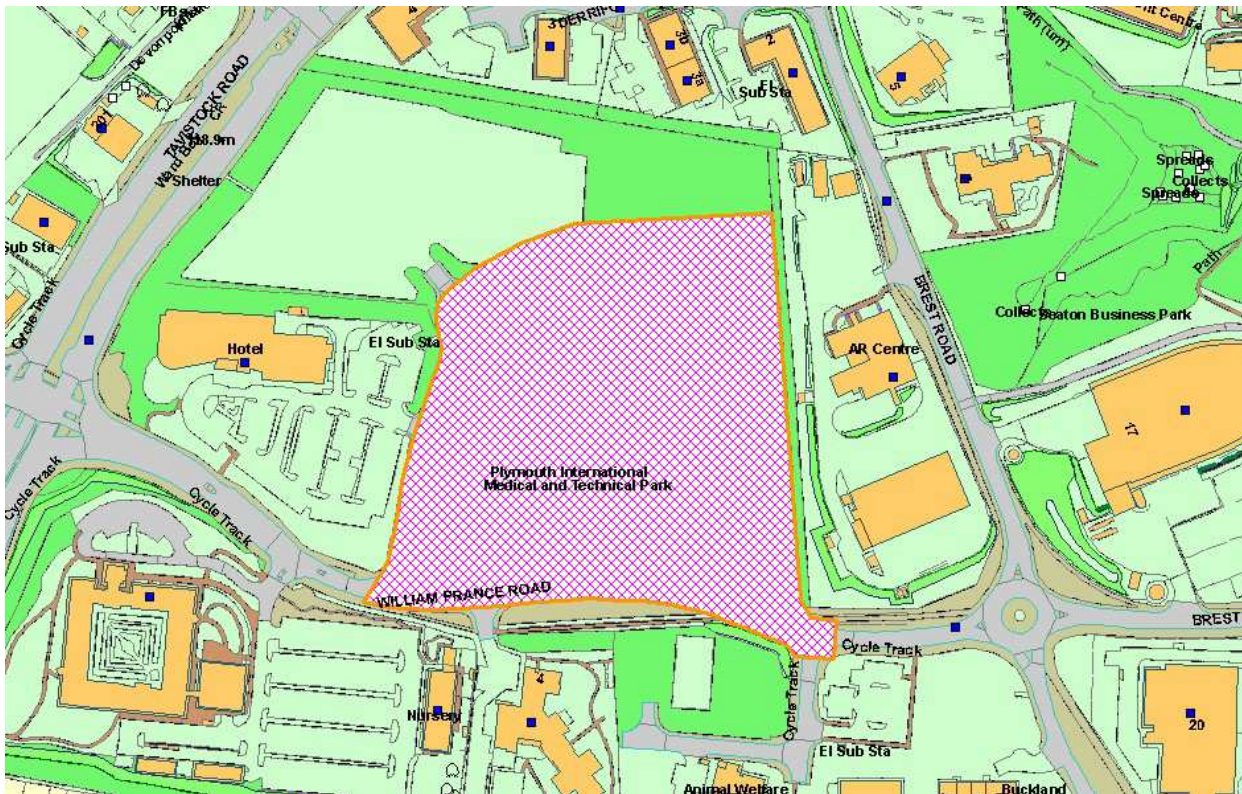


PLANNING APPLICATION OFFICERS REPORT



Application Number	17/01288/FUL	Item	01
Date Valid	22.06.2017	Ward	MOORVIEW

Site Address	Land On Seaton Hill (East Of Future Inn) William Prance Road Plymouth PL6 5ZD		
Proposal	Erection of office building (Class B1), retail superstore (Class A1 [bulky goods]), cafe (Class A3), 350 space car park, landscaping & associated works		
Applicant	CDS Superstores (International) Ltd		
Application Type	Full Application		
Target Date	21.09.2017	Committee Date	19.10.2017
Extended Target Date	17.11.2017		
Decision Category	Assistant Director of SPI		
Case Officer	Mr Alistair Wagstaff		
Recommendation	To resolve to approve conditionally subject to the signing of the Section 106 Agreement within agreed timescales and; to the first refer the application to the Secretary of State in accordance with the requirements of Circular and Direction 02/2009.		



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

1. Description of Site

The application site is located in the Derriford area in the north of Plymouth. It is located to the east side of the Tavistock Road (A386) with access via William Prance Road. The existing access is via a spur road which currently serves the Future Inn and has a partially completed roundabout which culminates at the bottom of the road. The site forms part of the former Seaton Barracks Parade Ground which is now demolished, and is also part of the wider Plymouth International Medical and Technology Park.

The site is 3.69 hectares and is not currently in use. The former buildings on the site have been cleared, with some aspects of the former parade ground still in-situ and some of the floor plates of buildings are also still present. The remainder of the site is scrub land with the exception of a strip of ornamental planting along William Prance Road which was planted as part of the original development of the Plymouth International Medical and Technology Park.

Topographically the site is relatively flat to the western side but slopes down to the northeast. The Territorial Army (TA) building to the east sits at a lower level with a steep slope grading down to the lower level. There are a number of raised plateaus within the site.

The site is bounded on the west by the Future Inn Hotel, to the south lies William Prance Road with the Land Registry building and a collection of other office buildings which make up part of the Plymouth International Medical and Technology Park beyond. To the east lies the wider area of the International Medical and Technology Park stretches out down Forder Valley, with the TA centre forming the eastern boundary. To the north lies a further area, part of the wider Parade Ground, which includes the actual parade ground. The northern element of the wider parade ground is bordered by a perimeter of large pine trees which extend

down the eastern edge of the site. These trees are a key visual feature of the wider area.

2. Proposal Description

The application has been submitted for the erection of an office building (Class B1), retail superstore (Class A1 bulky goods) including a cafe (Class A3), 350 space car park, landscaping & associated works. The application is submitted by The Range and is identified as being for a new head office for the business and flagship retail store with a staff training facility.

The proposal involves two connected buildings, one for the retail store at 2 storeys and one for the office element which is 5 storeys in height. The main buildings are connected by a principally glazed atrium/ link building which is two storeys in height. The buildings are located to the southern part of the site fronting William Prance Road, to the north of the buildings is a two storey car park which takes advantage of the north east slope of the site to provide a lower level car park. This lower car park provides 152 parking spaces and extensive cycle parking; a traveller provides access from this level up to the main car park which provides access to the retail store. Two sets of stairs are also provided in the north west and south west corners of the car park to the higher level. At the first floor level, an open aspect main car park is provided, with 198 spaces and further cycle parking. The main entrance to the retail store is accessed from this higher level car park. Access is also provided through the atrium to the office building from this car park. Beyond the car park is an area identified as 'Plot B Development Site' which is identified for future development but is currently left vacant with a central access point provided.

The retail store is a two storey building in height with gross internal retail floor space of 7,733sqm, a restaurant/ café of 177sqm (at first floor level) and an external garden centre providing 845sqm of floor space. The floor plans show an internal mezzanine level with a central section left vacant providing a double height to the central part of the retail store, a café area is also provided at this level partially set within the atrium part of the building. This part of the development lies to the south east corner of the site. To the east of the retail store a servicing and loading compound is provided which alongside the store fronts William Prance Road. An enclosed Garden Centre is located behind the servicing area, these elements of the store wrap closely to the eastern boundary with a new access road provided between the store and the tree lined boundary.

The retail store is connected through the atrium to the office building at both ground and first floor level. On the ground floor of the atrium two entrances provide a connection into the atrium, one from William Prance Road on the southern façade and a main entrance on the northern façade to the car parking area. At this level a central reception is provided with a number of meeting rooms and managers and operations offices for the retail store. At first floor level approximately 2/3 of the atrium forms part of the retail store as a restaurant/ café with the other area providing a staff kitchen and social area, with access from both the offices and store.

The office building extends to 7,755sqm gross internal area and as previously stated is accessed through the atrium building with a central reception. The office accommodation is provided over 5 floors and with the exception of floor 4, each floor is divided into 3 distinct sections each served by two stairwells and a lift. Each of the areas provided on each floor are principally open plan office space each with a number of meeting rooms and staff amenity

facilities. The 4th floor only extends over the southern part of the building providing a number of large offices and meeting rooms.

Externally the design of the buildings is modern and contemporary; the retail store is principally clad with silver metal Kingspan cladding with glazed sections including a feature corner detail which wraps round to the atrium. The store entrance which is glazed is edged with Alucobond blue panels with an orange edge panel. This blue and orange detail is also prevalent on the William Prance Road elevation, providing a feature orange pulse which runs through the building and it is also picked up in the hard landscaping detail. The service yard and garden centre are enclosed with perforated aluminium panels with the garden centre also having Jakob trellis with climbing plants to create a green wall effect.

The connection atrium is heavily glazed with a curtain wall system, with the main entrance with the orange edging strip detail. The office building is modern in appearance with an extensive glazing throughout but particularly prevalent on the tower feature and the lift/ stair wells with these sections framed in silver metallic Alucobond panels. Mid grey horizontal PCC Louvres are used to provide cube frame detail in the elevations with Shackerly grey cladding tiles in some central panels of the cube detail. A feature orange cube is provided on the west elevation which completes the office material pallet.

The car parking structure is Ibstock Staffordshire Slate Blue Brick, trailing plants are proposed with a webnet mesh in green to the east and north elevations, the treatment is also used on a central section of the garden centre. An extensive hard and soft land landscaping strategy is proposed which retains a number of the existing trees and provides a green edge to the development with additional planning proposed in the open aspect of the carpark.

The scheme also proposes significant road improvements which include a new signalised junction on to William Prance Road, a new route running along the north and eastern edge of the site serving the delivery area, car parks and connects to the existing central roundabout in the centre of the Seaton Barrack site adjoining the Future Inns site.

3. Pre-application enquiry

Detailed pre-application enquiry 16/02169/MAJ has taken place with the inclusion of the Creating Excellence Design Review process; this has led to significant improvements in the design of the building focusing on external treatment and an improved Landscaping strategy, car parking and wider scheme. It has also secured the new connection route which serves the site. The pre-application also scoped out the Transport Assessment and Retail Impact Assessment. The application was also screened under the Environmental Impact Assessment Regulations which concluded that the development proposed was not EIA development.

4. Relevant planning history

None directly relevant to the proposed scheme

5. Consultation responses

Devon and Cornwall Police Designing Out Crime Officer - has been fully consulted at the pre application stage and supports this application in its current design and layout. A comprehensive secured by design statement as been produced in accordance with the principles of secured by design

Historic England - The setting of the Western Morning News building will be unaffected by the proposals. However, there is potential for the development to adversely affect the setting of Crownhill Fort.

- Additional response following further information - Unfortunately the photographs are taken from the base of the earthen ramparts rather than the summit, which rather limits their usefulness. However, they demonstrate the distance of the site from the monument, and on that basis we can conclude that any harm to the setting of the monument would be minor or negligible. We are content for the application to be determined in line with national and local policy and guidance and on the basis of your own internal conservation advice.

