary access from Leigham St.

The residential mix comprises 8 no. 1-bedroom, 70 no. 2-bedroom and 10 no. 3-bedroom units. The arrangement of units is the same across floors 01-07 (6x2-bedroom units each), and at 08-13 (the same except that the eastern end is divided into a 1-bed and a 3-bed rather than 2x2-beds). The ground floor comprises a mix of 1- and 2-bedroom units and the top floor features 4x3-bedrooms units, each of which has a larger terrace than those of the units below. 1-bedroom units start from 52sq m, 2-beds from 69sq m and 3-beds from 112sq m.

Floor	1-bed	2-bed	3-bed	TOTAL
00	2	4	-	6
01	-	6	-	6
02	-	6	-	6
03	-	6	-	6
04	-	6	-	6
05	-	6	-	6
06	-	6	-	6
07	-	6	-	6
08	1	4	1	6
09	1	4	1	6
10	1	4	1	6
11	1	4	1	6
12	1	4	1	6
13	1	4	1	6
14	-	-	4	4
TOTAL	8	70	10	88

The architectural design of the scheme is discussed at length in the analysis section of this report. In summary, however, following ongoing negotiation including revisions made during the planning application, the apartment building is proposed to be clad in aluminium anodised cladding with aluminium glazed windows/curtain wall glazing, and glazed balcony balustrades behind the curved aluminium balcony edges. The hotel would feature the same materials to the rear, but to the south side would be primarily glazed. The ground and first floor of both buildings to their rear and sides would be clad with natural Plymouth Limestone. The pool and leisure facility that projects at ground floor of the hotel would also be clad in Plymouth Limestone.

Both buildings features roofs that are higher to their southern edge. The hotel roof features a central plant well to locate plant and equipment in. The apartment roof is to feature a biodiverse roof and solar panels on a structural frame.

3. Pre-application enquiry

The applicant has been engaged in pre-application discussions since January 2017 (Development Enquiry Service application 17/00294/MAJ). Advice on a range of issues has been given through a combination of meetings and written feedback which have responded to an iterative process through which the scheme has evolved. The applicant sought feedback from the 'Creating Excellence' South West Design Review Panel as part of the process. The panel's letter which provided advice to the applicant is available in full on the planning webpages as part of a statement submitted by the

applicant in which they set out why this comment was not made public from the outset, and how they used the advice that they received from the panel. The design of the scheme is not discussed in the analysis section of this report with specific reference to the panel comments, but officers consider that all the issues raised by the panel are covered.

4. Relevant planning history

Current application 17/01419/FUL, made by Henley Real Estate Development Ltd was received 04 July and is yet to be determined. It proposes 'Demolition of existing brick and concrete shelter over the footway on Cliff Road, partial demolition of the stone wall and railings retaining the west end of the Hoe promenade and creation of a new stepped access into the Hoe and link to the promenade; Public realm works around the junction of Cliff Road with Leigham Street'. The proposals are for public realm works to improve links between the application site and The Hoe Promenade.

The Local Planning Authority issued their opinion that Environment Impact Assessment of the scheme was not necessary on 09 March 2017 following receipt of a written request assigned reference 17/00445/ERS105.

Prior approval for the demolition of building and site clearance (including the erection of a perimeter hoarding) was given on 19 May 2016 following notification reference 16/00732/31.

Prior to the demolition notification, there was also a history of monitoring and action by the planning enforcement team. Complaints about anti-social behaviour were received from April 2015 onwards. A multi-agency meeting involving numerous public-sector organisations was held in May 2015 to discuss a strategy to prevent problems at the site. Following a major fire in the building on 15 May 2015, the owner was asked to undertake works to secure the site. This was followed up by a Section 215 notice when the owner failed to act, and the owner was successfully prosecuted in the courts for non-compliance with the notice in September 2015.

It is also worth noting that a pre-application enquiry for a non-hotel use was processed in early 2015. The Local Planning Authority advised in its response that it would be '...unable to support redevelopment of this strategic waterfront site' for the single-use proposed. 'The site is vital to secure the future growth and expansion of the visitor economy and wider economic prosperity of the City. Therefore, as a minimum, we would wish to secure a high quality hotel with associated tourism facilities as part of a mixed-use scheme...'

5. Consultation responses

DESIGN OFFICER (PCC) - Comments are summarised in the analysis section of this report.

DESIGN (LANDSCAPE) OFFICER (PCC) – No objection subject to conditions.

DEVON AND CORNWALL POLICE ARCHITECTURAL LIASION OFFICER – supports the application

DEVON GARDENS TRUST – concurs with the advice and recommendations of Historic England, adding that the proposal would result in more than substantial harm to the significance of the designated historic assets, would not meet NPPF requirements, and should be refused.

ECONOMIC DEVELOPMENT DEPARTMENT (ECONOMY, ENTERPRISE AND EMPLOYMENT, PCC) – fully supportive; outlines economic benefits; requests a planning condition securing an Employment and Skills Plan and consideration of a financial contribution from the development to the Hoe Foreshore Improvement Work.

ECONOMIC DEVELOPMENT (STRATEGIC DEVELOPMENT PROJECTS, PCC) – Provides background information to explain the process undertaken by the Council prior to the submission of this planning application. Key points are that the Council:

i/ following the Plymouth Hotel Market Study of 2014, took a cross party decision to intervene over the delivery of a new 5* Full Service hotel and to deal with the increasingly derelict and dangerous former Quality Hotel building.

ii/ Was advised by an international property firm, who advised on the national site marketing campaign

iii/ received 9 Expressions of interest and short listed 5. These were then taken through a two-stage evaluation, which was more focussed on issues of design and deliverability (including availability of funding) than maximising a capital receipt from the site for the council.

ENVIRONMENT AGENCY – No comment

HIGHWAY AUTHORITY - No objection subject to conditions and advices.

HISTORIC ENGLAND - Historic England has submitted three representations to the application to take account of changes made to the scheme and updated information submitted. Their letters are available in full on the council's planning webpages, but in summary their comments are as follows:

23/05: Objects to the application on heritage grounds. Urges the council to push for quality, and finally secure a hotel scheme that the city can be proud of for years to come. Offers to work with the council and applicant to overcome the (numerous) concerns raised in their objection. Points out that these issues need to be addressed in order for the application to meet the requirements of paragraphs 58, 61, and 128-134 of the NPPF, and reminds the planning authority to bear in mind the statutory duties of sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

29/06 (in response to design changes): Reiterates concerns about the scale, massing and elevational treatment of the buildings and their effect on the setting of the Plymouth Hoe Conservation Area and a number of highly-graded listed buildings. Notes that the scale and massing remains unaltered and considers that the design improvements do not mitigate the adverse impact on the historic environment. Continues to object to the application on heritage grounds. Encourages further modification to the design to reduce the height of the proposed apartment building. States that further modification may allow the proposals to meet the requirements of paragraph 58, 61, and 128-134 of the NPPF. Requests an independent analysis of the design quality by a design review panel, and a viability assessment including the phase 2 proposals, if the applicant is unwilling to make further modifications.

11/07 (following a review of the submitted Design Review Panel – DRP - comments): Advises against placing any weight on the merits of the design when weighing the planning balance as part of the decision-making process. Suggests that their concerns about impact on the historic environment and the DRP's independent assessment of perceived failings in design quality should lead to the conclusion that the scheme does not represent sustainable development as defined by the NPPF, and requires fundamental reconsideration.

HISTORIC ENVIRONMENT OFFICERS (PCC) – there is no requirement for archaeological information. Comments regarding the impact on the historic environment adjacent to the site are summarised in the analysis section of this report.

HOUSING DELIVERY TEAM (PCC) – Raise no objection to the application. Accepts the applicant's justification for meeting the affordable housing requirement by way of a financial contribution for off-site works. The rationale for this is set out in the analysis section of this report.

LOW CARBON TEAM (PCC) – considers the submitted energy strategy broadly acceptable in policy terms but expresses some concerns about the strategy for future proofing the apartments for future district heat connectivity. Comments include a report from consultant advisors Buro Happold regarding this aspect of the proposals.

LEAD LOCAL FLOOD AUTHORITY (PCC) – No objection subject to conditions

THE MINISTRY OF DEFENCE were consulted to enable consideration of the development in respect of its safeguarding role and the potential for explosions in the area. No response was received. However, the Ministry of Defence's Defence Infrastructure Organisation responded at the pre-application stage (28 February 2017) to confirm that they 'have no safeguarding objections'. Their response is available on the on-line planning files for this application.

NATURAL ENGLAND - No objection. Notes that the development falls within the zone of influence for potential recreational disturbance to Plymouth Sound and Estuaries SAC and the Tamar Estuaries Complex SPA and that a sum of money, as agreed through your Local Plan, will be required as mitigation for the proposed development.

NATURAL INFRASTRUCTURE TEAM (PCC) – No objection subject to conditions and advices as proposed. Offers advice on some aspects of the Ecological Mitigation and Enhancement Strategy. Confirms that Plymouth City Council, as the competent authority, considers that the proposed development will not have likely significant effects on the Plymouth Sound and Estuaries Special Area of Conservation (SAC) and the Tamar Estuaries Complex Special Protection Area (SPA).

PLYMOUTH WATERFRONT PARTNERSHIP – fundamentally fully supportive in recognition of the ongoing economic role to the city in respect of job creation; scheme will have a prominent role in respect of the Mayflower 400 ambitions and post 2020 legacy. Applauds the proposed five star status and although more (100) bedrooms would be preferred, considers that it will significantly benefit the city's visitor economy and provide a much needed uplift to Plymouth's accommodation sector. Further considerations should be whether the conference facility could be expanded, and whether a financial contribution can be made towards improvement works within both prominent areas of the West Hoe Park and the Hoe Foreshore

PUBLIC HEALTH (PCC): reiterates the in principle support they expressed in response to the pre-app

PUBLIC PROTECTION SERVICE (PCC) – No objection subject to conditions and advices

SOUTH WEST WATER – no objection. Modelling indicates that there is capacity in the existing combined sewers to accommodate foul sewerage from the development; surface water is to discharge to the dedicated surface water sewer to the north west of the site.

VIABILITY OFFICER (PCC) – Having reviewed a 'viability appraisal' submitted by the applicant, the viability officer concludes as follows:

In general terms we are of the opinion that the viable delivery of a 4/5 star hotel at this location would require subsidy from a higher value use to enable it. In this instance the use identified is open market residential apartments. We are of the opinion that the applicant has satisfactorily demonstrated that a policy compliant scheme is not possible on this site while also delivering the hotel. Whilst we disagree with some elements of the applicant's appraisal the overall conclusion that a contribution greater than £1m for section 106 would not be viable is one that we support.

Further relevant comments from the viability officer are included within the analysis section of this report.

6. Representations

Letters of representation have been received from 64 contributors in total over the two rounds of consultation. Of these, 58 are in objection, with 6 in support (correct 17th July).

Letters of support focussed on the need for a high standard/5* hotel to meet an unmet demand for visitors and business people and new investors, and for the economic and wider development benefits the hotel will bring. Other positive comments were that the proposals will:

- greatly enhance the city's image and offer
- enhance fabric of the city
- generate sustainable employment across the construction, hospitality and retail sectors,
- provide work experience/placements/apprenticeship opportunities for City College Plymouth

Members should be aware that many objectors in their letters of objection confirmed that they have no objection in principle to the development of the site, or to its development as a high quality hotel. However, they object to the proposal before members today. A significant number put their objections into context by stating that the City Council should take the time to secure the correct development for the site (in quality terms). In other words (using words from objectors) the plans shouldn't be rushed through; it is more important to have a successful development on the site than a poor scheme delivered by 2020. The fact that the previous hotel was built for Mayflower 350 is also stated by way of a potential comparison in circumstances. Redevelopment for 2020 should be an opportunity to create a lasting legacy, whereas this would be repeating mistakes of the past. There are also allegations that the developer is effectively holding the Council to ransom on the basis of the desirability of delivering a hotel in time for 2020.

Some objectors also call for the site to be used solely as a hotel, or at least for the two buildings to be considered in separate planning applications. A small number also suggest that the hotel may have been intentionally designed such that it can be converted into apartments later.

Other themes relate to financial viability of the scheme, including that the commercial justification for the scale proposed is inappropriate, that the stated viability position is untrue, and that the developer is 'profiteering' through overdevelopment.

A number of objectors also make their objections with reference to the Site Planning Statement for the site, with one objector pointing out that this should be given extra weight as it presumably formed the basis on which PCC offered the site for sale.

Other objections are summarised below by topic area:

Suitability of Uses:

- The housing type is not the correct target market – the demand is from 50-somethings who want space for their families and cars
- Would prefer more family housing rather than flats to contribute to a balanced community rather than the existing oversupply problem

Design (Scale/Height):

- Will dominate and overwhelm/be out of proportion with Hoe skyline from The Sound and Hoe Promenade (the most iconic view of the city with national and international renown), dwarfing existing buildings, and diminishing these iconic/signature vistas and the Heritage assets that make them up

- Height of apartments is too great – Maximums suggested are Azure +2-3 storeys; 9 storeys; 10 storeys; 10 / 4 storeys as per SPS
- Hotel should be correspondingly lower
- Two smaller apt blocks would be better than 1 large one
- Whilst a statement building is needed it shouldn't simply be significantly bigger than other buildings; it should adopt clever and innovative design.
- Other buildings in the area preserve an incremental approach to increases in height
- Height and volume much greater than previous hotel (volume is 3x the hotel);
- overdevelopment of the site
- Height and scale disproportionate
- Tall buildings here will harm the harmony between cliff top open space and the buildings behind
- Questions the statement that the site is 3-4m below Hoe Promenade level
- There is no cohesive visual plan for tall buildings
- Tall buildings should be limited to the area near the railway station

Design (Character, Heritage):

- Will change the feel of the Hoe to a high rise business environment
- Will detract from the world-class view of the Hoe from the sea
- Will harm the setting of heritage assets (reference is frequently made to Historic England's representations)
- Should be sympathetic to the Conservation Area
- Not in keeping with surroundings, out of proportion with the rest of The Hoe's buildings; incongruous
- Horizontal emphasis and proportion of the apt building fails to pay adequate regard to the historic builds that form its setting
- Not sufficiently distinctive to justify design difference from historic adjacent buildings
- Not iconic enough
- The introduction of two very large modern buildings will draw the eye away from the historic architecture of the Hoe
- visual dominance will compromise the association of Plymouth's Hoe with its heritage
- An individual, striking landmark that reflects the spirit of the city is needed, like Bilbao's Guggenheim. Architects should be of international renown; building should be internationally recognisable/iconic
- Will impact on views of the Hoe for visitors approaching along the seafront and by sea (this will impact on tourism)
- Potentially undesirable precedent for adjacent sites such as PML, TA site
- Designs should include the whole of the Hoe to allow proper consideration

Design (Layout)

- Site development should use more of the site (with podium parking) at lower scale
- The buildings should be swapped around such that the taller building is to the west
- Turns its back on the city; is one sided
- Blocks views from buildings behind
- Inclusion of a gap between the buildings to preserve future development opportunity of the PML site is to the cost of existing residents in 1 Walker Terrace and the adjacent sheltered Housing in Bond Spere Court.