PCC Historic Environment Officer - The site lies in an area of relatively low archaeological potential. Nevertheless, there is currently no evidence that the ground has undergone significant truncation so the only accurate way to establish the presence/absence, extent and preservation of any archaeological remains would be to carry out limited trial trench evaluation. Condition recommended.

Natural England- no objection. Based on the information provided, the proposal is unlikely to affect any statutorily protected sites or landscapes.

Economic Development Department – Strongly support the application, the Range is a fast growing company we support decision to base its very significant HQ and training operations in its home city of Plymouth in association with a new flagship Range store. Job creation is also supported from the scheme and construction process. Investments of this scale can be few and far between and accordingly, very strongly supports the proposal. Recommend an Employment and Skills Plan condition should be included.

Low Carbon City Team – Object to application. While the development proposes the use of a 399 kW peak output solar PV complies with the adopted CS20 policy of 15% the lack of provision of a future proofed connection to district heating network conflicts with Policy DEV34 of the Joint Local Plan. It was made clear that the LPA would be prepared to be flexible on the use of solar PV, if a future-proofed district energy connection was provided, which is our highest priority for this area. It is not accepted that the proposed heating and cooling strategy is the only option and other local developments in the area, have agreed to provide a future proofed solution and also an off-site contribution towards delivery of the network. Whilst the proposal as it currently stands is compliant with policy CS20, it is not compliant with the Joint Local Plan policy DEV34, which is in line with the relevant NPPF policies for district heating.

Lead Local Flood Authority - requires confirmation that all soakaway features are located a minimum of 5m from all buildings, structures or public highway, a ground investigation study is required and confirmation of the anticipated path of the water will take having been discharged to the proposed soakaway. A Construction Environment Management Plan is required to demonstrate how the drainage system is to be protected from silt and pollution

and run off during construction. Details of how the system is to be managed, and any future adoption proposals should also be submitted.

Public Health - no comments to make.

Natural Infrastructure Team- Further information required in relation to Landscape Management Plan and Arboricultural Method Statement in relation to the construction of the access road next to G1. The application has been screened and concluded not to be EIA development and a having considered the application; it is not required to have further assessment under Habitats Regulations 2010.

- Biodiversity EMES is considered satisfactory the agreed off site contribution is required due to lack of ability to deliver a net-gain on site.
- Landscape - many shrubs proposed are beneficial for pollinating insects, however there is concern that the trailing plant, planters will not be successful. Further evidence should be provided.
- Trees and woodland, evidence submitted indicates that all but the high amenity group of trees, predominantly Monterey Pines, are to be removed. The group are a striking feature of this part of Derriford and important for wildlife. The trees require space to be unaffected by the proposed access road, while it would be preferable if the road could be moved westwards if this cannot be achieved the works must be monitored by a competent arboriculturalist. The amendments that allows the retention of 9 of existing structural landscaping trees is welcomed. The Tree Protection Plan needs to be updated to show the proposed building layout and the protection measures required for the retention of these additional trees as well as G1 Monterey Pines.
- Recommend conditions relating to biodiversity, landscape works and implementation, a Landscape Management Plan, Pre-commencement Arboricultural Method Statement, existing trees and hedgerows.
- S106 contribution = £87,685.65 should be secured for off-site biodiversity gain

Ministry of Defence - Has no safeguarding objections to this proposal

South West Water (SWW)- Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that the method proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy. However, should this method be amended, SWW will require clear evidence to demonstrate why the preferred methods listed within the Run-off Destination Hierarchy has been discounted by the applicant.

Public Protection – Recommends approval subject to conditions. Following additional points identified:

Air Quality - The air quality assessment considers the construction phase and the operational phase of the Proposed Developments impact on local air quality from associated vehicle movements. The report identifies potential dust sensitive receptors within 200m of the proposed development, and further afield including residential properties, the Future Inn Hotel, and Busy Bees Nursery. It also identifies the potential for impacts of trips to and from the facility. It concludes that pollutant concentrations predicted at the proposed receptors, are all well below the relevant objective values for long and short-term concentrations of NO₂ and PM₁₀, and long-term concentrations of PM_{2.5}. The report concludes that that the site is

considered to be suitable for its intended use from an air quality perspective. Public Protection agree with the report's findings and recommend that the construction phase related dust should be controlled via a Construction Environmental Management Plan (CEMP) and that a full dust risk assessment should be undertaken and set out mitigation measures to be employed during construction.

Noise - The assessment has considered industrial and commercial sound, road traffic noise in line with Calculation of Road Traffic Noise (CRTN) as well as noise associated with delivery vehicles on noise sensitive receptor including the Future Inn hotel. The overall conclusion is the assessment indicates no impact on the nearest sensitive receptor. Public Protection have a number of queries in relation to the data which are yet to be answered, however they have advised that once clarified, they would recommend conditions are applied to this application to ensure noise is controlled and factors set out within this assessment are adhered to in relation to the location of the service area, and a service yard management plan. Following receipt of additional information, recommend two further conditions for noise.

Contaminated Land – The submitted report concludes there are low contamination levels in the soil and no remedial measures are required with respect to soils or groundwater. We recommend an unexpected contamination condition is applied to ensure correct measures are taken in the event that contamination is uncovered during and ground works.

Highways England

Initial response

The applicants assessment indicates the retail element will generate 70 trips in the morning peak and 301 in the evening and the office will generate 134 trips in the am peak and 97 in the evening peak. In relation to the impact of these on the Manadon Junction it is a busy constrained junction and the percentage increase in flows identified of 10% could be significant additional volume. The two critical links in respect of the impact on the strategic road network are the eastbound and westbound off slips of the A38. In relation to retail trips Highways England is content that the retail elements is unlikely to have a severe impact on the operation of the slips. However the employment use is likely to have a higher impact with the applicants assessment indicates increase of 34 trips in the morning peak on the west bound off slip and 15 trips on the east bound off slip. Given the lack of detailed assessment by the applicants Highways England have undertaken their own assessment, which demonstrates the junction is at capacity and the development will increase this in future years, therefore in the absence of mitigation the impact of the development is serve. As identified by the applicants the completion of the Forder Valley Link Road will provide an increased capacity at Manadon. Therefore to make the development acceptable to Highways England it is necessary to impose a Grampian Planning Condition which prevents the occupation of the Office until the FVLR is open to traffic.

Updated response

Highways England has reviewed the additional information Whilst the applicant has provided additional information in respect of the traffic related impact at Manadon Junction, it is Highways England's position that our formal consultation response dated 11th July 2017 remains valid. We are still recommending that a condition be attached to any planning permission which ensures that the B1 element of the development is not be occupied until such time as the Forder Valley Link Road is completed and open to traffic. The reason for this

is that Manadon junction is already at capacity and without adequate mitigating measures, additional development traffic would have a severe impact, particularly in relation to road safety

Highways England final consultation having considered these measures proposed by officers to improve sustainable travel these be included fully into the staff travel plan and secured by condition. They have also advised that subject to the s106 planning obligation that the store/office is occupied by the Range until the opening of the FVLR and that the Ranges Other Office is restricted from dual occupation that the proposal would not result in a severe residual impact on the Strategic Road Network. A condition which requires the staff car parking at the new store and office is to be limited to 50 vehicles until the opening of the FVLR is required on the application.

Local Highways Authority: Would not wish to raise any objections to this proposal, subject to conditions. The detailed comments are outlined below:

Trip Generation

The results of the modelling undertaken for the junctions on the A386 corridor (from Derriford Roundabout to William Prance Road) demonstrates that there will be a deterioration in the operation at both Derriford Roundabout and at the A386/William Prance Road junction specifically at the am traffic peak hours

The development generates 165 arrivals and 39 departures during the am peak and 145 arrivals and 253 departures during the pm. As the Range are relocating from their existing base in Estover, not all of the trips will be 'new' on the network. Overall the traffic impacts upon the A386 are not considered to be 'severe' (in terms of the NPPF) and that securing a financial contribution from the development towards highway infrastructure on the Northern Corridor would help to mitigate such impacts.

In relation to new eastern all movement signal controlled junction this is working within capacity both during the opening and future assessment years.

In relation to the impacts on the Brest Road/William Prance Road junction, there are issues in the 2022 future assessment year however these flows arising from the opening of the FVLR and not the Range.

Car Parking

On the basis of the % reduction in space that should be applied relating to accessibility by public transport, the number of spaces serving the employment element of the scheme should total no more than 116. Rather than 146 spaces currently proposed, it is recommended that a condition restricting the overall number of car parking spaces to 318.

In order to address concerns of Highways England regarding the impacts of the office-related trips, a reduced level of car parking serving the offices to 50 spaces has been agreed until the FVLR has been completed this will assist the measures of the Travel Plan. I am content that this can be covered by the Travel Plan.

A condition is required relating to a Car Parking Management Strategy which includes the

allocation of staff spaces. The cycle parking is considered to be acceptable

Layout

A new access road is proposed along the eastern and northern edges with a combined footway/cycleway of 3.75m this will serve the wider site in addition to the it allows for a further link to be provided into Derriford Business Park in the future (Seaton Arc).

The highway works are critical to the delivery of the site so a Grampian Condition should be imposed which requires the works to be delivered prior to the opening of the store or offices.

Due to the tightening of all movement junctions to improve the pedestrian crossing, HGVs cannot access the service yard by left turning into the service road from William Prance Road. It is recommended that a condition be attached to any grant of consent relating to the timing of deliveries.

In order to provide a path of acceptable gradient down to the new bus stop on William Prance Road, a further pedestrian link should be provided with a reduced gradient.

Furthermore autotrack plots should be provided to show that buses can access the new proposed bus stop (which should include a bus boarder).

Travel Plan

The applicant has agreed a comprehensive list of Travel Plan measures for the final version of the Transport Plan cannot be agreed until staff surveys have been undertaken and modal shift targets determined. To be secured by condition which includes measures agreed with Highways England.

Section 106 Agreement

A financial contribution of £100K towards either the Derriford Transport Scheme or works at Manadon Junction will be required and a specific clause relating to the occupation of the buildings.

6. Representations

None received

7. Relevant Policy Framework

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

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the Core Strategy

and other Plymouth Development Plan Documents as the statutory development plan for Plymouth once it is formally adopted.

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

For Plymouth's current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

For the JLP which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at an advanced stage of preparation having now been submitted to the Planning Inspectorate for Examination, pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations. It is considered to be a sound plan, consistent with the policies of the Framework, and is 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, particularly if there are no substantive unresolved objections. 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. Set out below in Section 8 onwards the relevance of the policies in the JLP are considered in relation to the application considering their weight and that of the JLP strategy taking into account objections received to the Plan.

Other material considerations include the policies of the Framework itself, guidance in National Planning Practice Guidance (NPPG). 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:

- Derriford and Seaton Area Action Plan submitted but not adopted
- Sustainable Design Supplementary Planning Document
- Planning Obligations and Affordable Housing Supplementary Planning Document and updates Development Guidelines SPD

8. Analysis

1. This application has been considered in the context of the Core Strategy as the development plan including policies CS02, CS03, CS04, CS06, CS07, CS08, CS09, CS19, CS20, CS21, CS22 and Area Vision 9 the submitted Plymouth and South West Devon Joint Local Plan (JLP) including Policies SO4 SPT4, SPT5, PLY2, PLY38, PLY47, DEV1, DEV2, DEV16, DEV20, DEV21, DEV28, DEV30, DEV31, DEV34 and DEV37, the Framework and other material policy documents as set out in Section 7. The key consideration of the application relates to the following areas: design and character; retail considerations; amenity; economic considerations; low carbon measures; contamination land; ecological matters; highways considerations; flooding and surface water drainage; and historic environment. These matters are considered below.

Design and Character

2. The scheme's principal setting relates to the Plymouth International Medical and Technology Park, this area is characterised by large buildings set back within the plots such as the Land Registry building and Future Inn. However, this character is not part of how the area is envisaged to develop. SO4 point 5 of the Submitted Joint Local Plan (JLP) seeks development in Derriford and Northern Corridor Growth Area to use the opportunity for major development at Derriford to achieve a key gateway to the city, marked with significant high quality buildings, with a greater intensity of uses to create a walking and cycling environment with safer and more engaging streets and public spaces. This envisages a step change desired in the Derriford Area. Policy PLY38 sets out further specific requirements for the Commercial Centre at Derriford which includes the former Seaton Barracks site. Point 7 of the Policy requires development to accord with a strategic master plan, however this has not currently been developed. In its absence, the guidance in point 7 of Policy PLY38 and Strategic master plan framework (Figure 4.5) have been considered. They provided guidance on how the area is sought to be developed to help deliver the aspiration of SO4.

3. Extensive engagement has been undertaken during the pre-application process informed by the strategy set out in the JLP to develop the scheme submitted. The scheme was subject of the Design Review Panel's assessment during the pre-application process which has helped further refine the design of the scheme and resulted in a more connected form of development which improves vehicular movement through the scheme and opens up the wider to the Seaton Barracks site. This has resulted in a high quality development which represents an innovative scheme design which responds to its topography, the emerging strategy for the Derriford area and commercial centre and ultimately provides a form of development which the Joint Local Plan seeks to deliver in Derriford as a more dense urban area.

4. The scheme provides a number of the key requirements set out in point 7 of PLY38 and the Strategic Master Plan Framework; it provides buildings which front the key streets, it provides new junction on to William Prance Road and provides a high quality landscaping scheme which helps deliver green links within the site. The scheme also demonstrates that the Future Inn access road can be extended to allow the future connection through to Brest Road, with the road alignment set out. The feature corner on the southwest of the office building and the wider high quality office building are considered to provide the landmark building identified in the masterplan framework.

5. The external finishes of the buildings are considered to set out a high quality appearance with a modern finish to both the office and the retail store with the glazed atrium helping both divide them and also connecting the two distinct elements. The continuity of the orange accent detail through the office building from the retail store is also considered a positive visual connection between the two elements. The pallet of materials is considered to help enforce the quality of the building; however it will be important to ensure that the specific ones used work together and that the finished detail ensures a quality finish to the buildings. These matters can be controlled by condition to ensure that this is delivered.

6. The landscaping framework for the site is also considered to add to the scheme by

providing an array of structural planting and landscaping areas. This is supported by a hard landscaping strategy which provides an innovative approach which relates well to the buildings. The greening of the car parking with planting in the upper deck is supported, as well as a proposed planting strategy to green the walls of the car parking and garden centre on the east and north elevations which adds a softer element to the mass of the structure. While this hanging planting system is supported, there is concern over how the system will work in practise as identified in the consultation response from the Natural Infrastructure Team. It is important that as a key part of the proposal that this is deliverable and will stand the test of time. This will be secured by condition and includes a management and maintenance plan to secure it longer term. The scheme leaves a vacant section of land to the north fronting the new access route; this allows for future development to support the more urban character that the Joint Local Plan aspires to with these streets also having the future potential for building to front the streets. It is however important that this area provides a suitable appearance in the interim approach and as such a condition requiring an interim treatment will be required.

7. Through the pre-application and development of the scheme, engagement with the Designing Out Crime Officer took place and a Secure by Design statement has been set out in the Design and Access Statement document demonstrating how these are embedded in the scheme. The consultation response from Designing Out Crime Officer confirms the acceptability of the scheme in this regard. The proposal is therefore considered to meet the requirements of CS32 of the Core Strategy and point 6 of DEV20 of the JLP.

8. Overall the design approach of the building and wider scheme and its landscaping is considered to meet the new requirements from the JLP including SO4, PLY38 and DEV20 and is also considered to accord with the requirements of CS02 and CS34 of the Core Strategy as such the design approach proposed is supported by officers.

Historic Environment

9. While much of the surrounding development to the site is modern, the area does have significant heritage including Crownhill Fort (a Scheduled Monument) and the Ship (Grade ii*) a recently listed building. Historic England have advised that the scheme will not impact upon The Ship building, however they have expressed concern in relation for the potential for the scheme to impact on the setting of the Fort. Additional information has been provided by the applicant to provide assurance that this will not take place. Historic England have provided a further consultation response identifying that any harm to the setting of the monument would be minor or negligible. It is not therefore considered that the proposal would conflict with the requirements of the NPPF, JLP policy DEV21 or Core Strategy policy CS03. It is however important that as identified in the consultation response from the Historic Environment Team that the archaeological potential of the site is explored and as such a condition to ensure this is undertaken prior to the commencement of development will be required.

Amenity

10. The application site is not located in close proximity to any residential areas and as such is not considered to have an impact on residential amenity. In relation to the surrounding occupiers the scheme is separated from these premises and is not considered to have either an over bearing impact or result in a concerning degree of overlooking and as such it is not considered to result in a detrimental impact on them during its use. There is however the potential for the construction process to have an impact particularly in relation to the Future Inn Hotel and its guests. These matters are however considered capable of being addressed through a Construction and Environmental Management Plan which can be conditioned on the application. The other potential impact relates to highways movements and air quality and this is covered in the Transportation Pollution sections below. Given these considerations, the proposal is considered to accord with the Requirement of CS34 of the Core Strategy or DEV1 of the JLP.

Economic Considerations

11. The application provides both a retail store (7,733sqm GIA) and a large office (7,755sqm GIA). It is identified as being occupied by the Range for a flagship store and new head office building. In considering the application it needs to be borne in mind that planning permission runs with the land and is not operator specific, however the configuration of the proposal is specific for an intended operator and as such limited consideration of the proposed operator is given in determining the application. The proposed retail store is identified to employ 100 members of staff and the office element is identified to accommodate 600 staff including a retail training academy. If the proposal is used as identified then it will, as acknowledged in the consultation response from the Economic Development Department, be a hugely welcome addition to the city and its growth ambitions.

12. In considering the application consideration needs to be given to the strategy and policies of both the Core Strategy and JLP. In relation to this location Policy CS04 of the Core Strategy seeks to deliver a step change in Plymouth's economy through a number of measures. In the Northern Corridor this includes safeguarding and supporting proposals to extend strategic opportunities at the International Medical and Technology Park and supporting proposals for new commercial development in the Derriford area to the extent that it is complimentary to the city centre to enable Derriford to become Plymouth secondary office location.

13. While the Core Strategy does not allocate employment site, Diagram 4 'Spatial distribution of employment provision' identifies the wider northern corridor for business parks with a focus of the International Medical and Technology Park; and then identifies the wider Derriford area as a key economic centre as part of the bi-polar economy of Derriford and the City Centre. The proposal is considered to accord with these requirements and strategy set out, subject to the proposal not impacting on the role of the city centre. In relation to the office element this is not considered to pose a risk to undermining the role of the city centre and will reinforce the role of Derriford as a secondary location. In relation to the retail store this is a more significant concern, this matter will be addressed in the Retail Considerations section below.

14. Finally in relation to the Core Strategy consideration also needs to be given to the

Area Vision 9 and accompanying Vision Diagram. In relation to the site, it is relevant to note that the vision seeks to create a thriving sustainable new urban centre at the heart of the north of Plymouth with a key objective being to develop a diverse mix of commercial and community uses. It goes on to identify the areas supporting role in the sub-regions long term economic and social well-being through the strategically important infrastructure which includes economic infrastructure. The Vision Diagram identifies the Plymouth International Medical and Technology Park specifically for employment led mixed use development. The proposal is again, subject to specific retail matters, considered to accord with the vision set out for the area and has the opportunity to provide a significant opportunity to deliver the vision for the Derriford area.

15. While the principle consideration of the inclusion of the retail store are provided below (in the retail considerations), in economic terms it is important to consider whether the inclusion of the store could negatively impact on the economic strategy particularly as the site is earmarked for employment led mix use and could potentially limit the opportunity for further economic business growth. However in this regard given the linked nature of the proposed store to the offices and the fact that mixed use development is supported in the allocations officers consider this is not a significant concern particularly given the emerging position in the JLP for the area.

16. The overall strategy in the JLP in economic terms is set out in policies SPT4 which seeks to deliver a net increase in employment floorspace in the plan area and point 1 of the policy identifies provision in the Plymouth Policy Area for 93,000sqm of B1a office space with the City Centre as the primary location and Derriford as a second location. Policy PLY2 'Unlocking Plymouth's regional growth potential' adds further to the plan's aspiration seeking a regional significant growth in the cities 3 growth areas, which includes Derriford and the Northern Corridor. The proposal is, as with the Core Strategy, considered to accord with this emerging strategy. The proposal is also subject to the retail considerations set out below, considered to accord with the strategy of PLY38 'Derriford Commercial Centre' with point 5 of the policy setting the suitability of the Seaton Barracks to include office and business park development and the potential for larger format retail.

17. Given the acceptability of the proposal in relation to the strategy of both the Core Strategy and JLP and in economic terms its conformity to economic aspects of the area vision of the Core Strategy and PLY38 of the JLP, the scheme is considered acceptable in economic terms subject to the conclusion in the retail considerations below.

Retail Considerations

18. In considering the scheme there are three key interrelated retail considerations. These are (1) the compliance with the sequential test, (2) the impact of the scheme on the vitality and viability and investment in the network of centres both required by paragraphs 24-27 of the NPPF, and (3) how the scheme impacts the spatial retail strategy set out in the Core Strategy and Joint Local Plan. In considering these matters, the focus is on how the proposal relates to the strategy for Derriford and its relationship to the proposed District Centre and the schemes implications on the City Centre.