Design (Detailed design, design quality)

- Not of sufficient visual quality / eyesore / ugly; not a building that Plymothians can be proud of.
- Not aesthetically pleasing; bland/mediocre/boring
- Design does not follow the Regency style of the Esplanade (as Azure does successfully)

- Would have the appearance of an industrial complex
- Rear elevation is monolithic/functional/bland/lacking architectural merit and will dominate the city centre
- design of the 2 buildings should present an unified façade
- Horizontal emphasis and proportion of the apt building fails to pay adequate regard to the historic builds that form its setting
- Design emphasises rather than mitigates the width and height of the new buildings
- Glazed hotel looks like an office and is of little architectural merit
- Not in keeping with local materials in terms of scale, design and the quality of local materials
- Materials must be high spec and colours clarified
- Design is improved from public consultation
- Future occupants should be able to experience views in all directions

Amenity

- Overshadowing/loss of sunlight to Walker Terrace (this is likely to increase the need for heating in this building)
- Overbearing impacts on Walker Terrace due to proximity
- Potential for noise from plant rooms on western boundary
- Ground floor of hotel would be level with 2nd floor apt of 1 Walker Terrace and only 19m away
- Overshadowing/loss of sunlight to Azure W and Azure S
- Loss of privacy to Azure – too close
- There is insufficient information about the relationship between the balconies and rooms at the eastern end of the apt block and habitable rooms and balconies at Azure for [Azure] residents to determine any loss of light impacts
- Azure residents concerned about siting and noise from A/C units, particularly from phase 2 plans
- A considerate contractor scheme should be in place to manage construction stage impacts
- The gap will create a wind tunnel from Cliff Rd to Prospect Place
- Contravenes Right of Light and Privacy Laws
- Additional people would inconvenience local residents and add to ever increasing noise levels

Transport - parking

- Insufficient parking is proposed
- Given Plymouth's transport links, guests are likely to arrive by car.
- Insufficient parking for conference delegates
- Apartment residents are each likely to have 2 if not 3 cars per household
- On street parking is already stretched, especially for events and summer weekends.
- Additional pressure on parking will deter visitors and harm local businesses
- Parking has been reduced since public consultation
- 20% of attendees to the public consultation raised parking as a concern, yet it has been reduced.

Transport - other

- E-W cycle link will extend into carriageway at western end
- Additional road traffic and pollution
- Substation doors will obstruct Prospect Place

Environmental Impacts

- Drainage will be inadequate and will lead to localised flooding

Community Benefits

- Hoe Conservation Residents Assoc (HCaRA) and Hoe N'hood Forum struggles for community space in which to extend its range of activities and would like to discuss this as part of discussions on the social benefits of the scheme
- Benefits to the Hoe park and West Hoe park would be welcomed - disabled access to the Hoe is difficult
- Would like to see S106 spent within the Hoe Neighbourhood, preferably to deliver family housing, but also to ensure ongoing upkeep of Hoe Park and West Hoe Park.

Other

- Disappointing that the developers has not taken on board comments from pre-app community consultation regarding the height and roofline (the only issue raised by the HCaRA that has been address is the colour)
- Had hoped to support the application, but regrettably input to public consultation (reiterated in full) was disregarded

A second round of consultation was undertaken following receipt of revised plans. Many objectors reiterated their concerns, stating that the minor changes made do not overcome their substantive concerns (in many case relating to height/scale). Comments from 8 objectors (and one supporter) have been taken into account although they were received after the 11th July deadline. The following additional issues were raised:

Viability:

- Scheme viability should be publicly assessed
- Viability of whole site including phase 2 needs to be understood – without this the reliance on viability to justify the height cannot be relied upon

Hotel Delivery:

- No issues with design concept or height of hotel
- PCC should satisfy itself of the commercial sustainability of the hotel to prevent it being converted into another apartment block.
- PCC should also satisfy itself that the economics of the standalone hotel are adequate without support from the apartments – ie is the hotel a sweetener to justify apartments?
- Hotel and apartments should be separate applications to allow for hotel delivery by 2020, with more attention to be given to the apartments prior to a new application
- The development ought to have included a conference centre with multi-purpose hall able to attract Orchestras etc that would draw visitors to travel beyond Exeter

Phase 2:

- Developers did not mention phase 2 at public consultation
- Phase 2 could be of a similar scale – details should be submitted to enable a full understanding of these

Design and Heritage:

- The designs should be subject to design review (with ref to NPPF para 62)
- Design review panel comments should be made public
- Design Quality still remains weak
- A further design review panel should be held
- The plans are inconsistent and do not allow proper consideration of the height different with

Azure

- Plymouth should follow other enlightened cities by using 'Place Branding' (Link to, and extracts from Historic England report on this subject are provided) approach to optimise the financial benefits of Heritage assets such as the Hoe

- Planning Officers' report should properly weight the negative financial and cultural impacts of harm to heritage
- Comments should be sought from the Crown Estate

Amenity:

- Increase in glazing on north elevation will be detrimental to privacy of properties to the north and west
- How will visitors feel if Drake's Island gets a hotel with noisy helicopter service?

Fire Safety:

- Queries about cladding type with reference to Grenfell Tower
- Queries about fire access to all sides of building

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 I 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 an advanced stage of preparation having now been subject to 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. It is therefore considered that the JLP's policies have the potential to carry significant weight within the planning decision if there are no substantive unresolved objections. However, the precise weight will need to be determined on a case by case basis, having regard to all of the material considerations as well as the nature and extent of any unresolved objections on the relevant plan policies.

Other material considerations include the policies of the Framework itself, guidance in National Planning Practice Guidance (NPPG). Additionally, the following planning documents are also material considerations in the determination of the application:

- * Development Guidelines SPD
- * Sustainable Design SPD
- * Planning Obligations and Affordable Housing SPD.

5 Year Housing Land Supply

When determining applications for residential development it is important to give consideration to housing supply.

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

Paragraph 49 of the NPPF states that “housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

For the reasons set out in the Authority’s Annual Monitoring Report, when measured against the housing requirement in the adopted development plan (the Core Strategy), Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2017-22 against the housing requirement set out in the Core Strategy which was set prior to the economic downturn. Plymouth can however identify a net supply of some 4,163 dwellings which equates to a supply of 2.17 years when set against the housing requirement as determined by the requirements of the NPPF or 1.8 years supply when a 20% buffer is also applied.

It should be noted, however, that the Local Planning Authority is at a relatively advanced stage in the preparation of the Plymouth and South West Devon Joint Local Plan. The pre-submission version of the JLP has been 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. The pre submission draft JLP sets out that a five year supply of deliverable housing sites can be demonstrated for the whole plan area, for the Plymouth Policy Area and for the Thriving Towns and Villages Policy Area, when measured against the new housing requirements set out in the JLP. Guidance on the amount of weight to be applied to the JLP is contained elsewhere in this report. It should, however, be considered that since the five year land supply elements of the JLP are likely to attract significant representations which will be considered at the Examination into the JLP, only limited weight should be given to the emerging five year land supply position.

The NPPF (footnote 11) also specifies that to be considered deliverable, a site must be:

- Available to develop now
- Suitable for residential development in terms of its location and sustainability; and
- Achievable, with a reasonable prospect that homes will be delivered on the site within five years and in particular that the development of the site is viable.

Paragraph 14 of the NPPF states “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking...”

For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted”

As Plymouth cannot demonstrate a 5 year supply when set against the housing requirement as set out in the adopted Core Strategy, the city’s housing supply policy should not be considered up-to-date. Paragraph 14 of the NPPF is therefore engaged and substantial weight must be accorded to the need for housing in the planning balance when determining housing applications.

8. Analysis

1. This application has been considered in the context of the adopted development plan, the approved emerging Plymouth and South West Devon Joint Local Plan, the Framework and other material policy documents as set out in Section 7. Reference to relevant policies will be made when consider the merits of the proposal under the key issue headings below.

2. There are two significant pieces of evidence commissioned by the Planning Authority, that have influenced the development of the emerging policy for this site: The Waterfront Masterplan (LDA Design, 2017), and the Plymouth Hotel Market Study (Colliers, 2014). Relevant advice from the Hotel Market Study is set out in the next section of this report where the uses are considered. The Waterfront Masterplan is not discussed at length due to its largely strategic nature. However, the committee should be aware that its Urban Design Framework (Part 2, section 4.0) identifies redevelopment of the Quality Hotel site as a priority for change. In respect of building massing, it suggests:

‘Opportunity for a landmark mixed use hotel/ residential development on the Quality Inn site to be up to 10-12 storeys at the eastern edge and stepping down at the west to around 6 storeys. Buildings should extend the existing building line unless a building of sufficient quality can create a fitting landmark enclosing the western end of the park.’

3. The full wording of the emerging JLP policy for this site is set out in full as follows:

PLY28 - Land north of Cliff Road, The Hoe

Land north of Cliff Road, The Hoe, is allocated for hotel led mixed use regeneration, including housing and potentially complementary uses which supports the tourist function of area. Provision is made for in the order of 80 homes.

Development should provide for the following:

1. 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.
2. High quality, memorable building design will be sought, given the site’s relationship with the Hoe Conservation Area, and wide prominence, including from the sea and coastline.
3. Publicly accessible active ground floor uses to be encouraged.
4. A new pedestrian / cycle link between Walker Terrace and Leigham Street at the site’s northern boundary.
5. New enhanced and redesigned public realm on and around the site, including removal of the covered walkway against the retaining wall forming the site’s southern boundary, and strong pedestrian and cycle links to the Hoe Park.
6. Innovative solutions to minimise the visual impact of car parking and maximise secure cycle parking.
7. An innovative lighting scheme.
8. Tree planting on the site’s street frontages and open spaces.

4. Referring back to the advice in section 7 regarding the weight that can be given to emerging policies, committee members are advised that four objections to this policy have been received, including one from Historic England. They point out the policy should seek to avoid any harm to surrounding heritage assets in order to meet statutory requirements and relevant parts of the NPPF. They seek a reworded policy that replaces point 1 above with 'A development that preserves or enhances the character or appearance of the Hoe Conservation Area, the Registered Park and Garden and heritage assets along with their settings', and request the deletion of supporting text paragraph 4.114, which states 'This prestigious location presents the opportunity for a high quality, innovative building of significant height' as they consider the reference to significant height to be unsubstantiated as there is no evidence to support this position.

5. Two of the remaining objections also relate to height, including one which suggests that the policy should specify maximum building heights (as City Centre policies do).

Proposed Hotel and Residential Uses

6. The Waterfront Masterplan produced by LDA Design in 2017, and a key piece of evidence underpinning relevant emerging JLP policies, notes that "the area around the Hoe is one of the most visited areas of the waterfront and is ingrained in the identity and image of the city but interestingly doesn't score that well on visitor reviews on quality of experience... This priority is equally important for visitors to the city as it is to existing residents, ensuring that the image and first impression gives the desired message about the city. Finally, is also about ensuring that there is the right kind of accommodation to allow people to stay for longer trips and support high profile destinations and events, in particular there is a need for high quality hotel accommodation and one of the objectives for the masterplan is to identify attractive and landmark sites which are capable of providing a great visitor experience."

7. The 2014 Plymouth Hotel Market Study considered the Plymouth Hotel market in relation to the City Council's desire to see new and quality hotel development in the city. It identified high occupancy rates in the city's existing hotel supply (all year round average of over 78% compared to regional average of 74% and England average of 77%), and the Economic Development Team considers that pressure has increased since then, 'not unconnected with the successful and ongoing economic and physical growth of the city'. The study notes that 'the supply of hotels in Plymouth is lower than many cities of a similar size and there is a notable gap of quality product' and considers that there is a market opportunity to provide higher quality accommodation at the 4 star full service level, which it notes is not sufficiently addressed by the current hotel offer.

8. Officers note that representations made in support of the planning application, from Destination Plymouth, The Waterfront Partnership, and industry groups such as the Chamber of Commerce and Plymouth Manufacturing Group echo this view. At the same time, other Letters of Representation point out how unfortunate it is that the former Grand Hotel was able to be converted to residential flats and no longer retains this hotel function on the Hoe.

9. The Colliers report explains that ideal site characteristics for a new quality hotel in Plymouth include: good views to sights that make Plymouth unique, good access to the main business and tourist areas, not prohibitive costs to acquire the land or refurbish/demolish current buildings, a willing owner and a well-funded developer.

10. It notes that there are a number of opportunities across the city and specifically recommended that sites such as the Quality Hotel site should be protected for hotel use, at least in part, to ensure the city can offer high quality ocean views to the tourists that it wishes to attract to stay in 'Britain's Ocean City'. As well as supporting the case for protection of the site for hotel use in the form of emerging Joint Local Plan policy JLP28, it seems that the findings of this report clearly influenced the City Council's decision to purchase the site and prepare it for development. Indeed the

representation made by the Council's Economic Development (Strategic Development Projects) refers to the Colliers report before explaining that 'the Council took a cross party decision to intervene over the delivery of a new hotel 5* Full Service hotel which is currently lacking in Plymouth'. It appears that this intervention sought to overcome the likely 'prohibitive costs to acquire the land or refurbish/demolish current buildings' which would have otherwise existed and which the Colliers report imply are a potential barrier to delivery.

11. The planning statement describes that the hotel has been 'designed in line with high quality operator requirements... creating a high quality business and leisure hotel.... The aspiration is for the hotel to meet the quality standards of a luxury hotel to meet the demand for tourist accommodation in the city in advance of the Mayflower 400 celebrations.' The applicant has referred officers to the AA Hotel Quality Standards, which set out key requirements for each star level rating. Many requirements ultimately relate to the level of service offered, but it is clear that a number of the requirements of 4 and 5 star hotels can only be met through the design of the building. The following criteria are included, for example (with commentary relating to the proposals):

- * At least one restaurant, open to residents and non-residents for all meals seven days a week – one formal restaurant and a further restaurant bar are proposed.
- * Additional facilities e.g. secondary dining, leisure, business centre, spa, etc. – function/conference suites, spa/pool/gm are proposed
- * The significant majority of bedrooms very spacious, allowing generous ease of use for movement, comfort, dining and relaxation – the plans show 28sqm or 45sqm on suites; the applicant advises that both are considerably larger than 'standard' hotel rooms
- * Spacious bathrooms with generously sized bath, basin and shower – the hotel plans indicate the potential for this
- * Generally a clearly designated reception area within an impressive foyer or entrance hall – the entrance is into a bar area, with glazing offering views across the Sound
- * The expectation at Five Star is a separate lift for hotel services such as luggage, laundry and room service – the four lifts proposed indicate the potential for this
- * Grounds and gardens are a feature in their own right. Well-maintained and high-quality appearance all year round – although the frontage garden will be small compared with equivalent country hotels, it will be a high quality space with excellent views

12. Officers consider that the building has the ability to achieve a high star rating, and therefore welcome this part of the proposal as means to fill the gap in hotel supply identified by the 2014 Colliers Study. Officers also note that the wider facilities, including the conference/function facilities, the spa/pool/leisure suite and the rooftop restaurant all serve to support the third objective of emerging policy PLY21 (supporting the visitor economy), which states that 'Proposals which help enhance Plymouth as a destination for all seasons, including the effective use of the waterfront and the City Centre for events, and which support business tourism and tourist related business development, will be supported.'

13. In respect of the 'in principle' acceptability of a new hotel land-use on the site in policy terms, officers consider this use acceptable, and note that the most recent use of the site was as a hotel. Officers also note that Core Strategy policy CS12 promotes the waterfront as one of a number of cultural/leisure locations, and Area Vision 4 promotes the tourism, leisure and residential functions of The Hoe. PLY21 of the emerging JLP (Supporting the visitor economy) carries this approach forward. National Planning Policy Guidance is also considered to lend support to emerging JLP policies by encouraging planning authorities to acknowledge particular locational requirements of the tourist industry and identify optimal locations for tourism. In light of the above, officers consider that notwithstanding paragraph 24 of the NPPF, which directs hotels towards designated town/city centres, the continued use of the site for hotel purposes is fully in accordance with planning policy.

14. Indeed officers consider it necessary to look beyond ‘acceptability’, and consider that significant weight should be given to ensuring that the site can remain in hotel use. The wording of emerging JLP policy PLY21 indicates that such weight can be given. Not only does it state that:

15. ‘Support will be given for proposals which protect and deliver growth for Plymouth's visitor economy in its core tourism area. This area includes the waterfront stretching from Sutton Harbour / The Barbican to Royal William Yard, including the Hoe and Millbay...’ but it also includes specific provisions to protect strategic opportunities for 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.’. It goes on to set out a presumption in favour of retaining facilities for the visitor economy, with criteria provided against which proposals to lose such facilities are to be tested.

16. Turning to the acceptability of the residential part of the scheme, officers firstly advise members that the proposed residential apartments are critical in this case to enable the delivery of the high quality hotel. This has been established through the assessment of a ‘viability appraisal’ by Local Planning Authority viability officers. Whilst the purpose of reviewing this assessment was to consider the applicant’s request for a reduced package of S106 planning obligations (discussed later in this report), the review of the appraisal offers an insight into the economics of delivering a hotel of this type. The advice given to planning officers by viability officers includes the following statement:

‘It is our view that it is not currently viable to deliver a standalone 5 star hotel within Plymouth, certainly not of the scale proposed on this site. We think it reasonable that a developer or hotel operator may take a long term view of the city’s growth trajectory and potential in relation to the Mayflower 400 celebrations and make that investment however as per National Planning Policy Guidance we must consider the development at present day values and costs and it is on this basis that we do not consider a standalone 5 star hotel development in Plymouth to be viable. The City Council as both planning authority and landowner appear to recognise this and is considering within the application 88 open market apartments to subsidise and enable the hotel development.’

17. Whilst officers therefore acknowledge comments made in objection to the scheme that the site should be protected solely for hotel purposes, officers are clear that a high quality hotel of the scale sought by parties such as Destination Plymouth and the Plymouth Waterfront Partnership will not be delivered on this site without cross subsidy from enabling development.

18. Officers consider residential development to be the most suitable form of enabling development for this site, and consider this fully in line with relevant objectives of the Core Strategy (Area Vision 4) and emerging Joint Local Plan (Strategic Objective SO3).

19. Whilst the desire to optimise the site for residential purposes in order to support the delivery of the hotel means that the construction of family houses would be challenging, officers welcome the fact that the scheme includes a mix of 1, 2 and 3-bedroom apartments. There is no reason why the 3-bedroom apartments could not be occupied by families, whereas the 1 and 2-bedrooms units will appeal to people with a range of ages and family circumstances.

20. Adopted and emerging local planning policy sets out that at least 30% of the total number of dwellings in a major development should be affordable homes, subject to viability. Emerging policy DEV7 clarifies that this requirement should be met on-site where more than 14 dwellings are proposed. In this case, officers of the Housing Delivery Team have confirmed that they accept the principle of a financial ‘commuted sum’ towards the provision of off-site affordable housing in lieu of on-site delivery. The reasons for this are summarised as follows:

* Hotel delivery – the aspiration of delivering a high quality hotel is understood and supported.

* Affordability – the target sales values are high and would not be truly affordable to average income households even with a significant reduction. Service charges for a scheme of this quality are also likely to be prohibitively expensive at around £2000 per annum.

* Housing mix – affordable 1 and 2 bedroom flats in this location would not be especially beneficial to the area's overall mix, type and housing size. A commuted sum could contribute towards the delivery of larger family housing, for which the need is greater, elsewhere. A commuted sum contribution would be available to be spent anywhere in the city but the desirability of prioritising delivery within this ward is acknowledged and accepted.

21. Whilst the exact sum to be secured for off-site affordable housing is discussed later in this report as part of wider viability considerations, officers accept the principle of an off-site financial contribution in lieu of on-site provision. The contribution is to be paid on commencement of the residential element of the scheme such that the benefits of the scheme can be realised as early as possible.

22. In respect of the uses and the residential mix proposed, officers raise no objection. Officers consider the provision of on-site housing as a means by which to deliver the high quality hotel sensible as it delivers other benefits in line with the vision for this area and the wider city. The proposed mix of uses is consistent with Joint Local Plan (JLP) Policy PLY28, the Plymouth Waterfront Strategic Masterplan, and the Site Planning Statement (SPS).

Economic Benefits

23. As set out above, the 2014 Hotel Study by Colliers acknowledges the important role that upscale hotel provision can have to the city's economy, and the Waterfront Masterplan also acknowledges the role of tourist infrastructure in economic growth. Destination Plymouth and the Economic Development department (Economy, Enterprise and Employment Team) outline the economic benefits of the scheme in their consultation responses. Economic Development point out that 'the visitor economy continues to be hugely important to the Plymouth's economy. The city receives around 5m visitors annually spending over £300m and supporting over 7,500 jobs, around 7% of the total economy. A major aim is to grow the number of staying visitors (currently 15% of the 5m) and particularly overseas visitors, a key opportunity particularly with funding recently secured to promote Mayflower 400 in overseas markets. Overseas visitors are by far the largest spending group averaging over £400 per trip and the city is keen to grow this market targeting US, Dutch, German and cruise visitor markets.

24. In addition to the strategic visitor economy case for Hotel 1620 approval, there are a range of broad measureable economic benefits associated with a development of this scale. These include ongoing direct and indirect jobs (c. 90) (a condition is also proposed to secure an Employment and Skills Plan to maximise these benefits locally), direct and supply chain construction jobs (c. 330), additional construction related Gross Value Added (GVA) to the local economy (c. £23m) and the ongoing benefit of the visitor associated spend in the local economy (c. £2m pa). These, collectively, are very substantial economic benefits and strongly support the case for the development proceeding.

25. Policy CS04 of the adopted Core Strategy (Future Employment Provision) sets out that the Council will support a step-change in the performance of Plymouth's economy, including through Supporting the development of tourism, leisure and creative industries, with particular emphasis on the City Centre and Waterfront regeneration areas.... The important role of tourism facilities to the economy is also acknowledged in emerging policy PLY21 as set out above. In light of this policy position, officers advise that members can place significant weight on the economic benefits of the proposal in making a decision on the acceptability of the scheme.

Design

26. The design of the proposal and its impact on the Plymouth Hoe townscape is understandably the principal issue for consideration in this case given the prominence of this townscape and its sensitive historic nature.

27. Issues of design and heritage are interrelated in this case given the existence of numerous designated heritage assets within close proximity of the site. Historic England Guidance on the setting of heritage assets acknowledges that this is often the case: 'Consideration of setting in urban areas, given the potential numbers and proximity of heritage assets, often overlaps with considerations both of townscape/urban design and of the character and appearance of conservation areas.'

28. Although ultimately this report will draw an overall conclusion on design and heritage matters, the issues are firstly considered separately in recognition of the different policy tests that apply to each.

29. Throughout this section of the report, reference will be made to the Site Planning Statement (SPS) produced for this site. This is one of many Site Planning Statements produced by the Local Planning Authority. The Statement itself clarifies its role and purpose in stating: "This Planning Statement provides guidance for the development (or redevelopment) of this site. It does not establish policy, but assists the development process by bringing together key planning and design issues". The statement was produced in 2015 and updated in 2016. It remains available on the city council's website, and was drawn to the attention of prospective purchasers of the site.

30. Reference must first be made in respect of urban design function to the mix of uses proposed, which as confirmed earlier in this report is consistent with policy and is also welcome in design terms. The applicant has confirmed that both the restaurant use at the hotel top floor, and the more informal bar area at the ground floor will be open to all and this is welcome in terms of the providing an active destination use to enliven the scheme, accessible from the Hoe Park. Given the spectacular views from which it will benefit, the 11th floor restaurant will no doubt be a very high quality, desirable destination. Ideally there would be a further leisure-related retail unit such as a restaurant or café on the ground floor of the apartment block, to optimise footfall and use of the frontage area and the scheme's connection to the Hoe Park. Whilst it is regrettable that the applicant has been unable to provide such a unit, or any smaller kiosk style units at the lower level facing Cliff Road, the publicly accessible frontage will create an attractive pedestrian route across the site linking the two restaurants to the Hoe, and a stairway access will also provide access from Cliff Rd to the south of the site.

Design - Layout and siting of buildings

31. Officers support the proposed building footprints. The scheme was amended during pre-application discussions such that its Hoe frontage has been moved back into alignment with the building line established by the historic Esplanade buildings to the east. This amendment sought to address concerns expressed by Historic England (discussed in more detail in the heritage section of this report), and brings the scheme in line with the Waterfront Masterplan's suggestions for the site. Setting the building back reduces its prominence in views from the east significantly, and officers consider the siting of the buildings to be a very significant positive aspect of the scheme when compared to the pre-existing hotel which was highly prominent (unjustifiably given its appearance) in views from the east. Whilst the revised siting does impact on on-site parking provision, it increases the size of the publicly accessible frontage, offering major benefits for future users through the spectacular views from which it will benefit.

32. Officers consider it positive that the scheme has been separated into two buildings – with a gap between them providing the view corridor sought by the Site Planning Statement - to promote the

benefit of waterfront views inland through the site and beyond. This gap was widened during pre-application discussions by narrowing the footprint of the apartment building. This change, which was welcomed by officers, sought to emphasise the separation of the scheme into two smaller masses. The gap is similar in width to that formed by Elliot Street and Holyrood Place, the north/south streets between the Esplanade buildings and Grand Hotel.

33. The curved geometry of the building footprints echoes the shape of the site's Cliff Road boundary, the contour of the land and the wider landscape. The sweeping curved form of the hotel and apartment buildings is derived from these references.

34. Officers have consistently expressed concerns regarding the extent of open surface-level car parking (repeating the old Quality Hotel format) covering the site to the north of the proposed buildings and the lack of building frontages to Prospect Place and most importantly Leigham Street. The applicant advised that basement parking was explored, but that the shallow depth of soil dictated that major excavation into the bedrock would have been required – officers accept that this would not be desirable on grounds of either cost or sustainability.

35. In the absence of basement parking, a perimeter block approach would have been the preferred option, with buildings addressing all the site frontages rather than the south frontage only, with parking and service zones hidden from public view and contained.

36. The applicant has always resisted this more comprehensive approach to site development on the grounds of deliverability; their intention is to deliver both buildings for 2020 to enable the hotel to capitalise on visitor trade for the Mayflower 400 celebrations, and are concerned that further/more complex development could compromise their ability to do so. Officers accept that position, but consider the lack of frontage to Leigham St and Prospect Place as a shortcoming of the scheme in urban design terms. In response the applicant has sought to demonstrate that further future development could improve the scheme in this respect. An indicative layout for 'phase 2', consisting of development north of the Leigham St access (potentially connected to the apartment building by way of a canopy), with a hotel extension extending northwards from the hotel's western stair/lift core, is therefore shown at section 4.3 of the submitted Design and Access Statement.

37. Officers consider that development of this type would address some of the concerns expressed, although significant further work would be needed before it could be supported. For example, the impacts of decked (multi-storey) car parking on the design and safety of the east-west street, and its relationship to residential development facing Leigham St, would need to be carefully considered.

38. Whilst officers welcome the initial thinking on phase 2 insofar as it demonstrates that further beneficial development at a later date is not ruled out by phase 1, the deliverability of phase 2 is by no means secured. For example, unless there are radical changes in travel behaviour in the interim, car parking lost for the residential element will need to be replaced and additional parking provided. The applicant's suggestion of a multi-level car park offers a technical solution but will be costly, and officers question whether the relatively modest increases in floorspace that phase 2 might bring would be sufficient to meet such costs given the need for a degree of developer profit to incentivise development. The viability of phase 2 has ultimately not been tested and whilst officers understand why Historic England request such information in order to fully understand the economics of the wider site development, officers don't consider it possible at this stage without further detailed design work.

39. Ultimately, officers remind members of the committee that they are being asked to consider the acceptability of the scheme before them as submitted in the planning application. Officers further advise that whilst some weight can be given to the possibility of phase 2 in considering the desirability of site development fronting Leigham St and Prospect Place, ultimately this future development may never come forward. On this basis, the weight to be given can only be minimal,

and members are advised to consider the acceptability of the proposal on the basis of the drawings before them. With the current scheme, strong structural tree planting along Leigham Street is critical to provide some enclosure and mitigate the visual impact of the surface level car parking from the street. Conditions are required to secure this as set out in comments on the landscaping scheme later in this report.

40. Further considerations about the scheme's relationship to the street relate to the position of the entrances, which are mainly at the rear of the buildings facing the car park. Ideally, an active ground floor frontage and/or prominent entrance to the residential block would have been located on Leigham Street. It is positive that the applicant has amended the scheme to provide a Leigham Street entrance to the apartments (although the prominence and scale of the entrance (and the extent to which it activates Leigham Street) is not optimal and people using this entrance would have to navigate the cycle store).

41. The detailed design of the Prospect Place frontage will be important, to ensure it creates an attractive environment and does not appear as a utilitarian service zone. Officers consider it positive that the applicant has agreed to additional windows to overlook the alleyway along the site's west boundary to promote natural surveillance of this route and discourage antisocial behaviour. The western boundary wall has been improved in the recent changes such that a high quality, contextual and historically sympathetic natural limestone wall is now proposed (where previously this was to be reconstituted stone).

Design – Height and Massing

42. The Council's Site Planning Statement (SPS) for the site says that "the site presents the opportunity for a building of significant height, expected to be in the region of about 10 storeys, similar to the Azure development, at the site's southeast corner. Height should reduce to around 4 storeys to the west and north to follow topography and respond to the scale of adjacent residential buildings. Particularly high quality, innovative architecture may justify the case for a taller building than the Azure development." Officers – while positively promoting optimisation of development density on the site - have consistently drawn the applicant's attention to the risk associated with progressing a scheme in excess of the heights recommended in the SPS.

43. Officers have, however, been convinced that the increased height of the apartments (over and above the height of the adjacent Azure development) could be justified provided the architectural quality of the buildings is appropriately high and the hotel building in particular is sufficiently recessive in its design - such that the apartment building reads as the dominant western "bookend" to the terrace of Hoe Esplanade buildings as viewed from the Hoe Park and waterfront. The "bookending" approach - illustrated in the applicant's Tall Buildings Statement – has been discussed by various parties during the design development process as a means by which to justify additional height, with the notion of swapping the buildings around such that the taller building is furthest west also frequently suggested. Officers acknowledge these suggestions, but agree with the applicant's design team that the current arrangement responds more sympathetically to the site's topography whereby the land is already starting to drop away down towards Millbay at this point. Arguments against swapping the buildings also include the likely further impacts of the scheme on residents of I Walker Terrace, and the servicing needs of the hotel, which would inevitably be more prominent and harmful to the site's character if sited close to Leigham St.

44. The current approach, whereby the apartment block serves as the dominant bookend at the opposite end of the Hoe townscape to the Citadel, with the hotel as a high quality elegant, lightweight, reflective glazed building next to it, seems to officers to be appropriate and is supported. Although it is against the backdrop of other significant concerns, it is also notable that Historic England support the application of a different elevational treatment to the hotel building.

45. Whereas the façade design of both buildings was identical in earlier iterations, the applicant's decision at the outset of the pre-application process not to provide balconies to every hotel room meant that the buildings would never appear identical. This change allowed for the possibility of designing the hotel façade to be more recessive as is now proposed. The applicant put forward an option of making the hotel highly glazed in response to concerns raised by officers about the scale and visual bulk of the scheme in key views from the south east. Particular concerns were raised about the apparent mass of the building in views from Jennycliff (and Mountbatten as shown in view 5b on page 37 of the submitted Design and Access Statement) in which the same elevation design concept carried across both buildings and their proximity to one another meant that they read as a large single mass rather than as two separate buildings.