19. In considering the retail matters of this application, Officers have sought the advice of

GVA who provide retail planning advice to the Council. They have provided an advice note and it is considered in the officer report below.

Plymouth's Retail Strategy and policy context

20. Plymouth has a strong retail strategy for the future of the city and it is important that proposals for retail and other town centre uses are considered in this context. This strategy is set out in the adopted Core Strategy and Submission Joint Local Plan. However, care is needed in determining the weight that can be applied to each.

21. The Core Strategy takes a supportive approach to new retail development which maintains and enhances the City Centre's role as a major shopping destination, protects the primary retailing role of the City Centre and supports and strengthens the network of District and Local Centres. It also specifically promotes a district centre in Derriford in order to remedy the identified gap in the spatial distribution food shopping. The Core Strategy also requires proposals to comply with the sequential approach and not have an unacceptable adverse impact on the City Centre, district and local centres. These requirements are set out in Strategic Objective 7, Policies CS06, CS07 and CS08 of the adopted Core Strategy. CS07 specifically sets out the proposal for Derriford District Centre seeking it to provide a heart for the north of Plymouth supporting the areas existing and proposed residents and businesses. It clarifies that the Centre will include a major food store with complementary comparison goods shopping and other uses. The policy makes clear that it must be demonstrated that development will not undermine the regional shopping role of the City Centre and that such development should deliver major economic benefits to the entire city.

22. Core Strategy Area Vision 9 further defines the vision for the Derriford and Seaton area with point 3 stating that the district centre should be centred on the west side of the A386 and again clarifies it should not undermine the development of the City Centre's shopping role. However, it should also be noted that the Area Vision Diagrams are not potential allocation plans, and instead were intended to provide the foundations for developing the subsequent area action plans (AAPs). Para 5.3 of the Core Strategy was clear that these AAPs would take precedence over the Area Vision Statements contained within the Core Strategy. This was in recognition that circumstances evolve and change, and the planning framework needs to be respond to the most up to date evidence at the time. In this respect, the Derriford and Seaton AAP was submitted for examination in December 2012. Although the AAP was found unsound it was based on a much more up to date evidence base than the Core Strategy and it has not been withdrawn by the Council. The AAP was proposing the former Seaton Barracks parade ground site to the east of the A386 as a location for the new district centre. Clearly in light of the findings of the AAP inspector this position can only carry very limited weight; however, it does suggest that the Core Strategy, in terms of its locational information, is out of date and therefore itself carries only limited weight.

23. The Joint Local Plan has now become the policy vehicle to review the overall retail strategy and to determine the location of the new district centre. Policy SPT5 of the Submission JLP sets out that proposals which meet a compelling qualitative need will be considered favourably. Specifically of relevance to this application is the requirement of the policy to secure 'continued improvement of the overall provision of retail floorspace within the City Centre' and also proposal for 'New food retail and complementary non-food retail

floor space within the proposed Derriford district centre, to meet an identified gap in food shopping in the city, provide services which support the wider economic, education and health role of Derriford, and be a catalyst to the creation of a new heart and focal point for the communities in the north of Plymouth.' These are key considerations in relation to the acceptability of the application of the Sequential Test and Impact Assessment which are set out in Policy DEV16. Additionally, Policy PLY38 identifies land between Derriford hospital and William Prance Road (which includes the former Seaton Barracks parade ground site) as the location for a proposed Derriford commercial centre and district centre. However, given objections received to these policies, which are yet to be tested at public examination, careful consideration needs to be given to their weight in decision making.

24. Before a detailed conclusion on these matters can be fully considered it is important to apply the sequential and impact tests.

Sequential Test

25. Paragraph 24 of the NPPF deals with the requirement for a sequential approach for main town centre uses. It requires applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan to comply with the sequential test. As part of considering the sequential assessment submitted and the suitability and availability of sites, there are a number matters that need to be concluded which establish if a sequential test is required. These matters relate principally to the proposed District Centre in Derriford, and are important to establish the approach to the sequential test.

26. The considerations are as follows; is the proposal in an existing centre, is it in accordance with the up to date Local Plan and linked to this is it the district centre or start of the district centre envisaged in the Core Strategy. In considering these matters consideration needs to be given the Appeal decision APP/N1160/A/12/2169472/NWF which was recovered by the Secretary of State and related to planning application 09/01899/OUT on the North West Quadrant site adjoining Derriford Hospital. That application related to a mixed use scheme and the appeal considered the proposal in detail in relation to the Derriford District Centre. The Inspector's considerations will be used to inform the assessment of this application.

27. The first 2 points for consideration are: 1.) Is the proposal in an existing centre? and 2.) Is it in accordance with the up to date Local Plan? These are important to establishing the need for a sequential test.

28. In relation to point 1, given that the relevant adopted Local Plan for the area is the Core Strategy and this does not allocate sites it seems clear that the application site is not in an existing defined centre.

29. In relation to point 2, it is considered that the overall strategic approach to retail development set out in the Core Strategy (including the identification of the Derriford area as a location for a new district centre) remains sound generally in relation to up to date evidence. However, because the Core Strategy does not allocate sites it cannot be determined for the purposes of the question of sequential testing that the retail element of the proposal is in a proposed district centre set out in an up to date Local Plan.

30. Given these conclusions on the first two points it is therefore necessary for the applicant to demonstrate that there are not any sequentially preferable sites in which it could locate.

31. A Sequential Assessment has been submitted alongside the application. The applicant has in their assessment focused on the retail store only and not the proposal as a whole including the office building; this is considered a robust approach and demonstrates flexibility. They have also in applying their search considered a dual floor format of store, excluded the garden centre and car parking of the proposal and reduced the size of store to 6,000sqm which is as they set out in their Retail Statement is the minimum size to store their full product range. This approach is in principle considered to present a flexible approach to the assessment of sequentially preferable sites. However in relation to the reduced floor area it is not agreed that a reduction to 6,000 sqm is sufficient. An average store size for The Range taken from the Retail Statement is 3,440sq m gross. It is not established why such a size is not appropriate in this assessment beyond the need to accommodate the full product range. As such in considering site officers will consider a reduced footprint in the assessment.

32. In considering the sequential sites the applicant has followed the sequential hierarchy which begins with the City Centre sites. The applicant has considered a range of sites including proposed allocations in the JLP and has concluded that the sites are not suitable and or available. Officers and GVA are satisfied that the sites with the exception of 1 site (the former BHS Store) are not both suitable and available in the City Centre although it is not necessarily the case that all the applicants conclusion are agreed in officers drawing the same conclusion.

33. The site which does warrant a more detailed consideration relates to the former BHS building which does provide a significant degree of floor space and the fact that the Range are occupying a former BHS store in Redditch town centre is also an important consideration. The detailed consideration of this site is not fully agreed by officers and the site is currently available. GVA in their advice to the council point out that the Range also has stores in centres in Tunbridge Wells and Runcorn and considers that the examples show that stores selling the range of goods offered by The Range can occupy large units in town centre locations and can operate without dedicated on-site car parking. This is therefore considered to suggest that the former BHS unit is a potentially suitable alternative to the application site. GVA go on in their advice to point out that the only difference in relation to the BHS store in Plymouth is that it does not offer available parking in a reasonable vicinity and that this could be considered a reason for the council to conclude that the site is not suitable. It is however officer's considerations that while this is a factor, it does not necessarily provide a robust justification for why the site is not suitable as a large vacant unit and therefore are not satisfied that the site can be concluded to not be available and suitable. This could lead to the application being refused on sequential test grounds and as such this factor will need to be balanced against the other considerations of the application in accordance with the requirements of Para 12 of the NPPF.

34. Notwithstanding the consideration of the BHS site, it is important to consider other sequentially preferable sites. The second location in the hierarchy of centres in the City relates to the existing and proposed district centres. Officers are satisfied that there are not any suitable and available locations in the network of existing district centres and this is also

the consideration of the network of local centres.

35. Consideration therefore needs to consider proposed district centres. Policy CS07 of the Core Strategy identifies (but does not allocate sites for) two proposed centres: one in Weston Mill and the other in Derriford. The Weston Mill centre is identified to be for a new medium sized food store with complementary comparison goods as part of a mixed use centre. While this proposed centre has not been considered by the applicant, the proposal is not considered to comply with the policy aspiration in CS07. It is also important to consider that the Submission Joint Local Plan does not carry forward the proposed centre. For these reasons the site is not considered suitable for the proposal.

Derriford District Centre

36. Consideration therefore turns to the proposed Derriford District Centre which was referred to at the start of the sequential test section. However, it has already been established that the Core Strategy does not allocate a site for the centre

37. Consideration therefore needs to continue to consider the approach undertaken by the inspector in relation to appeal APP/N1160/A/12/2169472/NWF which considered if in relation to the appeal scheme: (1) whether it could amount to the first phase of the district centre which is supported by policy CS07; (2) whether or not the scheme could amount to a district centre, including being able to fill the perceived qualitative gap in retail provision; and (3) if it would undermine the potential for a district centre elsewhere in Derriford.

38. The Inspector in his consideration went on to note that in order to achieve the first phase of a district centre the proposal would need to attract sufficient investment including interest from a foodstore operator. In this regard it is noted that in relation to this scheme being the district centre the proposal includes both A1 comparison retail and a B1 office both of which are town centre uses and included in the uses set out in CS07. However as GVA advise in the assessment, a large office and a large retail unit will not provide a genuine district centre but are rather constituent parts of one. They go on to advise that that a key element of the new district centre (set out in CS07 and AV09) has always been new food retail provision, with this being a key part of the rationale for the centre to meet a locational qualitative deficiency in this part of the city. This view accords with the approach undertaken by the inspector in the previous appeal.

39. In relation to the application, the current proposal is not considered to achieve these policy aspirations given the lack of a food retail provision to meet the qualitative gap as a first phase of the centre. As such given these considerations the proposal is not considered to be either in the district centre or to form either the start of the centre or the centre envisaged in the Development Plan. Given this consideration and the fact that with the exception of the Former BHS site there are no other sequential preferable sites 'in centre.' consideration therefore moves on to where there are any better accessible sites well connected to town centres. In this regard given the high level of accessibility of the application site and proximity to public transport routes it is not considered that there are any more accessible or connected sites. In relation to the sequential test in relation to the Development Plan the only issue relates to the Former BHS Unit.

40. Consideration now turns to how the scheme relates in sequential terms to the proposed District Centre in the Submitted Joint Local Plan as a material consideration, albeit of relatively limited weight, in the determination of the application. Policy PLY38 allocates the proposed Derriford District Centre and it is identified on both the Proposal Map and also figure 4.5 Derriford commercial centre- strategic masterplan framework. As such the policy would support the location of the proposal. Point 5 of PLY38 earmarks the area focused on the former Seaton Barracks parade ground for development to include both office development and the potential for larger format retail. Therefore sequentially the proposal would be in accordance with the JLP and Policy PLY38.