46. Several other significant changes, proposed concurrently in response to officer concerns have also served to significantly reduce the visual bulk of the building in these views. Most notably the apartment building footprint was reduced, and the gap between the two buildings increased, as described above. The adoption of a less pronounced curve to the balcony edges, combined with revisions to the cladding colour (which brings it more closely in line with the colour of materials on Elliot Terrace and The Esplanade and responds to the numerous comments about the colour received at the pre-application public consultation) also have the effect of lightening the appearance of the building and making it appear more refined, delicate and sympathetic to its historic context.

47. Following further negotiations during the application, further amendments to the scheme have been made to remove features on the hotel façade that appeared over-complicated and ran contrary to the objective of achieving an elegance and finesse to its south elevation. These changes, along with improvements to the elevations and materials as outlined above and below, have further increased the design quality, and enable the proposed height of the scheme to be supported on the basis of its "bookending" justification, and acknowledging the enabling role of the taller apartment building in enabling the benefits brought by the high quality hotel to be realised.

Design – Architectural expression

48. The scheme's architectural expression is a strong, bespoke response to this prominent and prestigious site. Both buildings are unashamedly of their time and avoid the pitfalls of pastiche or over-complication that could have been associated with a design that seeks to reference the historic Esplanade buildings. The sweeping curved balconies of the apartment building have obvious marine references, echoes of Art Deco and cruise-liner architecture, whilst also acknowledging the horizontal arc of Hoe structures such as the cantilevered Colonnade and the lines of the local landscape itself.

Design – north (rear) and side elevations

49. Officers considered that the north elevations of the two buildings as first submitted with the application needed significant design changes as they appeared monotonous and read very clearly as secondary, functional rear elevations. Such an appearance ultimately arises from the fact that the layout of the scheme is very frontal, whereby all hotel rooms and apartments face south to the Sound, leaving the rear elevation primarily covering service functions like the stairwells and lifts. However the significant scale of these elevations dictates that they will be particularly prominent inland and officers sought their revision to create a positive "sense of arrival" to the Hoe and waterfront, and indeed, the development itself. The uncertainty around the timescale/delivery of Phase 2 of this scheme means that these elevations will likely remain highly prominent in the immediate and wider city townscape for a significant time.

50. To enhance the north elevations officers recommended that the number of windows be optimised within the stairs cores, along the whole runs of corridor, including corridor ends and to the lift cores and lifts themselves (to generate movement and interest in the elevations, as well as drama, city views and optimisation of natural light for the occupants). The applicant's architect has

responded positively to these recommendations and the north elevations have been improved substantially. The addition of complete glazed curtain walling to the whole of the recessed areas between the lift and stair cores of both buildings is welcome, as is making a glazed feature of the hotel lifts themselves to animate the elevation and open up views for occupants.

51. The general increase in the number and size of windows to the north, east and west elevations is very positive. Additional glazing has also been added to the west elevation of the hotel at basement and ground floor where it is adjacent to the footpath from Prospect Place to Cliff Road. Whilst officers accept that some of this may need to be obscure glazed (male and female changing rooms for example), there are windows proposed here that will serve offices, the gym, and other functions which will increase natural surveillance over this footpath providing public safety benefits. A condition is proposed to control glazing in this area to ensure that overlooking benefits are optimised. Similar improvements have also been made to the east elevation of the hotel at ground floor such that there will be surveillance over the public route between the two buildings.

Design – upper floors and roof form

52. Officers have secured amendments to the earlier scheme to make the top floor “attics” of both buildings lightweight glazed elements in their entirety. The addition of glazing / ‘spandrel panels’ (panels that are glazed but are not transparent such that they hide solid parts of the building) to the attics is welcome as it will support the lantern-like lightweight appearance of these elements. The approach should be consistent on all attic elevations as well as on the spandrel panels in the recessed curtain walling zones. The panels must be carefully detailed in order to give the appearance of glazing when viewed from street level and reflections of the sky given the importance of achieving a quality lightweight appearance (conditions are proposed to secure this).

53. Given the height of the apartment building the form (and edge/canopy detail) of the roof has been subject to several iterations. Officers consider this aspect of the scheme acceptable as now shown. Details of the arrangement and appearance of solar panels will be subject to a condition, and a further condition seeks to ensure that the roof will remain clear of incremental accretions such as railings and masts which could undermine the simplicity of the roof form and negatively affect the city skyline and roof-scape. Officers also note that the hotel roof includes a plant well designed to allow the discrete siting of roof plant, and conditions will also be used to allow a visual assessment of any plant or equipment which will protrude above the lowest edge of this plant well.

Design – the lower floor ‘plinth’

54. The use of Plymouth limestone is welcomed on the hotel ground floor around the part of the building that includes the swimming pool and gym. However, officers are strongly of the view that Plymouth limestone should be used on all the solid ground floor elements of the hotel and apartment buildings, to give a strong link to local character and geology – and, fundamentally, longevity and robustness (the aluminium cladding previously proposed was not considered robust enough). Following further negotiation the applicant has agreed to the use of Plymouth limestone across the two storey ‘plinth’ of both buildings in their entirety (as well as on prominent boundary treatments). This is a significant improvement to the scheme in the spirit of comments made by the design review panel, and is very much welcomed. conditions are proposed to secure sample panels to show the stone finish, jointing and mortar details etc.

Design – aluminium cladding

55. The principle of aluminium cladding is supported provided the specification and detailing is sufficiently robust to have longevity in this exposed waterfront context. conditions are proposed to allow for further detailed consideration of the colour and finish (the colour selection methodology must have a strong connection to place). The need for frequent refinishing of parts of the adjacent Azure building demonstrates how challenging this environment is, and the weathering of the material and the degree to which dirt adheres to it will need to be carefully considered. The applicant has

submitted evidence to demonstrate that the proposed use of anodised aluminium will be adequate in this respect, and officers know of no reason to disagree, but conditions are needed to ensure the necessary quality, along with samples of all external materials. The fire safety aspects of cladding is now also a critical consideration, and the applicant will need to demonstrate that any cladding system proposed is also acceptable to building regulations in fire safety terms. Fire safety issues, although largely the subject of building regulations rather than planning, are discussed later in this report. Further details (including samples as relevant) will also be required of other prominent elements, including glass and the roof top solar installation.

Design – public realm

56. The scheme delivers significantly improved public access to the site, including the provision of a generous area of publicly accessible space to the site frontage. This has been designed to function as a wedding or event space and will benefit from spectacular views. Conditions are proposed to secure the details of the terracing between the various different levels, which were initially proposed in render, but the applicant has agreed to treat in reclaimed local limestone to reflect the site's position above the West Hoe quarry and to ensure greater weathering characteristics.

57. Officers understand that as well as being proposed for the hard surfaces to the frontage area and key pedestrian areas elsewhere on site, high quality granite paving is also to be used on the footways from the south side of the new Leigham St access around the south eastern corner of the site. Vehicle crossovers are also shown in a manner that prioritises pedestrian movement along the footways. Conditions are proposed to secure all relevant details. As part of the package of planning obligations, officers have also negotiated an off-site scheme to improve the public realm from this corner through to the Hoe Promenade. This scheme proposes new granite surfacing across the junction, on the Cliff Road south footway and across the viewing area above the Cliff of West Hoe Park. An associated new set of steps at the west end of the Hoe Park will create a legible new link between the proposed Hotel and the Hoe Promenade. This scheme is welcomed by officers as it will provide significant improvements to accessibility of this part of the Hoe whilst providing a direct connection between the Hoe Promenade and the new Hotel facility. The mechanism for securing these works is discussed later in this report where planning obligations are discussed. The application for these works also proposes the removal of the unsightly painted brick shelter over the footway to the south of the site.

58. Other public realm improvements include the creation of a more direct, fully accessible route for pedestrians and cyclists across the northern boundary of the site from Leigham Street to Prospect Place. This will enable significantly improved east-west movement on foot and by bike, including direct access between Millbay and The Hoe, and is in accordance with the SPS and Waterfront Masterplan. Detailed design will be required to ensure this is an attractive, welcoming, safe and well-overlooked route (conditions are proposed). A high quality, granite paved footpath through the site's car park will link this new route through to the site frontage and The Hoe via the gap between the buildings.

59. Whilst working up the scheme the applicant met with the Devon and Cornwall Police's Architectural liaison officer, and as a result wished to make the site less publicly accessible, and therefore more secure. However, officers are of the view that the route through the site, and particularly the frontage area, are major public benefits of the proposal, and have insisted that these remain publicly accessible as per the Site Planning Statement. A compromise has been reached whereby public access to the routes and spaces will be secured by way of a planning condition, although the applicant will be permitted to close gates at the southern access to Cliff Road and the northern access to the car park from the new East-West pedestrian/cycle street at night. Access through these gates has been agreed between the following hours: 8am to 10pm from March 28th to October 28th, and 8am to 8pm from October through to March. The applicant added that 'in reality as the hotel is a 24hr operation there may well be informal public use of this space outside of these

times.’ Management arrangements for all areas to be publicly accessible will also be secured by condition.

60. Overall officers consider the hard landscaping scheme to be very successful, and subject to successful implementation of the separate Hoe access scheme, consider that the scheme will be highly successful in drawing people from the Hoe Promenade to the Hotel, and conversely that guests and conference visitors to the Hotel will naturally be drawn to the Hoe and its various attractions. Paragraph 61 of the NPPF explains that ‘although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.’ Officers consider that the proposal does exactly that, and consider that in doing so the scheme offers significant public benefits.

Trees and soft landscaping

61. In consultation responses made by the Natural Infrastructure Team, the Tree officer initially objected to the proposals due to the proposed loss of 4 trees on the northern boundary in the absence of adequate justification or compensation. However following receipt of revised information, their objection has been lifted. The applicant has explained that the tree roots will be harmed by the creation of the new E-W path, and officers accept that this is unavoidable given the desirability of a step free route in this location. Although the applicant’s landscape scheme offers to plant replacement trees in this location, officers advise against this as it will be difficult for the trees to establish and they would also obstruct the path. As compensatory planting is proposed elsewhere on the site no objection is raised without these trees. Conditions are proposed, however, to control the size of trees planted as some of the proposed planting is of insufficient size and maturity. Conditions will also secure details of tree protection measures for retained trees and details of root planting infrastructure to ensure that new trees have adequate rooting areas that would not be compacted by vehicles etc.

62. Officers are fully supportive of the applicant’s stated landscape strategy which is to plant the garden terrace in such a way as to evoke the character of a “wild coastal landscape”. This is in line with the naturalistic approach advocated by the Plymouth Waterfront Masterplan, whereby species that flourish in such exposed conditions are promoted. If successful, this will create a unique setting to this development. Whilst the tree species proposed are acceptable, some of the smaller planting species proposed to date are queried in respect of their suitability and ability to deliver the stated strategy. Further changes are being sought, and the final species will need to be secured. Officers consider that these matters of detail can be resolved, so subject to conditions raise no objection.

63. The scheme includes ‘biodiverse’ (green/brown) roofs on the apartment roof and sedum blanket on lower level roofs (those that will be visible from I Walker Terrace) as set out in the submitted Ecological Mitigation and Enhancement Strategy. All are welcome. Further details, and delivery of these elements, will be secured by condition. Other measures set out in the same document will also be secured by condition unless changes are agreed through the approval of alternative landscaping proposals.

64. Finally, a condition is proposed to secure satisfactory management of the landscaping through a landscape management plan.

Heritage

66. The townscape within which the proposal is situated comprises of a large number of heritage assets designated as such in recognition of their historic and architectural importance. Designated historic assets within the vicinity of the site are mapped in Figure 2 of the submitted Heritage Assessment.

67. Whilst there are no designated heritage assets directly associated with the development site, it has the potential to impact upon the setting of numerous heritage assets in the vicinity. The site lies immediately adjacent to The Hoe Conservation Area, the boundary of which extends to include the eastern footway to Leigham St to the east, and the southern footway of Cliff Road with the associated cliff edge to the South. The Hoe Park itself is also a Grade II Registered Park/Garden. Its boundary extends further west than the Conservation Area to also include the play area on Pier St to the south below the site.

68. Designated historic assets within the Hoe Conservation Area are mapped in Figure 3 of the submitted Heritage Assessment. The applicant notes that the Conservation Area contains one Scheduled Monument (the Royal Citadel), one Registered Park and Garden (The Hoe), two Grade I Listed Buildings (Smeaton's Tower mapped as A, and the Lorimer Plymouth Naval War Memorial mapped as B), seven Grade II* Listed Buildings (Elliot Terrace mapped as C and D) as well as 55 Grade II Listed Buildings, the closest of which is the former Grand Hotel (mapped as E) located on Cliff Road. The Drake Statue and Armada Memorial on The Promenade are also listed at Grade II*.

69. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the LPA shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. Section 72(1) of the Act contains similar requirements with respect to buildings or land in a conservation area. Although the setting of conservation areas is not a statutory duty in primary legislation, the NPPF states that the setting of a designated heritage asset can contribute to its significance.

70. Paragraph 132 of the NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.' It confirms that 'significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.'

71. In this case, impacts on the heritage assets can only be to their setting as there is no physical connection between the development and the designated heritage assets. The NPPF defines 'Setting of a heritage asset' as follows

The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

72. Historic England provides guidance on the setting of Heritage Assets in its Good Practice Advice in Planning: 3 of 2015. Although representations from Historic England do not refer to this guidance, the applicant's Heritage Assessment confirms that its analysis has been carried out in accordance with its 5 step methodology.

73. The submitted assessment took as its starting point all heritage assets within a 1km radius of the site, but then screened many of these out due to their distance and relationship with the site, leaving a smaller number to be reviewed in detail.

74. In respect of the potential effects of the development upon the significance of designated historic assets within the surrounding landscape, the assessment concludes that 'although the proposed development would result in a change in long-distance views towards Plymouth from the designated assets located on Mount Batten, Mount Edgcumbe and Drake's Island, the Devonport Column, and Stonehouse Peninsula Conservation Area (and associated designated assets), such a change would be

visible within a wider urban context and would, therefore, not measurably affect the significance of these designated assets, or the character and appearance of the Conservation Area. The proposed development would therefore result, in terms of the NPPF, in no harm to the significance of these assets.’ The Local Planning Authority’s Historic Environment Officer agrees with this conclusion.

75. The Heritage Assessment’s commentary on designated assets within the environs of the site concludes that whilst there would be no impact on the immediate setting of buildings on Grand Parade (Grade II), a ‘less than substantial’ degree of harm would be experienced to their wider setting in views from Mount Edgecumbe and Drake’s Island. Whilst the proposed development would result in a change in views towards The Hoe from the wider landscape, due to the presence of surrounding built form of varying scale and design, the proposal would be visible within an urban context, and potentially alongside other modern developments, including the recently approved Millbay Marina Village Development (14/01103/FUL). The Historic Environment Officer agrees with these conclusions.

76. The Heritage Assessment also acknowledges that whilst the development would not affect the key contributors to their significance, there would be some harm to the setting of the listed buildings The Esplanade (II*), Elliot Terrace (II*) and The former Grand Hotel (II), but that this would be ‘less than substantial’. The harm results from the additional height of the proposal impacting on the aesthetic values of these buildings, and drawing the eye away from them in wider views. The Historic Environment Officer acknowledges this concern, and Historic England describe this in terms of the scale and massing of the proposed apartment block, which threatens to overwhelm the setting of high quality Victorian terraced houses fronting the registered park, drawing the eye and detracting from the pleasing architectural uniformity.

77. The Heritage Assessment considers that the development will not ‘detract from the ability to appreciate the historic illustrative, aesthetic or communal values associated with Smeaton’s Tower’ (Grade I listed), and points out that the values inherent in the physical fabric of these Listed Buildings will continue to be appreciated against a backdrop of planned terraces adjacent to tall modern development within an urban context and with wider coastal and inland views almost entirely unchanged.’ However, Historic England raise concerns that ‘the view of Smeaton’s Tower on the key approach to the Hoe along Madiera Drive [Madeira Road] is threatened by the apartment block by introducing built form behind it’ and go on to observe that ‘the tower’s evocative sense of solitary isolation against an unfettered and open backdrop’ would be ‘diminished’. Officers accept that the development would introduce new built form, which in some views of Smeaton’s Tower from Madeira Road would be seen as its backdrop. However, both the Azure development and the former Hotel were both visible in these views. Although the new apartments would be significantly taller and therefore more prominent in the backdrop, Smeaton’s Tower would remain the dominant structure, and in key views from close to the junction with Hoe Road, the apartments are also likely to be screened by Smeaton’s Tower completely.

78. In respect of the setting of the Hoe Conservation Area and the heritage assets that lie within it, the Heritage Assessment acknowledges that the development would introduce change, but considers that this would be limited by the existence of other tall modern development, and offset by the regeneration of the site. Ultimately, the Historic Environment Officer agrees with its conclusion that this would constitute ‘less than substantial harm.’ Historic England’s view on this is that ‘the introduction of a building of significant scale and massing will have a serious and desultory effect on the Conservation Area’s setting, failing to preserve or enhance its character or appearance’. They also point out that ‘although Conservation Areas are not graded, this is an outstanding example and a symbol of the city’. The Hoe Conservation Area Appraisal (CAAMP) supports the ‘symbol of the city’ notion. It states:

79. 'The principal view into the Conservation Area is from the Sound. The panorama from the Citadel across the Park to the facades of the Esplanade, Elliot Terrace and the Grand Hotel has become a defining view of the city.'

80. Whilst it is clearly the scale of the proposals that is of most concern to Historic England, they also raise strong concerns about the integration of the proposed buildings into the wider townscape context. They list the following concerns:

- * Blank, featureless western elevation

- * Monolithic and featureless rear elevations – of particular importance on the approach from Prospect Place where the building should appear as a landmark and where it should offer northward views to its occupiers

- * The strong horizontal emphasis and proportion of the apartment building's principal elevation fails to pay due regard to the character of the historic buildings that form its setting; these typically have more muscular lower floors and while also of horizontal composition, display secondary bay rhythms.

81. Members should be aware in considering these comments that the improvements to the scheme described in the design section of the report have been made since Historic England raised these comments. Commentary on these detailed aspects of the design is set out in the design section of this report. Irrespective of this, Historic England maintain their objection, noting that 'the scale and massing remains unaltered', and that the design improvements do not mitigate the adverse impact on the historic environment. They note that there is no clear and convincing justification for the harm that they consider will arise from the development, maintaining that the design quality remains weak and the necessity to build so high has not been adequately demonstrated.

82. The policy guidance in Paragraph 133 of the NPPF is clear in relation to a development proposal which will lead to substantial harm to or total loss of significance of a designated heritage asset. In such cases, planning permission should be refused unless it can be demonstrated that the substantial loss or harm is necessary to achieve substantial public benefits that outweigh that harm or loss, or all the conditions set out in paragraph 133 apply. Paragraph 134 states that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, such harm should be weighed against the public benefits of the proposal, including its optimum viable use.

83. Officers acknowledge the need to have special regard to the desirability of preserving the setting of listed buildings and to pay special attention to the desirability of preserving or enhancing the character or appearance of the Hoe Conservation Area in line with the requirements of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Members are advised that the scheme will give rise to some harm to the designated heritage assets within close proximity, particularly as a result of its scale, but officers consider that this constitutes 'less than substantial' harm, and in accordance with paragraph 134 of the NPPF should be weighed against the public benefits of the proposal, which are set out elsewhere in this report. In order to secure the benefits associated with the delivery of the hotel to enable them to be weighed against harm to heritage assets, a condition is proposed to prevent a scenario whereby the apartments (which in general terms are considered the more harmful aspect of the scheme due to their height) are constructed without the hotel.

84. Importantly, officers also remind committee members and interested parties that the proposed new buildings are ultimately to replace the former hotel building, which the Conservation Area Appraisal described as being of 'negative quality' and 'impinging significantly on the Conservation Area', and which clearly caused significant harm to the setting of these assets. When making direct comparisons, it is apparent that in many respects the proposals bring benefits to the significance of some of the heritage assets. For example, as set out in the design section of this report, although

the application proposal is significantly taller and would therefore be more prominent in views from the south, it is more sympathetically sited in closer alignment with the historic building line, so in views from The Hoe Promenade to the east would be much less prominent and less intrusive into the setting of the closest Listed Buildings and the Registered Park/Garden itself. The detailed design of the buildings is also of an unquestionably higher standard and a more sympathetic style than the brutalist concrete structure that it replaces.

Amenity

85. The apartment block itself is considered to offer good standards of amenity for its future occupiers, with excellent outlook, adequate daylighting and space standards and access to private balconies or terraces supplemented by immediate access to the new frontage space and The Hoe Park. There is a need, however, to consider impacts of the scheme on adjacent residential occupiers carefully given the scale of the proposal and its proximity to such occupiers. Overlooking impacts to Azure set out below would conversely also impact to some degree on the residents of the new units, although this is clearly of lesser concern than impacts of the new development on existing residents.

86. Overshadowing impacts are likely to be experienced most acutely by the residential occupiers of apartments in I Walker Terrace. The shadow study included within the submitted Tall Buildings Assessment allows a detailed assessment of these impacts. It compares the overshadowing impacts of four different scenarios at the spring/autumn equinoxes as follows: i/ the previous hotel building, ii/ a notional scheme based on the four and 10 storey heights suggested by the site planning statement (with buildings sited forward of the position now proposed), iii/ the scheme that was subject to pre-application community engagement where the scheme was sited further to the south and iv/ the submitted proposal.

87. In terms of impacts on I Walker Terrace, the studies demonstrate that:

- i. in scenario i/ the properties were overshadowed first thing in the morning, but free of shadow from before 9am;
- ii. in scenario ii/ the upper floors were subject to minimal shadow at 9 and 10am, but the lower floor units were still overshadowed at 11 and not free of shadow until midday.
- iii. in scenario iii/ full shadow is experienced until 11am, with the properties becoming free of shadow by midday
- iv. in scenario iv/ the impacts were similar to those of iii/

88. In terms of impacts on Azure, the studies demonstrate that:

- i. in scenario i/ the lower floor properties were overshadowed from around 2pm, with some overshadowing to the front units still occurring at 5pm;
- ii. in scenario ii/ a greater number of properties were subject to overshadowing from around 2pm with more of the units towards the front of the property overshadowed at 5pm
- iii. in scenario iii/ greater impacts than scenario ii/ were experienced
- iv. in scenario iv/ impacts on units furthest south were less, but impacts are experienced by units further north forming part of Azure West

89. The rationale for testing different scenarios was to understand the impacts of the scheme relative to the pre-existing hotel buildings, to explore whether the additional height of the hotel compared to the site planning statement's four storeys was having a significant impact on Walker Terrace, and to consider whether further additional height on the western side of the site (including considerations at the pre-application stage about swapping the two blocks around) would have further impacts given that the arrangement was under consideration.

90. Officers draw the following conclusions from these considerations:

In respect of impacts on Walker Terrace:

- i. Even a scheme of 4 storeys on the western side has some overshadowing impact on 1 Walker Terrace and would therefore be more harmful than the former hotel (although impacts would be limited to units on its lower floors)
- ii. Impacts of additional height above 4 storeys will be experienced by upper floor units in 1 Walker Terrace in the morning, although the impact is likely to be the same for a 6-storey building as it would for an 11-storey building
- iii. Irrespective of height, 1 Walker Terrace will be unaffected by overshadowing in the afternoon (from shortly after midday)

91. In respect of impacts on Azure:

- iv. Some properties were subject to overshadowing from the previous hotel building, but the scheme will increase overshadowing both in terms of the number of units affected and the overall duration of overshadowing.
- v. Units in Azure West will now be subject to overshadowing whereas previously impacts were limited to those in the southern half of Azure South.

92. Overlooking and loss of privacy issues require close consideration. Whilst windows on the north and south elevations do not create any significant opportunities for overlooking, there are windows and balconies on the east elevation facing Azure south, and smaller windows and terraces on the west side of the hotel.

93. Considering firstly impacts on Azure, officers note that there is no scope for overlooking of Azure from apartment Level 0. There is some scope for the bedrooms to the 2-bedroom apartment closest to Leigham St being overlooked from the raised front garden to Azure (14m away), but this is not a highly used area of the front garden in any case.

94. Levels 01-07 have a 2-bedroom apartment at the eastern end. The window to one of the bedrooms faces towards Azure, and the bedroom also opens out onto an area of balcony to the side of the building which also allows for a view towards Azure.

95. There are 3 sets of windows which would be subject to some degree of overlooking, as well as the balconies on the front of Azure, which also feature a small gap on the western elevation. The gap is 14m from the new balconies at its closest, but loss of privacy will be minimised by the minimal width of this gap (which serves a balcony that mainly faces south).

96. The smallest windows furthest south are closest to the proposed balconies at around 14m. The second set of windows is wider and to the lowest 3 floors includes a spandrel panel linking it to the window above. These windows are 15.5m away from the nearest accessible part of the balconies and 16m from proposed bedroom windows opposite.

97. The third 'column' includes windows likely to be most sensitive to loss of privacy due to their width and full height: the lowest three floors will be nearest to the proposed development as they feature a small balcony projecting towards Leigham St; assuming this projects around 0.5m the nearest new window (to the bedroom) would be around 16.5m away from the balcony edge. The same windows to Azure floors 4, 5 and 6 are set back inside a recessed balcony. The balcony edge would therefore be 17m away.

98. From Level 08 to Level 13, the eastern apartment is a 3-bedroom unit, but the relationship of window/balcony to window remains the same. The (seventh) floor of Azure has a fully glazed treatment but is a similar distance away, and the eighth floor is set back but has a balcony to the front and side. As this is the top floor, windows on levels 09 and above of the proposed scheme

would not directly face residential windows, although they would still provide opportunities to overlook to some degree from above. In this respect it is arguably the penthouse flat of Azure that would be most affected as its front and side balcony will be overlooked from balconies of units at levels 09-14. The end apartment at Level 14 is a 3-bedroom unit with a similar layout to that at Level 13, although it is further set back so has a larger terrace.

99. Officers conclude that there would be some impacts on residents of Azure. However, the existence of a street here suggests that there would always have been windows facing one another. This is the established relationship in the Conservation Area, and the width of Leigham St is typical of side streets in this environment. The historic houses that face one another across Elliot Street, for example, have large bay windows. The design of Azure appears to have acknowledged that windows at the back edge of the opposite footway may be a future possibility, and the absence of principal windows on its western return elevation where it is closest to the Cliff Rd/Leigham St junction helps to minimise impacts. Officers do acknowledge that the inclusion of balconies on the south eastern corner of the apartments leads to a more harmful relationship than that of typical historic buildings facing one another, but the balconies play an important role in the design of the building at this point where they face The Hoe Promenade and the two issues must be weighed against one another.

100. The Development Guidelines SPD suggests distances of 21m for facing habitable windows (or 28m dwellings of 3+ storeys), but the document (written with a focus on managing impacts of residential extensions in residential areas) acknowledges that the levels of privacy expected will differ depending upon the location. It cites as examples that within more densely developed neighbourhoods such as the Barbican, Stonehouse and Devonport, it is not unreasonable to assume that privacy might be less than in lower-density neighbourhoods. It goes on to state that these guidelines should be applied flexibly to reflect the character of the neighbourhood.

101. In this case design considerations are considered to necessitate significant weight, and whilst officers acknowledge that there will be some impact on neighbouring residents, they consider that these must therefore be balanced against wider considerations. On this basis officers consider the balconies in this location to be acceptable in recognition of their positive role in addressing this corner and promoting an active connection between the scheme and The Hoe Conservation Area.

102. The hotel offers limited opportunities to overlook adjacent properties: its north-facing windows face slightly eastwards away from 1 Walker Terrace, and although it features two windows at each floor on its west elevation, one of these (at the end of the corridor) is very small. The window on the end bedroom is far enough south not to give a short distance view to the rear of Walker Terrace properties. Although it would allow for a view over the adjacent Trinity Place, views would principally be over its roof and it has little in the way of useable outdoor amenity space.

103. Overlooking of residential properties to the west from the function suite terrace on the first floor is prevented by having a green landscaped roof here – details of means to ensure that relevant parts of this area are not accessible will be secured by condition. The terrace at level 10 would allow for views towards Walker Terrace, but the terrace principally looks west, and the difference in height here will reduce the degree to which there will be a loss of privacy.

104. The final consideration relates to impacts on outlook from adjacent properties. Officers firstly acknowledge that there will be a major impact on views of the Sound from the rear of 1 Walker Terrace (which features balconies), of which officers have received photographic evidence. Whilst this is regrettable for those residents, the planning system does not provide for the protection of private views. Officers also note that views south around to the west will be unaffected. The planning system does provide for the consideration of overbearing impacts, and given the size of the building and its proximity (the taller part of the hotel would be around 27m from the rear windows, with the balcony balustrades closer), residents will clearly perceive an impact. However, these

apartments will retain an open aspect due south and almost around to the west, as well as to the east across the car park to Azure. On this basis, while officers acknowledge that there will be an impact, this is not considered so harmful that refusal is justified.

105. The outlook from a number of units in Azure will also be affected. However, the old hotel building would have had a similar impact albeit on different units due to its position further south. The relationship between Azure and the site across Leigham St is such that development would always have been expected close to the pavement edge, and it appears that this has been taken into account in the design of Azure South's western elevation. Officers raise no objection to this relationship in this respect.

106. Overall, therefore in amenity terms officers acknowledge that the scheme would have some negative impacts on adjacent residential occupiers. There would be some overlooking and overshadowing to Azure, but officers consider that impacts of this type were always likely here due to the desire for development to adopt a positive relationship with Leigham St. This has clearly been acknowledged in the design of Azure in recent years. The overlooking and overshadowing impacts are greater as a result of the height of the scheme, but are not considered to lead to significant harm.

107. Impacts on Walker Terrace (particularly flats in 1 Walker Terrace) are more significant and are regrettable, but these localised negative impacts must ultimately be weighed against the wider benefits of the site development.

108. The potential for impacts on residential amenity from noise, associated with both plant and equipment and with the operation of potentially noisy facilities such as the function suites (and bar/restaurants) have been considered by the Public Protection service. Officers of that service advise that the licensing regime will be best placed to manage impacts from noise generating uses, and several conditions are proposed to manage impacts of noise from plant and equipment (including the proposed new electricity substation facing Prospect Place), from servicing (deliveries and refuse collection only between 07:00 and 22:00 Monday to Saturday, and not at all on Sundays), and to require an adequate acoustic treatment to the proposed apartment building in accordance with the specification submitted.

109. Conditions are also proposed in order to secure a detailed Construction Environment Management Plan (CEMP) for the construction stage. This document will manage and mitigate construction impacts as far as possible to protect adjacent occupiers, whilst also preventing environmental impacts discussed elsewhere in this report.

Transport

110. Vehicular access to the site is to be split into two distinct functions: hotel servicing (from Prospect Place), and residents and guests (Leigham St). Both of these were existing access points, although the exact locations and arrangements are to be revised. A significant difference from the previous site operation is that there will be no vehicular link between the two access points through the site. This is likely to reduce the number of vehicles using the Prospect Place access to the benefit of the amenity of occupiers of 1 Walker Terrace. Both access points are to be designed to prioritise pedestrian movements. Officers consider the general arrangement of both to be satisfactory but given the unusual arrangement at the Prospect Place access, the details will need to be revised to ensure safe pedestrian access into and from the new E-W street. Conditions are therefore proposed to secure further details of both access points.