41. Before concluding the sequential assessment it is important to consider that the office element of the scheme is a town centre use and as such requires a sequential assessment. In this regard there are a number of matters to consider, firstly with the exception of the former BHS store, given that it is concluded that there are not any available and suitable sites for the retail element alone it equally follows that if the office element were added on then the same conclusion of the sites assessed would be reached. It is also the case that as set out in the economic considerations above the provision of an office element is considered to accord with both the JLP and the Core Strategy. The situation in relation to the availability and suitability of the BHS Store for the retail element is however altered if the sequential assessment is to include the total proposal including the office. Given that both parts of the proposal do require a sequential test as they are 'Town Centre Uses' in accordance with Para 24 of the NPPF. If these two elements are considered together then the former BHS site would not be considered to be suitable for the proposal or a reduced version thereof. This factor will need to be balanced in the consideration of the application.

Sequential conclusion

42. Having reviewed the sequential matters relevant to the application officers consider that there is a potentially available and suitable site in the former BHS Store which would result in the application failing the sequential test unless the sequential assessment were undertaken for the whole scheme including the office element. Given that both parts of the scheme are town centre uses and that they relate to a single building it is concluded in this instance that in sequential terms this would mean that the BHS unit cannot be considered suitable for the proposal as a whole and as such the site is not both a suitable and available sequential site. In relation to the proposed Derriford District Centre the site is not considered to be either in or constitute the start of the Derriford Centre in the Development Plan in relation to AV09 and CS07. Therefore, it cannot be concluded that the scheme passes the sequential test in paragraph 24 of the NPPF and Policy CS08 of the Core Strategy, although the strategy in the Joint Local Plan and proposed allocation in Policy PLY38 does weigh in favour of the proposal as a material consideration.

Impact Assessment

43. Paragraph 26 of the NPPF requires the impacts of proposals on the investment in and vitality and viability of town centre locations to be considered. This is also required by policies DEV16 of the Joint Local Plan and CS08 of the Core Strategy. Consideration of the impacts of the scheme are also relevant in relation to the sequential test in relation to the approach undertaken by the appeal inspector who identified that if the proposal were not

considered to be the district centre envisaged in the Core Strategy it should be judged against Core Strategy policies with regard to its impact on existing centres and on likely investment in the proposed Derriford District Centre.

Impact on the vitality and viability of the Network of Centres

44. The applicant has provided a Retail Impact Assessment which has been the subject of extensive engagement at pre-application with both officers and GVA who are assisting officers with the consideration of the retail impact of the proposal. The assessment by the applicant considers the impacts of the proposal and also considers it cumulatively with commitments. It identified sales densities for the store of £1,951 per sqm with total estimated turnover of £13.88 million assuming a trading floor area of 7,114sqm (the net internal sales area + the 845sqm garden centre). In considering the impact of the proposal the assessment has been broken down into the range of categories. This is useful in the assessment however GVA in their advice to officers have advised that the amount associated to DIY and Garden items is significantly high at £7.87m which equates to 57% of the stores trade. In this regard if the assessment is to be considered robust it should relate accurately to the proposed range of goods to be sold. To secure this the use of restrictive conditions will be necessary to ensure that the impacts considered are relative to that demonstrated and considered in this assessment. The applicant has set out a number of conditions including one that seeks to control the goods to be sold and this has been further negotiated with the applicant and is now considered to ensure that the impacts are likely to be representative of those set out in the assessment.

45. The impacts of the proposal on the network of centres has been set out by the applicant and considered by GVA in their advice to the council. Significantly this envisaged the City Centre are losing £1.38 m of trade to the scheme, which equates to an impact of -0.2% on the City Centres total turn-over. In relation to the wider network of centres the impact is more limited to under 1% to any centre. In relation to the network of district centres officer are satisfied that this level of impact will not result in a significant adverse impact on the health of the network of district and local centres.

46. In relation to the City Centre there does however need to be more detailed consideration. Importantly, the consideration of impact also needs to include the cumulative impact with known commitments and in this regard the total cumulative impact on the City Centre is -3.3% on top of that of the recent variation of condition application at the Legacy hotel site 17/01167/S73. Considering the impacts of the scheme alone this level of impact if appropriately controlled by condition is not considered by officers or GVA to result in a financially significant adverse impact. This is based upon an updated agreed condition which controls the sale of goods by floor space area. It is however the case that the cumulative impact should also be considered as advised by GVA to consider the wider impact of the scheme.

47. Consideration in this regard is given to the cumulative impact with other consented out-of-centre schemes on the City Centre. In considering this cumulative impact it is important to refer to planning application 15/01831/FUL for 'Erection of retail unit, associated car parking, landscaping and access' for a flagship Next store. In determining that

application officers and GVA advised the Planning Committee that it was considered that the impact of that proposal was significantly adverse on the health of the city centre. This was based on that scheme having an impact of -1.4% on the city centre. Part of the reason for this concern related to the quantum of the impact on the expenditure on clothing and fashion within the City Centre and the trading overlap of that proposal.

48. The application was approved following members of the Planning Committee reaching an alternative view to officers in their determination of the application. In relation to retail impact they concluded that the proposal would have an adverse impact on the City Centre but not a significantly adverse impact. In the advice received on this application GVA have concluded that while their view point is that the impact of application 15/01831 was significantly adverse, in relation to this application the additional impact of this current application over and above the Next application and other commitments will not make a material difference in the impact on the city centre subject to suitable controls on the floor space. Officers agree with the guidance provided to them by GVA and this consideration is reached in part in relation to the recent Secretary of State decision at Scotch Corner Ref. APP/V2723/V/15/31/32873 which clarified that while the cumulative impact of a proposal is important in relation to the test set out in paragraph 26 of the NPPF, it is also the impact of the proposal itself which needs to be considered if it is significantly adverse. As previously stated, having taken the advice of GVA, officers are satisfied that this application would not significantly alter the impact on that already allowed including that of 15/01831/FUL on the City Centre and as such would not have a significantly adverse impact on the health of the City Centre.

Impact of the proposal on the Investment

49. In considering the impact of the proposal, it is also important to consider whether the impact would affect the existing, planned and future investment in the network of centres. In relation to the network of existing District and Local centres, it is not considered that there would be an impact on likely investment given the range of goods as controlled by the proposed conditions and the limited overlap with these centres.

50. In relation to the proposed centres, consideration is given to the more up to date direction set out in the JLP as part of this consideration. The Weston Mill centre was never envisaged to include such types of operators (as proposed in this application), and the JLP only proposes new food retail on the western side of the city (not a district centre) to meet a gap in provision (Policy SPT5).

51. In relation to the proposed Derriford Centre as envisaged in the existing Core Strategy, the consideration of the North West Quadrant inspector is a key consideration as the proposal could impact the investment in the centre envisaged in the Core Strategy. In this regard, it is acknowledged that there is (as previously stated) not a specific site to consider. A developer has been bringing forward a scheme and undertaken public consultation as part of a pre-application in July 2015. However, no planning application has come forward for the scheme and there has been limited progress on that site or the pre-application since 2016. It is also noted that there has been no letters of representation received from the developer identifying such concern to this application. They did however

make representations to the Pre-submission Joint Local Plan asking that their site be identified for the District Centre. Given the uncertainty of a scheme and the fact that it does not relate to a specified site for the District Centre, beyond being on the same side of the road as set out in the Core Strategy, Officers do not consider that this proposal would have a significant adverse impact on the investment in the Centre as envisaged in the Core Strategy. In relation to the updated policy strategy set out in the JLP and Policy PLY38, the proposal, would accord with the proposed approach which is a material consideration in the application.

52. The City Centre is a more finely balanced matter. This point was a key consideration in application 15/01831/FUL, however in that instance the wide range of products available and specifically the high proportion of clothing and fashion goods and their key role in the City Centre gave rise to officers considering that the impact on investment was significantly adverse. In this instance while it is acknowledged that the potential operator (for the proposal) or others which sell the same broad range of goods, operate in City Centre locations and there are overlaps with the product offer with other City Centre operators. It is the case that the impact is spread over a broader range of goods and a significant proportion of the financial impact is on other out of centre locations rather than city centre operator. While not operator specific it is also the case that a number of Range Stores operate in the City which whilst the end user is not important, they do sell the same broad range of goods without having a significant impact on the City Centre currently. These matters help reduce concern about the impact of the proposal on investment in the City Centre and with development such as that at Drake's Leisure and the former Derry's Department Store being delivered and the strategy set out in the City Centre Masterplan and JLP. Officers and GVA are satisfied that subject to appropriate controls, the impact on investment in the City Centre will not be significantly adverse.

Retail Conclusions

53. Having considered the sequential test and impact assessment, consideration therefore falls back to the other local policy requirements of the Council's retail strategy set out in the Core Strategy and Joint Local Plan. Dealing first with the Core Strategy, officers consider that the proposal is in broad conformity with the strategy, particularly in relation to the strategy for the City Centre. However officers are of the view that it is not considered to be either in or constitute the start of the Derriford Centre in the Development Plan in relation to the Core Strategy (AV09 and CS07). Following the guidance of the inspector for APP/N1160/A/12/2169472/NWF consideration has been given to the potential impact on investment in the proposed centre and are satisfied that it would not have a significant impact on that proposal. Officers are also satisfied that the proposal will not in relation to its individual impact will not create a significant adverse impact on the health of the city centre or when considered cumulatively with other commitments would not substantively alter the significantly adverse impact already envisaged to take place. It is also concluded that the proposal will not have a significant adverse impact on investment in the network of existing and proposed centres. Turning to the Submission JLP, it is concluded that the proposal does accord with the emerging location of the centre specified in policy PLY38 and the retail strategy set out in the JLP as a whole, which is a material consideration, albeit of relatively limited weight pending adoption of the JLP.

Ecological considerations

54. In considering the ecological implications of the proposal the requirements of policies CS09, CS19 and CS34 of the Adopted Core Strategy, the emerging policies DEV28 and DEV30 set out in the Submission Joint Local Plan have been considered. The proposal has been screened in relation to the Habitat Regulations 2010 and has been concluded not to have a conceivable effect on the European sites of Plymouth Sound and Estuaries Special Area of Conservation and Tamar Estuaries Complex Special Protection Area.

55. In relation to the more local considerations significant engagement has taken place during both the pre-application and application process. Given the application site is located in the site identified in Policy PLY38 for the proposed Commercial Centre the potential for the site to provide a net-gain for biodiversity is limited by the strategy to intensively develop the site. Given this issue a contribution has been secured to deliver a net-gain for biodiversity of £87,686 to be allocated towards Derriford Community Park to deliver biodiversity enhancements and Lower Bircham Valley Woodland to provide wet woodland habitat improvements. This is considered an optimum approach to enable the scheme to develop in line with policy PLY38 while securing the ecological enhancement.