111. The site would be more intensively developed than previously: the hotel is smaller than the previous hotel but an additional 88 apartments are proposed. Despite this more intensive use of the site the total forecast vehicle traffic impact of the development is considered comparatively small in

respect of the overall traffic impact on the local network. , and is considered acceptable. At 40 trips between 08.00 and 09.00AM, this increase of 12 car movements over the previous use, which equates to 1 every 1.5mins rather than 1 every 2.1mins, can be adequately accommodated on the network.

112. The central location of the development within close proximity of a range of facilities, workplaces, and public transport opportunities means that for many residents daily car trips will not be a necessity. Cycle parking is proposed but will be subject to conditions (notwithstanding details shown... full details of provision for the secure and undercover storage of no less than 44 cycle parking spaces for the apartments, 7 secure and undercover for hotel staff and visitor provision as shown on the approved proposed site landscaping plan), and a condition is proposed to secure ongoing Travel Planning designed to encourage the use of non-car travel modes in accordance with the submitted Framework Travel Plan. The scheme will also make a significant contribution to the permeability (and therefore walkability) of the area by providing new walking and cycling links through the site. These include a new E-W cycle link designed to pick up on connections secured to the Millbay waterfront in future development and link these through to Grand Hotel Road, as well as new publicly accessible walking routes through the site from this link via the car park and site frontage to the western end of The Hoe Promenade (secured by conditions).

113. The accessibility of the site is reflected in the reduced levels of car parking proposed for the scheme: of the total of 130 spaces (compared to the 148 of the previous hotel), 50 are to be allocated to the hotel (60% of the maximum SPD standard), with one space for each of the 80 1- and 2-bedroom apartments, and none for the 8 1-bedroom units. Total provision includes 7 accessible spaces. Surveys carried out by parking services at the request of the Highway Authority reveal that there is often capacity in the on-street parking facilities on Leigham St: at 2pm the number of available parking spaces ranged from 16-20 on weekdays, dropping to 12 only on a Sunday; at 7pm there were between 16 and 20 spaces available. This capacity can be readily utilised by overnight hotel guests or conference attendees by day; the fact that it is chargeable is likely to encourage travel by alternative modes and limit any increases in congestion that local residents may be concerned about. Whilst concerns about the reduced car parking have been expressed by local residents, car parking in the vicinity of the site is tightly controlled so there is limited scope for any overspill car parking leading to highway safety issues or detriment to residents' amenities. The repositioning of the Leigham St access will impact on some on-street spaces, but the same number of spaces can be maintained by repositioning spaces on the street. Although a Traffic Regulation Order will be needed, officers raise no concerns.

114. In response to concerns raised by an objector, and given understandable anxieties amongst neighbouring residents in the wake of the tragic Grenfell Tower fire, the Highway Authority have provided thorough comments on emergency vehicle access. The full Highway Authority comments on our website quote the relevant guidance from the Department for Transport (which incorporates relevant extracts of the Building Regulations and Association of Chief Fire Officers). The pertinent points are as follows:

* vehicle access for a pump appliance should be available within 45m of every dwelling entrance for flats - agree

* a 3.7m carriageway (kerb to kerb) is required for operating space at the scene of a fire

115. The transport officer considers that both the hotel and apartments would be able to comply with the necessary requirements regarding the provision and adequacy of safe access for service and emergency vehicles, so neither the Highway Authority nor the Local Planning Authority raise any concerns regarding fire or other emergency vehicle access.

116. The Highway Authority also quote the relevant guidance for servicing vehicles including refuse collection and conclude that the arrangements set out as part of the scheme are acceptable.

117. In light of the above officers consider the transport aspects of the scheme to be acceptable subject to conditions as proposed.

Environmental Considerations

118. The energy strategy for the buildings features a Combined Heat and Power (CHP) unit for the hotel which officers calculate delivers 27% carbon savings, and will be suitable for connection to any future district heating network. Conditions are proposed to secure the CHP unit, as well as details of how this would connect in future to a wider district heating network involving plant room space and valve connections in the north west corner of the site). For the apartments the proposal is to provide 220 sq m of rooftop solar Photovoltaic panels which will reduce the carbon dioxide emissions for this part of the development by 15% (conditions are proposed to secure these). However the Low Carbon Team express disappointment that the heating strategy for the building will be to provide individual gas combi boilers to each apartment. The draft JLP policy requires buildings to be future-proofed for connection to a wider district heating network (in a similar way to the hotel), and this is normally achieved through a system linked to a communal heating source, which would be far easier to connect to a district heat system when it becomes available. Officers have offered to accept a reduced amount of solar panel provision if a communal heating solution can be pursued as evidence emerging in support of Joint Local Plan policy suggests that this will be a priority area for District Heating. Furthermore, as the arrangement for distribution of electricity from the rooftop solar panels is not known, officers question whether it will deliver benefits to any of the residential occupiers (this would be unfortunate). The applicant is offering to install communal hot water pipework within the building to reduce the amount of work needed to swap to district heat in future (details of which would be conditioned to ensure it is designed in line with best practice) but is insistent on installing individual boilers. Officers do not accept that this approach meets the 'future proofing' requirements set out at point 6 of emerging JLP policy DEV34 and this has been confirmed by the Council's retained consultants.

119. Considering the proposal more widely against relevant planning policy it is apparent, however, that as the site lies outside the city centre area action plan, in an area where there is currently no adopted policy requirement for district heating, both parts of the proposal meet the requirements of policy CS20. Whilst it is disappointing that the heating strategy for the apartments is not designed in a way that officers consider is likely to result in connection to a future district heat network in this area of opportunity, the future proofing measures offered by the applicant will be secured in order to increase that likelihood as argued by the applicant. Furthermore, officers note that Carbon Dioxide savings from the hotel CHP significantly exceed the targets of both existing and emerging policy, and when considered together the total savings across both buildings still exceeds the target of new policy DEV34 at 23%. Notwithstanding that officers do not accept arguments put forward about the future connectivity of the apartments, officers nonetheless accept the energy strategy for both buildings as proposed. In reaching this view officers have taken into account the fact that policy DEV34 is not yet adopted so would not wish to pursue refusal on these grounds.

120. Surface Water disposal has been adequately resolved to the satisfaction of the Lead Local Flood Authority. The car parking area includes permeable paving and filter strips to remove pollution. Surface water is then attenuated on site through different types of below ground storage, before connecting to a South West Water surface water sewer in Prospect Place. South West Water has written to confirm that they raise no objection to this. Details of exceedance flows, detailed Construction Stage drainage details (in a Construction Environment Management Plan), Management and maintenance details and the design of the system as constructed are to be required by condition. The Environment Agency were consulted but confirmed that they did not wish to comment.

121. Land quality (contaminated land) issues can be readily addressed through a proposed condition.

122. Natural England raises no objection to the proposal in respect of its potential impacts on designated European Marine sites. They note that the development falls within the zone of influence for potential recreational disturbance to Plymouth Sound and Estuaries SAC and the Tamar Estuaries Complex SPA and that a sum of money, as agreed through the Local Plan, will be required as mitigation for the proposed development. The applicant has agreed to pay the sum requested, which is to be secured through the S106. The Natural Infrastructure Team have confirmed that a full assessment is not required to satisfy the Habitat Regulations.

Other Issues

123. The Ministry of Defence were consulted to enable consideration of potential explosions in the area, including from Frigates moored in the Sound. Although they did not respond they had already responded at the pre-application stage to confirm that they 'have no safeguarding objections to this proposal'.

124. In the wake of the tragic Grenfell Tower fire, questions have been raised about fire safety from the Hoe Conservation and Residents Association, on behalf of its members within the Azure development. As reported elsewhere in this report the two buildings would in places be within 14m of one another, and as they are both considered tall buildings (under the definition of buildings that Local Authorities were asked to investigate the cladding of since the fire) the anxieties of residents are understood. In light of the request the applicant has submitted a statement which sets out their approach to fire safety, and this is publicly available on the planning website. Having reviewed its content, officers are of the view that it is beyond the scope of the planning system, and will instead be the subject of detailed analysis as part of the requirement for building regulations approval once the applicant has appointed either the Council or an alternative Approved Inspector to complete this process. Separately, officers have sought advice from PCC Building Control officers. They confirm that they cannot undertake the detailed analysis necessary to report on the fire safety strategy for the buildings to objectors or planning committee until the applicant has entered into a formal process. However, they are familiar with the site and foresee no problems in being able to find an acceptable solution to fire safety for the scheme.

125. Officers intend to secure sample panels of cladding for the building, but under the current regime and guidance this will be for the purposes of determining their suitability in terms of aesthetics and related durability. In the event that guidance has changed by the time that samples are approved such that fire safety and cladding does become an issue within the scope of the planning system, it would of course be possible to also consider the flammability of any product against any relevant guidance.

126. The transport section of this report sets out the highway authority's view in respect of emergency vehicle access to the site, including access for fire service vehicles.

9. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

10. Local Finance Considerations

This development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to the fact that it is located within the area in which residential uses are charged at £0 per square metre. Hotel uses are also charged at £0 per square metre. An informative is attached to this effect.

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Although the Natural Infrastructure Team, Highway Authority and Economic Development Teams (and the Plymouth Waterfront Partnership) sought planning obligations from the scheme (and contributions towards education were also requested at the pre-application stage), the applicant has submitted a detailed 'viability assessment' with the application to justify their request for the scheme to be considered acceptable without a full package of planning obligations.

Viability Officers conclude that 'The viability assessment tests the proposed development assuming a number of scenarios and concludes that, the development cannot viably provide a policy compliant scheme and that a maximum s106 contribution that the council can reasonably request is the £1m offered by the applicant'. In support of this view, viability officers confirm in respect of the value of the scheme that 'on balance we are comfortable with the valuation of the hotel', and 'we would again observe that the appraised sales values for the apartments are at the more optimistic end of the expected range'. Whilst they consider that a number of the costs included are overstated, adjustments for these have been made in their own assessment and these do not affect their conclusions. Finally, they note that the developer profit included in the appraisal is significantly below the benchmark that they might anticipate a developer would seek in order to undertake this development.

In a separate statement of relevance more to concerns raised about the scale of the scheme than to the package of S106 obligations that it is able to offer, officers also confirm that 'the scale of the apartment block is driven by the need to subsidise the delivery of the hotel'.

The applicant has agreed that the £1m financial contribution will be paid when construction of the residential block is started. Housing Delivery and Planning Officers welcome this as it will enable benefits of the scheme derived from its contribution to the delivery of off-site affordable housing to be realised at the earliest possible opportunity.

Notwithstanding the conclusions of the viability appraisal that the scheme cannot justify the delivery of any additional planning obligations, officers have negotiated for the scheme to provide further benefits in the form of a package of off-site public realm works to improve the linkage between the proposed hotel and The Hoe Promenade. These are discussed in more detail in the design section of this report. Whilst the applicant's agreement no doubt reflects the fact that such measures will benefit the hotel itself, officers are of the view that these are significant benefits from the scheme of wider community and environmental benefit. The scheme is considered in-line with the aspirations of the Waterfront Masterplan and relevant policies of the emerging JLP. It also supports the objectives of the Conservation Area Management Plan, and as it will offer improvements to The Hoe Registered Park/Garden, it also goes some way to meeting requests for wider benefits requested by the Waterfront Partnership, and Natural Infrastructure Team, and helps to offset harm as discussed in the heritage section of this report.

As negotiations over this part of the scheme were ongoing at the time this application was submitted, it is subject to a separate planning application (ref 17/01419/FUL). The application is made by Henley Real Estate, who has agreed to deliver the works once approved. In order to enable planning committee to take these benefits into account in making this decision, a financial sum is sought through a S106 obligation. Whilst the intention remains for the applicant to undertake the works, this approach would allow the City Council to implement the scheme in the event that the

applicant is unable to do so for any reason. At the time of writing, officers are double checking these costs with the contractor South West Highways to ensure that this estimate is sufficiently robust to ensure that the full costs of the scheme would be met if the Council implements the scheme. Officers will confirm this amount via an addendum report.

The applicant has agreed to pay financial obligations towards a 'Fishing Interpretation Project on the West Hoe Pier' to offset the impacts of additional recreational pressures on the European Marine Site. These obligations total £2155.88 (£1032 of which are for the hotel).

Officers are aware of discussions between the applicant and the Hoe Conservation and Residents Association regarding potential community benefits such as community meeting space. Whilst officers encouraged these discussions, it was not considered that there currently exists any policy basis to assist on a formal agreement.

12. Equalities and Diversities

New routes around the site are proposed. Although out of necessity given the topography of this area, some of these feature steps, the new route from Prospect Place to Leigham St will be step-free and the hotel will be fully accessible from the Hoe via the site frontage without steps. All apartments are also fully accessible via lifts.

13. Conclusions

In considering the proposal before members today, officers have taken account of the NPPF, S38(6) of the Planning and Compulsory Purchase Act 2004 and sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Although Policy PLY28 of the approved JLP is not yet adopted and has been subject to some objection (largely due to the absence of statements designed to limit the height of proposals), it does offer a useful framework against which to undertake a summary review of the proposal. With brief commentary under each point, its full wording is as follows:

PLY28: Land north of Cliff Road, The Hoe, is allocated for hotel led mixed use regeneration, including housing and potentially complementary uses which supports the tourist function of area. Provision is made for in the order of 80 homes.

- The uses are in line with the policy.
- 88 homes are proposed.

Development should provide for the following:

1. 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.

- Officers acknowledge that the scheme would give rise to some harm to the setting of heritage assets, but consider this is 'less than substantial' in respect of NPPF paragraph 134.

2. High quality, memorable building design will be sought, given the site's relationship with the Hoe Conservation Area, and wide prominence, including from the sea and coastline.

- Officers consider the building design memorable and high quality.

3. Publicly accessible active ground floor uses to be encouraged.

- A publicly accessible ground floor bar restaurant is proposed to the hotel, and although the absence of a further active ground floor use beneath the apartments is regretted it is accepted.

4. A new pedestrian / cycle link between Walker Terrace and Leigham Street at the site's northern boundary.

- The scheme includes this.

5. New enhanced and redesigned public realm on and around the site, including removal of the covered walkway against the retaining wall forming the site's southern boundary, and strong pedestrian and cycle links to the Hoe Park.

- The scheme includes public realm improvements, and although some of these are subject to a separate application, a S106 obligation is proposed to secure their deliverability.

6. Innovative solutions to minimise the visual impact of car parking and maximise secure cycle parking.

- The traditional parking layout is disappointing, but is mitigated to a limited degree by the planting scheme, and potentially further mitigated in future if phase 2 comes forward.

7. An innovative lighting scheme.

- The lighting strategy has been submitted and is considered acceptable, but will ultimately need to be subject to further development with a condition proposed to secure further details

8. Tree planting on the site's street frontages and open spaces.

- The scheme includes this.

Considering the scheme against the draft policies, officers are of the view that its requirements are met to adequate level.

Returning to a wider assessment against all relevant policies and material considerations, officers acknowledge that against the significant regeneration, economic and environmental benefits of the scheme, some localised amenity impacts on the adjacent residential occupiers, and some harm to the setting of designated heritage assets in the vicinity of the site must be balanced.

Of critical importance to this balancing, given the requirements of sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and paragraphs 132-134 of the NPPF, is officer's view that any harm to heritage assets is 'less than substantial'. Although the Devon Gardens Trust do consider the impacts substantial, neither the Local Planning Authority's Historic Environment Officer, nor Historic England claim that 'substantial harm' will be caused.