56. The scheme is as a result of the proposals resulting in the loss of a number of the trees planted during the establishing the business park, however following negotiations on the application 9 of the trees have now been retained and as set out in the consultation response from the Natural Infrastructure Team this is considered to improve the proposed structural landscaping. The application site is bound to the east by a high quality long established Monterey Pine tree boundary which also extends around the northern boundary of the wider Seaton Barracks site the trees are a key feature of the surround landscape. The proposed new access road is in close proximity to the start of this tree group. Colleagues in the Natural Infrastructure Team had suggested the road could be moved to allow a better root protection zone. However, unfortunately the location is fixed by the limited opportunity for the road to link into the wider Derriford Transport Scheme improvements on William Prance Road. It has been recommended that a detailed arboricultural method statement be produced to deal with the proposed work and they have recommended that the works to this area are done under arboricultural supervision. This is considered to provide the best solution to manage the interaction between construction and the trees, to provide the ongoing future of the effected trees.

57. Turning now to the proposed landscaping strategy as set out in the design section above this is considered a quality scheme which offers a range of species which is beneficial for pollinating species and helps soften the proposed development. It will be important that a Landscape Management Plan is delivered which secures the landscaping schemes implementation and management. It is also the case that given changes to include more trees being retained that the Tree Protection Plan will need to be updated although this can be conditioned.

58. In conclusion, as a result of the changes secured during the application process it is considered that the proposal is delivering an ecological benefit as part of the development of

the site, including the S106 funding for off-site measures and is subject to conditions, going to ensure the protection of the surrounding trees. The proposal is therefore considered to adequately address policies CS09, CS19 and CS34 of the Adopted Core Strategy and the emerging policies DEV28 and DEV30 set out in in the Submission Joint Local Plan.

Low Carbon Considerations

59. In considering the sustainability of the scheme consideration is given to both the requirements of the Core Strategy as the Development Plan and policy CS20 in particular and the Submitted Joint Local Plan and the requirements of policy DEV34.

60. The application includes the provision of an extensive array of Photovoltaic Panels, in order to deliver the carbon savings. The Low Carbon City Team have confirmed that this would deliver the requirements to offset 15% of the development carbon emissions, required by policy CS20 of the Core Strategy. During the course of the application and pre-application, negotiations have taken place regarding the potential for the scheme to also be designed to provide a future connection to a potential future District Energy Network in Derriford area, in line with policy requirements of DEV34 point 6. The applicants have considered this requirement in developing the scheme; however the proposed heating and cooling systems they are intending to install is not compatible with the future connections. The applicant has advised that changing the scheme to an alternative system which would enable future connection would require a full redesign of the entire system. The revised approach would also have significant cost implications to the scheme, which, as set out below, is already considered to have viability issues. The applicants have further identified that changing the approach would impact part of the role of the proposed retail store as a training facility; as the heating and cooling system if altered from that proposed would not represent the system that is utilised in the network of the Range Store and as such this element of staff training would not correlate to the actual system in use the network of stores.. Clearly the ideal situation would be that the scheme would be constructed to enable to a future connection, however in this instance there are clear reasons why this cannot take place which have ramifications for the intended use of the building. It is therefore on balance considered that in this instance the lack of future connections should not impede the granting of consent given that the proposal is in line with the requirements of the development plan.

Pollution and disturbance

61. In considering the application, it is important to ensure that the scheme will not give rise to an unacceptable impact to surrounding occupiers, future users or generate health risks in line with the requirements of Policies CS22 and CS34 of the Core Strategy and Policies DEV1 and DEV2 of the Joint Local Plan. There are a number of key matters which need to be considered these include the impacts on air quality, land contamination and noise impacts.

62. In relation to air quality it is important to consider that the proposal is in close proximity to Tavistock Road which forms part of Plymouth's Air Quality Management Area (AQMA). A detailed Air Quality assessment has been submitted and has been considered by Public Protection. In relation to impacts of the scheme it is not considered that the scheme

will significantly increase pollutants above recommended levels by virtue of the trips generated. Public Protection have however identified that the impacts of the construction process need to be carefully managed to reduce the likely impacts on sensitive receptors including from dust and other construction activities as such detailed conditions are recommended to control these impacts.

63. In relation to noise generation a detailed assessment has been submitted which considers the like impacts of the scheme including that on noise sensitive receptors which include The Future Inn hotel. While the overall conclusion of the assessment indicates no negative impacts, Public Protection raised a number of queries in relation to the data presented. Following the receipt of the additional information, Public Protection have indicated that it is satisfactory and conditions will be required to ensure: noise and disturbance is controlled in relation to the extraction and ventilation equipment; the location of the service area is identified; operating and store opening hours are established; a requirement is made for a service yard management plan; and delivery hour restrictions are imposed. These measures will ensure the continued protection of the surrounding areas including potential future residential uses which form part of the Derriford Commercial Centre in Policy PLY38.

64. Finally in relation to contaminated land it has been demonstrated that there are not envisaged to be dangerous levels of contamination on the site and as such there is no requirement to undertake any remediation measures. Public Protection have recommend an 'unexpected contamination' condition is applied to ensure correct measures are taken in the event that any contamination is uncovered during ground works that this is reported to the Council and a remediation strategy set out.

65. Given the above consideration it considered that in relation to the impact of the scheme on air quality, land contamination and noise impacts that the scheme is acceptable, subject to the further receipt of further data in relation to noise impacts. This will be reported to Members in an Addendum report. Subject to these being satisfactory it is considered that the application is consistent with the requirement of policies CS22 and CS34 of the Core Strategy and Policies DEV1 a DEV2 of the Joint Local Plan subject to the conditions set out at the end of this report.

Flooding and surface water

66. It is important to ensure that the proposed scheme will not increase flood risk or result in significant flooding which would impact the site or surrounding area and meet the requirements of policies CS21 and CS34 of the Adopted Core Strategy and DEV37 of the Submission Joint Local Plan. The application site is located in an EA Flood Zone 1 and is a brown field site and as identified in the consultation responses from Lead Local Flood Authority (LLFA), as being at very low risk of tidal or fluvial flooding and at very low risk of surface water flooding. The site is however located in a Critical Drainage Area. The Council's Local Flood Risk Management Strategy for this area aims to reduce the risk of flooding from surface water run-off and to improve the capacity of surface water and combined sewer systems with the use of SuDS.

67. The proposed drainage strategy for the site uses eight separate soakaway systems to discharge surface water through infiltration. The proposed drainage strategy has been designed to a 1 in 100 year return period (1% AEP) design standard with a 40% allowance for climate change. The Lead Local Flood Authority has requested confirmation that all soakaway features are located a minimum of 5m from all buildings, structures or public highway, that further ground investigation study is required and confirmation of the anticipated path of the water will take having been discharged to the proposed soakaway. They have also advised that as recommended by the Flood Risk Assessment silt traps are included in the Drainage System and that a Construction Environment Management Plan is required to demonstrate how the drainage system is to be protected from silt and pollution and run off during construction. Details of how the system is to be managed and any future adoption proposals should also be submitted.

68. Subject to the provision of this additional information through conditions, it is considered that the proposal including its drainage and flood risk strategy and drainage systems are in principle acceptable but that the provision of scheme specifics and specification will be required to ensure the scheme delivers to the required standards. It is therefore considered that the scheme is acceptable and in accordance with the requirements of policies CS21 and CS34 of the adopted Core Strategy and DEV37 of the Submission Joint Local Plan subject to the detail being provided through conditions.

Transportation

69. The key considerations in transport terms are the impact of the scheme on the local highway network and the strategic highway network (A38), access by sustainable means and the overall level of parking provision for the scheme in the context of policy requirements of policy CS28 of the Core Strategy and Policies PLY38, PLY47, DEV31 of the Submission Joint Local Plan and also the strategy for Derriford and the Northern Corridor Growth Area in Strategic Objective SO4.

70. Extensive engagement has taken place in during the scheme to develop the proposal for the site. This is to ensure the development takes into account of the wider Seaton Barracks Site; which forms part of the Commercial Centre allocated in policy PLY38 and also the wider road network surrounding the site including the Derriford Transport Scheme which is currently improving the William Prance Road and Tavistock Road.

71. As part of the pre-application negotiations, officers have sought to ensure the requirements of policy PLY38 and wider strategy for the Derriford area is being embedded in the scheme. The initial proposals provided two accesses from William Prance Road one utilising the existing road serving the Future Inn, for access to the decked car park for customers and the store entrance, and then a second new access to the eastern edge of the site for staff parking on the lower level and access for delivery vehicles only. This approach restricted the future potential for the wider site to be comprehensively redeveloped and did not provide a quality layout.

72. Following negotiation the scheme is now providing an all movement junction with William Prance Road which is designed to meet the needs of the development and the wider

site access. The junction works alongside the Derriford Transport Schemes (DTS) with the new road layout providing right in and right out access which was removed from the existing access. This junction now connects to a new two way road with a pedestrian route which runs along the east and northern boundary of the site connecting the new junction with the existing central roundabout which sits at the centre of the Seaton Barracks site. This delivers both road and pedestrian access to the wider Seaton Barracks site and also the area of additional land at the north of the application site, earmarked for future development. This new route also enables people to access both parts of the car park without having to move through William Prance Road and provides the opportunity for vehicles to move into and out of the site from all directions. This was not available under the existing arrangements created by the completion of the Derriford Transport Scheme. This change is considered to deliver a significant betterment to the original scheme and helps deliver the aspirations of Policy PLY38 including the essential infrastructure set out at point 5 'A new Junction with William Prance Road and Vehicle access route along the eastern boundary of the former Seaton Barracks Parade Ground Site'. The Local Highway Authority are supportive of these proposed changes and are satisfied that the new junction is able to safely work with the likely capacity of movements.

73. The revised layout also secures through the layout that the Seaton Arc can be delivered which aims to provide bus, pedestrian and cycle access in the future through the Parade ground site to Brest Road required by Policy PLY38. It also accords with the strategic master plan framework in Figure 4.5. These measures are considered crucial to the scheme and its wider context for the redevelopment of the Parade Ground as part of the Commercial Centre set out in Policy PLY38 of the JLP. This is identified in the consultation response from the Local Highway Authority it is therefore necessary that these measures are secured through conditions as they recommend.

Sustainable travel

74. In relation to the scheme proposed, the site is located in close proximity to a number of bus stops including a proposed new one directly outside on William Prance Road, to promote travel by sustainable means. It is also located in an area well served by cycle routes with new facilities being provided as part of the Derriford Transport Scheme. The Local Highways Authority are supportive of the proposed bus stop but have raised concern that the tracking of buses need to be undertaken to ensure the stop meets the requirements for bus access; this issue can be addressed via condition.

75. In relation to pedestrian access as part of the proposed new junction, a signalised pedestrian crossing across William Prance Road and the new access road are provided and pedestrian crossings across the service yard access, car park entrances including zebra crossing to the main customer car park. This improves the safe access to the store, offices and also the wider site. The Highways Authority have advised that there is concern over the pedestrian route through the southern entrance to the Atrium building, raising concerns over the new pathway. Their concern relates to the gradient of the path and its safety for wheel chair access; this can however be provided closer to the atrium to deliver a more gentle sloped access through a condition.