Officers are of the view that the nature of the former hotel is important in these considerations: given the City Council's proactive work to acquire and demolish the former hotel in order to derisk the site to prepare it for development, it is easy to overlook the significant negative impacts that the former hotel building had on the area. These impacts were significant whilst the building was occupied and well managed, and yet more harmful when the site was derelict, blighted, and a danger to public safety. Officers are of the view that the existing situation to which the development proposals are to be compared to, ought to be that of the former hotel. In other words the appearance of the former hotel building is a material consideration of very significant weight. Although the development now proposed is taller than the previous building and would therefore be more prominent in some views, there can be no doubt whatsoever that the new proposals are of significantly greater design quality and far more sympathetic to the site's historic context. Of further relevance is the fact that the former hotel was sited much further forward than The Grand Hotel and Elliot Terrace, such that in views from the east along The Promenade, and particularly the sensitive views from the axis of Armada Way with The Promenade, the former hotel was significantly more prominent and intrusive. Officers acknowledge that the height of the apartment building will make the building more prominent in the 'gateway' or 'front page of the city' views, and are acutely aware of the sensitivity of these views. However, viability appraisal works confirm that the height is necessary in order to facilitate the delivery of the high quality hotel proposed by this scheme.

The value to the city of introducing a hotel of this calibre in this location in economic terms is significant, and the economic benefits are lent significant policy weight by adopted and emerging Development Plan policies. Although the timing of its delivery holds little weight in planning terms, officers also acknowledge that further economic benefits are likely to be accrued if it is in place for the 2020 Mayflower 400 celebrations. In light of the fact that officers place significant weight in this recommendation on the benefits brought by the hotel, with the apartments effectively enabling its delivery, a condition is proposed to prevent a scenario whereby the apartments are constructed without the hotel. The condition will only allow for partial occupation of the apartment building in order to maintain a commercial incentive for the completion of the hotel. The final number of apartments that the condition will permit occupation of will be confirmed in an addendum report.

Paragraph 134 of the NPPF states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...'. Weighing up the 'less than substantial' harm that officers consider will be brought by this scheme, against its numerous benefits, officers conclude that the proposal accords with local policy and national guidance, and therefore recommend conditional approval subject to S106 obligations as set out in this report.

14. Recommendation

In respect of the application dated **04.05.2017** it is recommended to **Grant Conditionally Subject to S106**

15. Conditions / Reasons

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

I CONDITION: APPROVED PLANS

Sections 2172 - AP(06)01 Rev A received 28/04/17
Sections 2172 - AP(06)02 Rev A received 28/04/17
Sections 2172 - AP(06)03 Rev A received 28/04/17
Basement Plan 2172 - AG(04)01 Rev B received 04/05/17
Site Location Plan 2172 - AE(0)00 Rev A received 03/05/17
Footpath Section 2172 - AP(06)05 Rev A received 04/05/17
Ground Floor Plan 2172-AG(04)02 Rev D received 26/06/17
1st Floor Plan 2172-AG(04)03 Rev C received 26/06/17
2nd Floor Plan 2172-AG(04)04 Rev C received 26/06/17
3rd Floor Plan 2172-AG(04)05 Rev C received 26/06/17
4th Floor Plan 2172-AG(04)06 Rev B received 26/06/17
5th Floor Plan 2172-AG(04)07 Rev C received 26/06/17
6th Floor Plans 2172-AG(04)08 Rev C received 26/06/17
7th Floor Plan 2172-AG(04)09 Rev C received 26/06/17
8th Floor Plan 2172-AG(04)10 Rev C received 26/06/17

9th Floor Plan 2172-AG(04)11 Rev C received 26/06/17
10th Floor Plan 2172-AG(04)12 Rev C received 26/06/17
11th Floor Plan 2172-AG(04)13 Rev B received 26/06/17
12th Floor Plan 2172-AG(04)14 Rev B received 26/06/17
13th Floor Plan 2172-AG(04)15 Rev B received 26/06/17
14th Floor Plan 2172-AG(04)16 Rev C received 26/06/17
Roof Plan 2172-AG(04)17 Rev B received 22/06/17
2nd Floor Plan 2172-AG(04)23 Rev B received 22/06/17
3rd Floor Plan 2172-AG(04)24 Rev B received 22/06/17
4th Floor Plan 2172-AG(04)25 Rev B received 22/06/17
5th Floor Plan 2172-AG(04)26 Rev B received 22/06/17
6th Floor Plans 2172-AG(04)27 Rev B received 22/06/17
7th Floor Plan 2172-AG(04)28 Rev B received 22/06/17
8th Floor Plan 2172-AG(04)29 Rev B received 22/06/17
9th Floor Plan 2172-AG(04)30 Rev B received 22/06/17
10th Floor Plan 2172-AG(04)31 Rev B received 22/06/17
Roof Plan 2172-AG(04)32 Rev B received 22/06/17
Proposed Elevations 2172-AP(05)02 Rev C received 26/06/17
Proposed Elevations 2172-AP(05)03 Rev C received 26/06/17
Proposed Elevations 2172-AP(05)04 Rev D received 26/06/17
Proposed Elevations 2172-AP(05)05 Rev C received 26/06/17
Proposed Elevations 2172-AP(05)01 Rev C received 26/06/17
3D Views 2172-AP(10)30 Rev C received 26/06/17
3D Views 2172-AP(10)31 Rev C received 26/06/17
Ground Floor Plan 2172-AG(04)21 Rev E received 26/06/17
Basement Plan 2172-AG(04)20 Rev D received 26/06/17
Proposed Layout 2172-AG(04)50 Rev E received 26/06/17
1st Floor Plan 2172-AG(04)22 Rev C received 26/06/17
Footpath Section 2172-AP(06)04 Rev B received 26/06/17
Proposed Elevations 2172-AP(10)01 Rev B received 10/07/17
Landscaping 2172-AG(09)01 Rev G received 17/07/17

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 2 YEARS

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004 and in accordance with Core Strategy Objective 10(8) (Delivering Adequate Housing Supply) and Policy SPT3 of the Plymouth and South West Devon Joint Local Plan

3 CONDITION: PHASING OF DELIVERY

GRAMPIAN CONDITION

No development of the residential part of the scheme (including groundworks) shall commence until the hotel part of the scheme has commenced (including groundworks). No more than XX, or an alternative number submitted (with written justification) to and approved in writing by the Local Planning Authority, of the apartments shall be occupied until the hotel hereby approved is open and ready for occupancy.

Reason:

In order to ensure the delivery of the hotel in line with relevant policy aspirations set out in policies PLY20, 21 and 28 of the Approved Plymouth and South West Devon Joint Local Plan (and the evidence that underpins it), in order to realise the economic and wider public benefits of the scheme in accordance with the planning balance with particular reference to paragraph 134 of the National Planning Policy Framework 2012.

4 CONDITION: CONTAMINATED LAND

PRE-COMMENCEMENT

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:

o human health

o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes

o adjoining land

o groundwaters and surface waters

o ecological systems

o archaeological sites and ancient monuments;

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

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

Section 2. Submission of Remediation Scheme

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

Section 3. Implementation of Approved Remediation Scheme

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

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

Section 4. Reporting of Unexpected Contamination

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

scheme must be prepared in accordance with the requirements of section 2, which is subject to the approval in writing of the Local Planning Authority.

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

Reason:

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

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

5 **CONDITION: TREE PROTECTION MEASURES**

PRE-COMMENCEMENT

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

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

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

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

Reason:

To ensure that trees or hedgerows retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, paragraphs 61,109 and 118 of the National Planning Policy Framework 2012 and Joint Local Plan Policy DEV30.

Justification: To ensure the trees are protected throughout the scheme.

6 CONDITION: ARBORICULTURAL METHOD STATEMENT

PRE-COMMENCEMENT

No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority in relation to the 6 existing trees to be retained on the northern boundary. The statement shall detail how the trees are to be protected during construction and in particular the installation of the footpath and resin bound surfacing. The measures contained in the approved statement shall be fully implemented and shall remain in place until construction work has ceased.

Reason:

To ensure that the trees on site are protected during construction work in accordance with Policy CS18 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61,109 and 118 of the National Planning Policy Framework 2012 and Joint Local Plan Policy DEV30.

Justification: To ensure the trees are protected throughout the scheme.

7 CONDITION: SURFACE WATER DRAINAGE

PRE-COMMENCEMENT

Further details of the following aspects of the surface water drainage system for the development hereby approved shall be submitted to and approved in writing prior to the commencement of development unless otherwise agreed in writing by the Local Planning Authority:

a/ A surface water exceedance flow plan, clearly identifying exceedance routes which take account of the requirements of any relevant landowners.

b/ Confirmation of the drainage infrastructure adoption and maintenance proposals.

c/ Relevant extracts of a detailed Construction Environment Management plan setting out how the surface water drainage system and wider water environment will be constructed during the construction (and any demolition) phase.

Construction stage details required by part c/ of this condition shall be implemented in accordance with that approval prior to the commencement of development. The surface water drainage strategy for the completed development shall be implemented in accordance with details set out in submitted drainage strategy (Curtins, ref B064404 dated 28/04/17, supplemented by Flood Exceedence Sketch dated 03/07/17) and in accordance with alternative or additional details agreed as a requirement of this condition prior to the first occupation of the development hereby approved (and thereafter maintained as such) unless an alternative timetable is first submitted to and agreed in writing by the Local Planning Authority.

Reason:

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

Justification: To ensure the drainage provisions within the development are adequately provided for (including construction stage provisions) before development commences and does not cause undue problems to the wider drainage infrastructure.

8 CONDITION: EMPLOYMENT AND SKILLS PLAN

PRE-COMMENCEMENT

No part of the development hereby approved shall be commenced until an Employment and Skills Plan has been submitted to and approved in writing by the Local Planning Authority. The Employment and Skills Plan should demonstrate how local people and local businesses will benefit from the development in terms of job opportunities, apprenticeship placements, work experience opportunities, business supply chain opportunities and other employment and skills priorities. The Employment and Skills Plan should cover the groundworks phases as well as the construction phase of the development.

The development shall thereafter be carried out in accordance with the approved Employment and Skills Plan unless a variation to the strategy is agreed in writing in advance by the Local Planning Authority.

Reason:

To ensure employment and skills development in accordance with policy CS04 of the Plymouth Local Development Framework Core-Strategy (2006-2021) 2007.

Justification: To ensure that opportunities for employment are incorporated into the development, including the construction/conversion period.

9 CONDITION: DETAILED CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN (CEMP)

PRE-COMMENCEMENT

Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing by the Local Planning Authority, the management plan shall be in accordance with the submitted "Environmental and Site Waste Management Plan (Rev2)" (dated 05/03/2017), and shall also comply with the requirements of the Council's Code of Practice for Construction and Demolition Sites (which can be viewed on the Council's webpages), including its guidance on hours of working. Any variance from these documents should be highlighted and justified in writing in the submitted management plan.

All construction works associated with the development shall be undertaken in accordance with the approved management plan or in accordance with any variation to it approved in writing by the Local Planning Authority.

Reason:

In the interests of the retention and protection of the marine environment, including the European Marine Site features, and to protect the residential and general amenity of the area from any harmfully polluting effects in accordance with policies CS19, CS34 and CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Government advice contained in the NPPF.

10 CONDITION: FURTHER DETAILS

PRIOR TO RELEVANT PART OF THE WORKS

The relevant part of the works hereby approved shall not take place until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority:

Apartments

- a) typical sections through apts balconies and facade to show balustrade (glass & waved aluminium, 07), soffit, and window/door/curtain walling frames (14)
- b) dividers between balconies (13)

- c) sections to demonstrate roof edge (15) and louvres
- d) horizontal sections through rear elevation to demonstrate relationship between cladding (03), curtain wall glazing (14), windows (10) and spandrel panels (04)
- e) vertical sections through rear elevation to demonstrate relationship between limestone plinth (05), projecting featuring cladding (02) and glazed top floor (14/18), including any spandrel panels
- f) entrances including doorsets glazed canopy (11), Leigham St entrance canopy, and other doorsets

Hotel

- g) curtain walling/glazing to hotel ground and first floor (south elevation),
- h) curtain walling to main hotel south façade, including spandrel panels (04), and relationship to aluminium framing (2), ground and first floor curtain walling, recessed balconies and top floor glazing
- i) sections through pool/leisure suite south elevation to show relationship between glazing, limestone walling (5) and terrace balustrade (06)
- j) section through brise soleil/roofline
- k) horizontal sections through rear elevation to demonstrate relationship between cladding (03), curtain wall glazing (14), and windows (10)
- l) vertical sections through rear elevation to demonstrate relationship between limestone plinth (05), projecting featuring cladding (02) and glazed top floor (14/18), including any spandrel panels
- m) glazing overlooking prospect place footpath at basement & ground floor (including any windows which are to feature obscure glazing)
- n) entrances including doorsets and glass canopy (11) and other doorsets including servicing access
- o) Any plant or equipment which exceeds the height of the flat roof to the northern or eastern parts of the building
- p) Hotel outbuildings within servicing area (bin store, stores, plant rooms, substation etc)

The works shall be completed in accordance with the approved details prior to occupation of the relevant buildings unless an alternative timetable is submitted to and agreed in writing in advance by the Local Planning Authority.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policies CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, PLY20-21 & DEV20-22 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 63-64 of the National Planning Policy Framework 2012 .

11 CONDITION: MATERIALS SAMPLES

PRIOR TO RELEVANT PART OF THE WORKS

The relevant part of the works hereby approved shall not take place until samples of the following materials have been approved in writing by the Local Planning Authority. Sample panel(s) demonstrating proposed materials together shall be erected on site for inspection by the Local Planning Authority, with an associated specification of materials submitted to the Local Planning Authority for approval.

All external building materials, including:

- a) Plymouth limestone (5), to include details of stone finish, jointing and mortar details)
- b) Plymouth limestone random rubble (17) to include details of stone finish, jointing and mortar details)
- c) Aluminium Cladding (03)
- d) Feature projecting aluminium cladding (02)
- e) Curtain wall frames (14)
- f) Curtain wall glass
- g) Curtain wall opaque/spandrel panels (04/18)
- h) Balustrade glass (06)
- i) Aluminium cladding to waved balconies (07)
- j) Apartment Balcony dividers (13)

All hard Landscaping materials, including:

- k) Granite paving
- l) Granite setts
- m) Tactile paving
- n) Kerb edgings between granite and macadam
- o) Grasscrete
- p) Resin bound gravel
- q) Natural stone for retaining and boundary walls in the frontage area (notwithstanding the details shown on submitted drawings)

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policies CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, PLY20-21 & DEV20-22 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 63-64 of the National Planning Policy Framework 2012.

12 **CONDITION: LANDSCAPE DESIGN PROPOSALS**

APPROVAL PRIOR TO RELEVANT WORKS; IMPLEMENTATION PRIOR TO OCCUPATION

The relevant part of the works hereby approved shall not be commenced until full details of the relevant hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with that approval prior to the first occupation of the buildings, or in accordance with any alternative timetable agreed in writing in advance by the Local Planning Authority.

Further hard landscaping details, which shall be in accordance with the approved 'Proposed Site Landscape Plan' shall include:

- a) finished levels or contours;
- b) all means of enclosure, including railings to northern and western edges of car park
- c) any changes needed to existing boundary structures
- d) Retaining wall structures along new East-West pedestrian/cycle route car parking areas;
- e) all retaining walls and banks
- f) minor artefacts and structures
- g) Scheme signage
- h) Surfacing to new East-West pedestrian/cycle route, including junctions with existing footways and treatment in vicinity of retained trees
- i) Pedestrian and vehicular gates, including gates to servicing access

Details of soft landscaping works shall include:

- j) planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification),
- k) planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection].
- l) Tree pits (each tree will require no less than 15cu m of root zone)
- m) Sedum blanket roofs as set out in submitted Ecological Mitigation and Enhancement Strategy
- n) Biodiverse roofs as set out in submitted Ecological Mitigation and Enhancement Strategy
- o) any planting (or structures) to be provided to the western end of function suite terrace at hotel level 01, including an assessment of how these will prevent any unacceptable overlooking of adjacent residential properties

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

13 **CONDITION: ACOUSTIC STANDARDS FOR SUBSTATION**

PRIOR TO INSTALLATION

New electricity substations at the site shall not be installed until full details of the acoustic properties of their enclosures, including confirmation of the expected noise levels at the nearest noise sensitive properties have been submitted to and approved in writing by the Local Planning Authority. The substations shall be installed in accordance with approved details and be maintained as such thereafter.