76. In terms of cycle provision the scheme will provide 104 cycle parking spaces with 30 hoops in the underground car park (60 spaces), 13 cycle hoops in the Plaza (26 spaces) and 10 cycle hoops by the store entrance (20 spaces). This is considered to provide a good quality provision to serve the development.

77. A staff travel plan was submitted alongside the application and this has been further enhanced during the course of the application following guidance from the Council's Smarter Choices Team and the Local Highway Authority, to ensure that sustainable modes of transport are prioritised in the development. Further measures have also been secured following negotiations with Highways England to ensure that the scheme will not have a severe impact on Manadon Junction (covered in more detail below in strategic highway network section). The new measures agreed include the following:

- Bespoke staff travel planning prior to office relocation
- Staff travel plan coordinator prior to office relocation
- Promotion of cycle to work/ cycle purchase schemes
- Promotion of bus access routes to staff
- Promotion of park and ride facilities staff
- Staff Car-share group
- Full engagement with Plymotion
- Facilitating Cycle training (commuter tutor)
- Enhanced cycle parking facilities
- Dedicated staff changing facilities at the offices and retail store.
- Providing incentives for bus travel before relocation to new offices
- Commitment to join Northern Corridor Travel Plan Forum
- Staff car park management strategy
- Real Time bus display in atrium building
- Facilitating 'Dr Bike' safety checks
- Facilitating Cargo Bike Loan Scheme
- Active travel group for staff

78. In combination with the staff travel plan these measures are considered to significantly improve the schemes sustainability credentials.

79. Local Highway network

80. As set out above the proposal now provides new infrastructure as part of the proposal and it needs to be ensured that this works alongside the surrounding network. It is also the case as set out above that the road network in Derriford is undergoing substantial change, currently through the Derriford Transport Scheme and in the future by the opening of the Forder Valley Link Road (FVLR). The application is supported by a detailed Transport Assessment which has been updated through additional data during the application process.

81. This has been considered by the Local Highway Authority in relation to the impacts on the highway network. They have advised that they do not want to raise any objections to this proposal (subject to conditions), that the results of the modelling undertaken for the junctions on the A386 corridor (from Derriford Roundabout to William Prance Road) demonstrates that there will be a deterioration in the operation at both Derriford

Roundabout and at the A386/William Prance Road junction specifically at the am traffic peak hours. This is based upon the fact that the development generates 165 arrivals and 39 departures during the am peak and 145 arrivals and 253 departures during the pm. It is however the case that as the Range is relocating from its existing base in Estover, not all of the trips will be 'new' on the network. While this issue is applicant specific the application will, through the Section 106 agreement, tie the occupation of the development to the Range and also restrict the occupation of the new office and the existing office. Given these measure the Local Highway Authority have advised that while there will be an impact upon the A386 as a result of the scheme, the impacts will not be 'severe'. They also identify that the securing of a financial contribution from the development towards highway infrastructure on the Northern Corridor would help to mitigate such impacts. It is therefore considered that the scheme is acceptable in relation to the impacts on the local highway network subject to conditions set out at the end of the report.

Strategic highway network

82. The proposal includes a large quantum of both Use Class A1 retail floor space and also Use Class B1a offices, both of which generate large volumes of trips although they are at different times. While the proposal is not in close proximity to the Strategic Road Network, the volume of trips can have a significant impact on it. This concern was raised by Highways England (HE) in their consultation response which relates to the potential implication of the scheme on the Manadon Junction which serves the A38. HE are satisfied that the retail element of the scheme will not cause a severe impact, however they do consider that the office element of the scheme would have an impact. This is due to the lack of full assessment of the junction and HE have therefore undertaken their own assessment. This concludes that by 2018 the east bound off slip would experience queuing on to the A38 creating a severe impact. Given this consideration, HE have recommended that the office element should not be occupied until the Forder Valley Link Road (FVLR) is operational. The link to the FVLR is due to the fact that that scheme will reduce the trips through the Manadon Junction and has been considered by the applicants in future years.

83. Following on from this the applicant provided additional information to HE including evidence relating to The Range's existing staff who would relocate to the new store. This has been considered by HE, however they did not consider that the updated evidence altered their position given that the evidence assumes that the existing Range office site would cease to operate, which is not the case.

84. Given the position of HE that the application would have a severe impact on the strategic highway network this could result in the application being refused. However the applicant has worked up a range of measures which they consider would help mitigate the potential impact of the scheme on the Manadon Junction. This includes the following measures:

1. Enhanced staff traveling planning (supported by Plymotion) to include:
 - Bespoke staff travel planning prior to office relocation
 - Staff travel plan coordinator prior to office relocation
 - Promotion of cycle to work/ cycle purchase schemes

- Promotion of bus access routes to staff
- Promotion of park and ride facilities staff
- Staff Car-share group
- Full engagement with Plymotion
- Facilitating Cycle training through the commuter tutor scheme
- Enhanced cycle parking facilities
- Dedicated staff changing facilities at the offices and retail store.
- Providing incentives for bus travel before relocation to new offices
- Commitment to join Northern Corridor Travel Plan Forum
- Staff car park management strategy
- Real Time Bus Display in atrium building
- Facilitating 'Dr Bike' safety checks (provided by PCC)
- Facilitating Cargo Bike Loan Scheme (provided by PCC)
- Creating active travel group for staff

2. A Limit on number of car parking facilities for Office and Store Staff to 50 spaces until opening of FVLR to work alongside staff travel planning

3. Section 106 requirement for £95,000 to contribution towards Derriford Transport and £5,000 towards development of scheme(s) to alleviate congestion at Manadon Junction, providing and funding Real Time Bus Display in atrium building entrance and a requirement that the store and office are only occupied by the Range (prior to the opening of the FVLR)

4. Planning conditions for phased occupation of the Office Development, the staggering of the start time of Office Staff to elevate travel in peak Hour and finally visitor information promoting access by sustainable means to Store and Office.

85. Highways England have considered these measures and advised that the measures set out to improve sustainable travel should be included fully into the staff travel plan via condition. They have also advised that subject to the planning obligation that the store/office is occupied by the Range until the opening of the FDLR and that the Ranges Other Office is restricted from dual occupation would not result in a severe residual impact on the Strategic Road Network. They have however required a condition which requires the staff car parking at the new store and office is to be limited to 50 vehicles until the opening of the FDLR.

86. Given the updated position from Highways England it is now concluded that subject to appropriate control measures and enhanced staff travel planning, it is considered that the proposals will not result in a severe impact on the strategic highway network.

Car Parking

87. The proposed scheme provides a total of 348 spaces which are proposed to serve the development, with 186 standard spaces allocated to the retail customer and with 16 disabled spaces and then 146 for the offices and retail staff. In relation to the staff car parking provision, the Local Highways Authority have recommended that a percentage reduction should be applied given the accessibility of the site by public transport, and that as such the number of spaces should total no more than 116. Therefore the 146 spaces currently

proposed represents an over-provision ; a condition is suggested which restricts the overall number of car parking spaces. through a Car Park Management Plan. subject to the proposed conditions it is considered that the scheme is adequately served in terms of the car parking provision.

88. In order to address concerns of Highways England regarding the traffic impacts of the office-related trips, the applicant has agreed to a phased implementation of car parking serving the offices resulting in only 50 spaces being made available for staff until the FVLR has been completed and is open to traffic. In view of the pressure on car parking within the Derriford area as a result of the hospital etc, the use of all car parking areas will need to be carefully controlled. The applicant has stated that an Automatic Number Plate Recognition system will be implemented which restricts parking to a maximum duration of 3 hours for shoppers. This would be used to prevent staff from parking within the dedicated retail spaces. It is recommended that a condition be attached relating to a Car Parking Management Strategy for the site which would also include details relating to the allocation of staff spaces.

89. In conclusion the proposal is considered to help deliver improved access arrangements and infrastructure to enable the future delivery of the Seaton Barrack site in accordance with policy PLY38 of the JLP. It is further considered subject to conditions and S106 requirements to be acceptable in relation to the impact on both the local and strategic road network and meets the requirements of policy CS28 of the Core Strategy and PLY38, PLY47, DEV31 of the Submission Joint Local Plan and also the strategy for Derriford and the Northern Corridor Growth Area in Strategic Objective SO4.

9. Human Rights

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

10. Local Finance Considerations

The proposed development is not liable for the payment of Community Infrastructure Levy.

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.

The proposed development has been considered in the context of the Councils Planning Obligations and Affordable housing Supplementary Planning Document and the reviews to it. Detailed negotiations have taken place in relation to the required levels of contribution in relation to the impact of the scheme. A contribution £87, 686 – Toward ecological mitigation measures in the form of a range of works in Derriford Community Park including tree and hedgerow planting, development of grassland habitat development and then wet woodland habitat improvements within Lower Bircham Valley woodland was agreed as part of the Pre-application. The other area where a contribution was likely to be necessary related to a contribution toward strategic transport measures. A number of factors have been considered in the negotiations, these are set out below:

Mitigation Measures

As part of the negotiation on the application and pre application, officers have sought a number of improvements from the proposal to improve the accessibility of the scheme to better integrate the proposal with the works associated with the Derriford Transport Scheme and to deliver a comprehensive approach to enable the delivery of the wider Seaton Barracks site as part of the strategy for the Derriford Commercial Centre. These works include providing an all movement signalised junction on to William Prance Road designed to meet the wider access and capacity requirements associated with the delivery of the wider Seaton Barracks site. Further improvements have been secured in the provision of a new connection road linking that junction along the eastern boundary of the site and then running west to connect to the central roundabout on the site. This route has also been designed to ensure that the delivery of the Seaton Arc public transport route can be delivered.

These additional measures have been secured to help deliver the strategy set out in the Joint Local Plan for the Derriford Commercial Centre (Policy PLY38). The provision of these additional measures amounts to £1,320,770 of which the applicants will be responsible for the provision of 50% of the cost of these works at a cost of £660,385 with the remainder being provided by the wider landowner. These measures improve the overall layout out of the proposal and as already stated were negotiated by officers to facilitate the delivery of the requirements of Policy PLY38. As such it is considered that the additional cost associated with these works would provide a form of mitigation against the requirement for a full S106 contribution being sought in this instance.

Viability

Given the applicants identification of viability issues the application has been the subject of a full viability assessment. This has identified that the two uses proposed have very different viability profiles within Plymouth, with large format retail being generally a viable development type, as opposed to office developments in Plymouth which are less viable. It is also important to note that the scheme has a number of specific additional costs, which includes the wider infrastructure measures set out above and also that the scheme design includes a decked car parking solution to deliver the place shaping objectives which has further increased the development costs by a further £1,000,000.