Reason:

To protect existing adjacent and proposed future residents from unwanted noise, after occupation of the building to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

14 **CONDITION: EXTRACT DESIGN FOR KITCHENS**

PRIOR TO INSTALLATION

Prior to installation, the following additional information shall be submitted to and approved in writing by the Local Planning Authority to enable review of the design of the ventilation systems for the commercial kitchens:

- i) Schematic plans of the ventilation and ducting systems from point of extract through to dispersion point, including the proposed siting of mechanical plant within the systems
- ii) Technical information on the exhaust fans proposed
- iii) Technical information of the odour filtration and other odour abatement measures proposed for the kitchen extraction systems

The systems shall be installed in accordance with that approval and maintained as such thereafter.

Reason:

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

15 **CONDITION: EXTERNAL PLANT DETAILS**

PRIOR TO INSTALLATION

Prior to installation, the following additional information shall be submitted to and approved in writing by the Local Planning Authority to enable review of the design and siting of external plant (including refrigeration and pool filtration plant):

- i) Details and siting of any and all external plant
- ii) Any noise abatement measures proposed for externally sited plant
- iii) Details of any vibration reduction measures proposed for both internally and externally sited plant

The plant shall be installed in accordance with that approval and maintained as such thereafter.

Reason:

To protect the residential and general amenity of the area from noise emanating from plant and to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

16 **CONDITION: DETAILS OF NEW JUNCTIONS**

PRE-OCCUPATION

Details of the alterations to form the two junctions located in Leigham Street & Walker Terrace/Prospect Place between the proposed service road and the highway (including the footpath along the northern boundary) shall be submitted to and approved in writing by the Local Planning Authority; the buildings hereby shall not be occupied unless an alternative timetable is agreed in writing by the Local Planning Authority until those junctions have been constructed in accordance with the approved details.

Reason:

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

17 CONDITION: CAR PARKING PROVISION

PRE-OCCUPATION

The buildings shall not be occupied or brought into beneficial use until the car parking area shown on the approved plans has been drained, surfaced, and laid out in accordance with the approved details, and that area shall not thereafter be used for any purpose other than the parking of vehicles (except in the event that planning permission for its use for alternative purposes is granted).

Reason:

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

18 CONDITION: TRAVEL PLAN

PRE-OCCUPATION

The buildings 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 first occupation the occupier shall operate the approved Travel Plan.

Reason:

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

19 **CONDITION: CLOSURE OF EXISTING ACCESS**

PRE-OCCUPATION

The buildings shall not be occupied or brought into beneficial use until the existing access to the site in Leigham Street has been permanently closed in accordance with details previously agreed in writing with the Local Planning Authority.

Reason:

In the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

20 **CONDITION: TRAFFIC REGULATION ORDER**

PRE-OCCUPATION

Prior to any occupation of the development hereby permitted the developer shall fund and begin the process to amend the Traffic Regulation Order (TRO) to take account of the proposed new vehicle entrance/exit in Leigham Street and the associated relocation within the street of the car parking bays and restrictions. The details of which shall be prior agreed between the developer and the Council Highway Authority. The actual associated costs of which shall be borne by the applicant.

Reason:

To preserve the function and safety of the Local highway Network and convenience to the public in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

21 **CONDITION: CYCLE PARKING PROVISION**

PRE-OCCUPATION

The relevant dwelling or building shall not be occupied unless otherwise agreed in writing by the Local Planning Authority until space has been laid out within the site in accordance with further details to be submitted to and approved in writing by the Local Planning Authority for bicycles to be securely parked. The details shall include:

- * no less than 44 secure and undercover cycle parking spaces for the apartments
- * no less than 7 secure and undercover for hotel staff
- * visitor provision as shown on the approved proposed site landscaping plan

The details once approved shall remain available for their intended purpose in accordance with that approval and shall not be used for any other purpose without the prior written consent of the Local Planning Authority.

Reason:

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

22 **CONDITION: LOADING AND UNLOADING PROVISION**

PRE-OCCUPATION

The relevant dwelling or building shall not be occupied unless otherwise agreed in writing by the Local Planning Authority until adequate provision is made to enable goods vehicles to be loaded and unloaded within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

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

23 **CONDITION: REFUSE STORAGE**

PRE-OCCUPATION

The bins stores shown on approved ground floor apartment, ground floor site layout, and hotel basement plans shall be provided prior to the beneficial occupation of the relevant building unless otherwise agreed in writing by the Local Planning Authority. The stores shall thereafter remain available for the storage of refuse and recycling only, and waste associated with the relevant use shall thereafter be stored only in the stores except on the day of collection.

Reason:

To ensure that adequate space is provided for the storage of waste associated with the development as required by policy CS26 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

24 **CONDITION: EXTERNAL ARTIFICIAL LIGHTING**

PRE-OCCUPATION

The buildings hereby approved shall not be occupied until a scheme of external artificial lighting has been provided at the site in accordance with details which are to be submitted to and approved in writing in advance by the Local Planning Authority. The details shall accord with the submitted external lighting design and scoping statement unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure an acceptable lighting design for the scheme which is sympathetic in design terms given the site's prominence and which also safeguards the amenity of adjacent occupier and the safety of users of the site and its immediate surroundings in accordance policies CS02, CS03, CS32 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, PLY20, 21 and 28, & DEV20-22 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 63-64 and 69 of the National Planning Policy Framework 2012.

25 **CONDITION: LANDSCAPE MANAGEMENT PLAN**

PRIOR TO OCCUPATION

A landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all areas of the site, shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development for its permitted use or in accordance with any alternative timetable agreed in writing in advance by the Local Planning Authority. The landscape management plan shall thereafter be carried out as approved.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

26 **CONDITION: APARTMENT SOLAR ARRAY**

PRE-OCCUPATION

Unless an alternative strategy to reduce Carbon Dioxide emissions from the proposed apartments to the satisfaction of the Local Planning Authority has first been submitted to and approved in writing by the Local Planning Authority, the apartments hereby approved shall not be occupied until a solar PV array of no less than 220 sq m has been installed and made fully operational in accordance with

details to be submitted to and approved in writing in advance by the Local Planning Authority. The submitted details shall be sufficient to enable a visual assessment of the proposed installation so shall include details of array layout and size, panel appearance (including colour, reflectivity, frames and surface conductors), and supporting frames/structures.

Reason:

To reduce Carbon Dioxide emissions from the development in a manner which is sympathetic to this prominent site as required by policies CS20, CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (adopted 2007), policies DEV20-22, and 34 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 63-64 and 94-96 of the National Planning Policy Framework 2012.

27 **CONDITION: APARTMENTS FUTURE DISTRICT HEAT CONNECTIVITY**

PRE-OCCUPATION

Measures set out in the submitted document titled 'Apartment block strategy to facilitate future connection to District Heating Network' (Couchperrywilkes dates 02 June) to facilitate connection of the apartment block to future District Heat networks shall be provided prior to the occupation of the apartments hereby approved unless an alternative strategy to enable connectivity to future District Heat networks to the satisfaction of the Local Planning Authority has first been submitted to and approved in writing by the Local Planning Authority.

Reason:

To reduce Carbon Dioxide emissions from the development as required by policy CS20 of the Plymouth Local Development Framework Core Strategy (adopted 2007), policy DEV34 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 94-96 of the National Planning Policy Framework 2012.

28 **CONDITION: HOTEL COMBINED HEAT AND POWER UNIT**

PRE-OCCUPATION

The hotel hereby approved shall not be occupied until a Combined Heat and Power Unit has been commissioned at the site (including measures to enable future connection to district heat network) in accordance with details set out within the following documents submitted in support of the application:

* Submitted Energy Statement (Couchperrywilkes, ref 17150)

* Email from Couchperrywilkes to Jonathan Selman dated 02 June 2017 confirming that the central gas fired boiler / CHP plant will serve the Hotel domestic hot water demand (including gym,

restaurants, bars, bedrooms and function suites), heating demand of ventilation plant (serving all elements of the building), and heating demand associated with swimming pool plant

Reason:

To reduce Carbon Dioxide emissions from the development as required by policy CS20 of the Plymouth Local Development Framework Core Strategy (adopted 2007), policy DEV34 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 94-96 of the National Planning Policy Framework 2012.

29 CONDITION: REMOVAL OF CLIFF ROAD FOOTWAY CANOPY

PRE-OCCUPATION

The buildings hereby approved shall not be occupied unless otherwise agreed in writing by the Local Planning Authority until the canopy covering part of the northern footway to Cliff Road abutting the site's southern boundary has been removed (in accordance with any approvals required).

Reason:

To deliver benefits to the appearance of public realm adjacent the site in accordance with policy CS02 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, PLY20, 21 and 28, & DEV20-22 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 63-64 and 69 of the National Planning Policy Framework 2012.

30 CONDITION: PUBLICLY ACCESSIBLE AREAS

PRE-OCCUPATION DETAILS; ONGOING COMPLIANCE

The owner of the site shall permit public access to the following areas of the site following first beneficial occupation in accordance with a management and maintenance plan to be submitted to and approved in writing by the Local Planning Authority prior to the first beneficial occupation of the site:

- a) East-West street to be formed along the northern boundary providing access from Prospect Place to Leigham St
- b) Garden Terrace and surrounding footpath in the frontage area to the south of the proposed building, which is accessed from Cliff Rd to the south, Cliff Rd/Leigham St to the east, and the car park (between the two buildings) from the north
- c) North-South route through the car park providing a link between a) and b)

The 'Night Gates' shown on approved plan that provide access from a) to c), and from Cliff Road to b) at the south of the site can be closed and secured to restrict public access between the following hours: 22:00 through to 08:00 between March 28th and October 28th, and 20:00 through to 08:00 for the remainder of the year. The East-West street a) shall remain open 24 hours a day.

The management plan shall set out details for future maintenance and management of these publicly accessible parts of the site, which shall thereafter be managed in accordance with the approved management plan unless a variation is agreed in writing by the Local Planning Authority.

Reason:

To secure the community benefits of the scheme brought by providing public access as set out in policy PLY28 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and to allow the arrangements for management and maintenance of these public routes and publicly accessible parts of the site to be agreed to ensure that the safety, security and well being of users, as well as satisfactory environmental standards will be maintained in accordance with policies CS02, CS32 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, PLY20, 21 and 28, & DEV20-22 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 63-64 and 69 of the National Planning Policy Framework 2012.

31 CONDITION: BIODIVERSITY (EMES) MEASURES

PRE-OCCUPATION

Measures set out in the submitted Ecological Mitigation and Enhancement Strategy shall be implemented in accordance with that document - except where set out below - prior to first beneficial occupation of the buildings hereby permitted or in accordance with any alternative timetable agreed in writing in advance by the Local Planning Authority.

- a) Soft landscaping measures agreed through other conditions attached to this consent, which shall be delivered in accordance with that approval even if in conflict with the submitted EMES
- b) Revised proposals for bird nesting boxes (including swifts), which shall be provided in accordance with details which shall be submitted to and approved in writing in advance by the Local Planning Authority.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in the NPPF paragraphs 109, 118.

32 **CONDITION: ACOUSTIC STANDARDS FOR APARTMENTS - DESIGN**

PRE-OCCUPATION

The development should be built in such a way that it meets BS8233:2014 Good Room criteria, meaning there must be no more than 35 dB LAeq for living rooms and bedrooms (0700 to 2300 daytime) and 30 dB LAeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided. Levels of 45 dB LAf.max shall not be exceeded in bedrooms (2300 to 0700 night-time).

Reason:

To protect the residents from unwanted noise, after occupation of the building avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

33 **CONDITION: ACOUSTIC STANDARDS FOR APARTMENTS - VERIFICATION**

PRE-OCCUPATION

Prior to occupation of the apartment building hereby approved the applicant shall submit in writing for approval a noise verification report demonstrating compliance with the levels required in the 'ACOUSTIC STANDARDS FOR APARTMENTS – DESIGN' condition attached to this consent).

Reason:

To protect the residents from unwanted noise, after occupation of the building to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

34 **CONDITION: ROOF PLANT AND EQUIPMENT**

PRIOR TO INSTALLATION

Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no plant or equipment shall be added to the roof of any of the buildings hereby permitted without the prior written consent of the Local Planning Authority (any application for which will be expected to demonstrate the visual impact of such equipment), except in the following circumstances:

- a) Solar PV array to the apartment block in accordance with details approved under the relevant condition attached to this consent
- b) Equipment sited within the plant well of the hotel roof which does not protrude above the height of the adjacent flat roofs to the north and east

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policies CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, PLY20-21 & DEV20-22 of the Approved (not yet adopted) Plymouth and South West Devon Joint Local Plan, and paragraphs 63-64 of the National Planning Policy Framework 2012.

35 CONDITION: NOISE FROM PLANT

ONGOING

The noise emanating from all plant associated with the Hotel (LAeqT) shall not exceed the background noise level (LA90) by more than 5dB, including the character/tonalities of the noise, at any time as measured at the facade of the nearest residential property. All plant installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions.

Reason:

To protect the residential and general amenity of the area from noise emanating from the operation of any Plant and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

36 CONDITION: DELIVERIES AND REFUSE COLLECTION

ONGOING

Goods deliveries and refuse collections (as well as any outdoor handling of glass waste) to the hotel hereby approved, shall be carried out only between the hours of 0700AM and 2200PM Monday to Saturday , and not at all on Sundays or Bank Holidays.

Reason:

To protect the residential and general amenity of the area from noise emanating from delivery and waste collection activities and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

ONGOING

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

Reason:

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

Informatives

1 INFORMATIVE: (£0 CIL LIABILITY) DEVELOPMENT DOES NOT ATTRACT A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

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

2 INFORMATIVE: CODE OF PRACTICE

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

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

3 INFORMATIVE: BASEMENT KITCHEN EXTRACT SYSTEM

The current plans advise that the extraction system for the basement kitchen will terminate at roof height as part of the pollution dilution and dispersal model. This will require a long run of ducting and increased energy to vent the air to this height: this may have an adverse impact on noise and effectiveness of extract cleaning. Cleaning of the ducting should be undertaken in line with the HVCA guidance document TR/19. A scheme to vent kitchen air at or near ground level could be considered where an enhanced system of odour abatement is to be installed and maintained.

4 INFORMATIVE: PUBLIC HIGHWAY APPROVAL

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

5 INFORMATIVE: RESIDENT PARKING PERMIT SCH

The applicant should be made aware that the property lies within a resident parking permit scheme which is currently over-subscribed. As such the development will be excluded from obtaining permits and purchasing visitor tickets for use within the scheme.

6 INFORMATIVE: COMMERCIAL VEHICLE CROSSING

The applicant should contact the Highway Authority to facilitate the works in the highway by way of a licence and fees in accordance with this authority's procedure for the construction of a Commercial Vehicle Crossing.

7 INFORMATIVE: EXTERNAL LIGHTING SCHEME

You are advised when designing a scheme for the above to discharge the relevant condition attached to this consent of the desirability of an innovative lighting scheme for the development as suggested by emerging Joint Local Plan Policy PLY28.

8 INFORMATIVE: MARINE GRADE MATERIALS

You are advised when specifying materials for the development prior to submitting these for approval to discharge the relevant condition attached to this consent to specify materials of an appropriate specification to withstand this exposed marine environment.

9 INFORMATIVE: CONDITIONAL APPROVAL NEGOTIATED

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