The assessment of the scheme has been undertaken as per NPPF guidance and industry best practice, and has concluded that the scheme proposed cannot viably provide any further section 106 contributions and this is due to the inclusion of a large amount of office floor

space which is currently a marginal development type within Plymouth. The Council's Viability Officer has however identified that the scheme proposed is one where the applicant, developer and occupier are all the same entity and that cost savings can be made in such situations. Whilst this cannot allow for this under normal industry guidance it is worth noting that the true viability position of the applicant is likely to be better than presented. However they do clarify that as per standard industry guidance, it is their opinion that the scheme cannot viably deliver further section 106 contributions.

Given the above, it is considered that there are justifiable reasons in this instance to negotiate a reasonable take into account the wider benefits the proposal provides in transport terms when considering the level of contributions that should be secured in the S106 agreement. Officers have however continued to negotiate with the applicants and have secured a contribution of £100,000 towards transportation measure this will be allocation as follows:

£95,000 Derriford Transport Scheme

£5,000 towards development of scheme(s) to alleviate congestion at Manadon Junction

Given the issues identified in the transport section above the following additional measures have been secured

- A clause that the store/ office is only occupied by The Range (and not a different operator, prior to the opening of the Forder Valley Link Road).
- A clause providing for 50% of the funding for a Real Time Bus Passenger Information display in the atrium building entrance.

Officers consider that given the above consideration that the measures set out present a suitable range of contribution to mitigate the impacts of the development.

12. Equalities and Diversities

The Proposed store and office includes disable parking bays and also direct surface level access into the store and lifts to ensure equality of access for all sectors of society.

13. Conclusions

In concluding the application there are a number of key considerations which need to be balanced. This is because while the majority of considerations in demining the application are considered to be acceptable there are a number of areas where there are potential conflicts with the policies of either the Core Strategy or the Joint Local Plan. This relates to two areas; one that the approach to low carbon which while according with the Core Strategy does not fully accord with the new Joint Local Plan policy DEV34 and then the second area relates to the retail sequential test set out in Paragraph 24 of the NPPF. The retail sequential test issues relates to the proposed Derriford District Centre in relation to the specific wording of Area Vision 9 which promotes the proposed centre to be centred on the west side of the A386.

In drawing a conclusion on the application the consideration needs to (as set out in section 7. Relevant Policy Framework) take into account Section 70 of the 1990 Town and Country Planning Act which requires that regard be had to the development plan, any local finance

and any other material considerations as well as Section 38(6) of the 2004 Planning and Compensation Act which requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. The requirements of para 12 of the NPPF are also relevant which states that 'Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.'

The Development plan in relation to the determination of this application and its key considerations currently comprises of the Local Development Framework Core Strategy (Adopted April 2007). The Submitted Plymouth and South West Devon Joint Local Plan (the JLP) will replace the Core Strategy as the statutory development plan for Plymouth once it is formally adopted. Consideration therefore should look firstly to the Core Strategy as the Development Plan but also to the JLP as a material consideration. When considering the weight afforded to the JLP this must be considered in the context of the guidance in Annex 1 of the NPPF. Taking in to account the advanced stage of preparation of the JLP and that it is considered to be in full consistency with the NPPF this is considered to have a significant degree of weight. It is however also important to considering unresolved objections to relevant policies which reduces the weight afforded this is particularly relevant to Policy PLY38. In balancing these considerations it is officers' view that a high degree of weight can be afforded to the JLP and its Policies in the determination of the application although the weight afforded to PLY38 is more limited, as a material consideration, but still relevant as part of the emerging strategy of the JLP.

Turning now to the consideration in relation to the low carbon matters, while seeking to deliver the requirement for district heating connection required in policy DEV34 of the JLP is clearly the ideal situation. In this instance there are clear reasons why this cannot take place which have ramifications for the intended use of the building. It is therefore on balance considered that in this instance the lack of future connections should not impede the granting of consent given that the proposal is in line with the requirements of the development plan policy CS20.

Turning now to the retail sequential test, there is a potential concern with the requirement of Area Vision 9 which seeks to promote the District Centre to the west of the A386, all though as set out in the retail section this matter is not a straight forward conflict with the Area Visions requirements. It is however important to ensure the application has been properly considered that consideration of the proposal needs to be reviewed to decide where there are any material considerations which out way or influence the potential conflict with the broad location set out. In this regard the proposal is considered to accord with all other aspects of the development plan; as stated in the report there is no actual allocated centre for the proposal to be sequentially located in, identified in the core strategy. The scheme is also in relation to the Joint Local Plan, with the exception of the requirements of DEV 34, considered to fully accord with the requirements of the JLP, subject to conditions. Both of these factors weigh positively as material consideration. It is also important to consider that the scheme is facilitating through enhanced infrastructure, the wider delivery of the of the Seaton Barracks Parade ground site. This includes delivering a fully signalised junction and

the new access road which connects to the central roundabout. This will provide an increased opportunity to deliver the future growth set out in policy PLY38, which helps deliver a key part of the strategy for the Derriford and Northern Corridor of the JLP. The actual type of the proposal is also part of the consideration. The proposal delivers a new Head office development which has significant economic benefits for the city, both retaining employment in the City but also delivering further job opportunities and will potentially increase the appeal of the wider Plymouth International Medical and Technology park having a major new Head Office investment at a gateway to the wider business park. While these factors are operator specific the new job growth would be the same regardless of operator and also the Section 106 agreement requires occupation initially to the Range which provides a certainty to the consideration in this instance.

On balance, having considered all material considerations of the application in accordance with the requirements of Para 12 of the NPPF, section 70 of the 1990 Town and Country Planning Act and Section 38(6) of the 2004 Planning and Compensation Act it is not considered that the potential conflict of the sequential test in relation to the proposed Derriford District Centre should result in the refusal of the application. This decision based upon this application and the specific considerations and is not considered to set precedence to other applications which will need to be considered on their merits. It is therefore recommended that the application is suitable for conditional planning approval, subject to the conditions as set out below.

In accordance with the requirements set out in Circular and Direction 02/2009 the development meets the requirements of section 5.(1) of the Circular and as such in accordance with section 9 it is recommended that the application is referred the application will be determined in accordance with Members Decision on the Application.

14. Recommendation

In respect of the application dated **22.06.2017** it is recommended to **resolve to approve conditionally subject to the signing of the Section 106 Agreement within agreed timescales and; to the first refer the application to the Secretary of State in accordance with the requirements of Circular and Direction 02/2009.**

15. Conditions / Reasons

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

1 CONDITION: APPROVED PLANS

Ground Floor Plan 28098-CDS-BP-00-00-DR-A-061001 Rev P4 received 16/06/17

Ground Floor Plan 28098-CDS-BP-00-00-DR-A-061002 Rev P4 received 16/06/17

Ground Floor Plan 28098-CDS-BP-00-00-DR-A-061003 Rev P4 received 16/06/17

1st Floor Plan 28098-CDS-BP-00-01-DR-A-061004 Rev P5 received 16/06/17

Site Location Plan 28098-CDS-BP-XX-XX-DR-A-000001 Rev P1 received 19/06/17
Site Location Plan 28098-CDS-BP-XX-XX-DR-A-000001 Rev P1 received 19/06/17
1st Floor Plan 28098-CDS-BP-00-01-DR-A-061005 Rev P5 received 16/06/17
1st Floor Plan 28098-CDS-BP-00-01-DR-A-061006 Rev P5 received 16/06/17
2nd Floor Plan 28098-CDS-BP-00-02-DR-A-061007 Rev P3 received 16/06/17
2nd Floor Plan 28098-CDS-BP-00-02-DR-A-061008 Rev P3 received 16/06/17
2nd Floor Plan 28098-CDS-BP-00-02-DR-A-061009 Rev P3 received 16/06/17
3rd Floor Plan 28098-CDS-BP-00-03-DR-A-061010 Rev P3 received 16/06/17
3rd Floor Plan 28098-CDS-BP-00-03-DR-A-061011 Rev P3 received 16/06/17
4th Floor Plan 28098-CDS-BP-00-04-DR-A-061012 Rev P3 received 16/06/17
4th Floor Plan 28098-CDS-BP-00-04-DR-A-061013 Rev P3 received 16/06/17
Roof Plan 28098-CDS-BP-00-R1-DR-A-061014 Rev P1 received 16/06/17
Roof Plan 28098-CDS-BP-00-R1-DR-A-061015 Rev P1 received 16/06/17
Proposed Site Plan 28098-CDS-BP-XX-00-DR-A-900001 Rev P4 received 16/06/17
Proposed Site Plan 28098-CDS-BP-XX-B1-DR-A-900002 Rev P4 received 16/06/17
Elevations 28098-CDS-BP-00-XX-DR-A-062005 Rev P3 received 22/06/17
Elevations 28098-CDS-BP-00-XX-DR-A-062006 Rev P2 received 22/06/17
Elevations 28098-CDS-BP-00-XX-DR-A-062007 Rev P1 received 22/06/17
Elevations 28098-CDS-BP-00-XX-DRG-A-062008 Rev P1 received 22/06/17
Proposed Sections 28098-CDS-BP-00-ZZ-DR-A-063001 Rev P2 received 22/06/17
Proposed Sections 28098-CDS-BP-00-ZZ-DR-A-063002 Rev P2 received 22/06/17
Proposed Sections 28098-CDS-BP-00-ZZ-DR-A-063003 Rev P1 received 22/06/17
Elevations 28098-CDS-BP-01-XX-DR-A-062001 Rev P3 received 22/06/17
Elevations 28098-CDS-BP-01-XX-DR-A-062002 Rev P3 received 22/06/17
Elevations 28098-CDS-BP-02-XX-DRG-A-062003 Rev P3 received 22/06/17
Elevations 28098-CDS-BP-02-XX-DR-A-062004 Rev P3 received 22/06/17
Access Detail RNGE-ACM-00-01-M2-CE-0009 Rev G received 22/06/17
Site plan RNGE-ACM-00-01-M2-CE-0016 Rev C received 22/06/17
Landscaping BP582_DR01 Rev C received 19/07/17
Landscaping BP582_DRG02 Rev B received 19/07/17
Landscaping BP582_DRG03 Rev C received 19/07/17
Planting Plan BP582_DRG04 Rev D received 19/07/17
Planting Plan BP582_DRG05 Rev C received 19/07/17
Tree Detail 1703/TPP Rev A received 17/07/17
Tree Detail 1703/TPP Rev A received 17/07/17

Tree Detail 1703/TPP Rev A 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 3 YEARS**

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

Reason:

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

3 **GRAMPIAN CONDITION - STREET DETAILS**

PRE-COMMENCEMENT

No development shall take place until details of the design, layout, levels, gradients, materials and method of construction and drainage of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Policy DEV31 of the emerging Joint Local Plan 2017.

Justification: to ensure all surfaces are satisfactory for their intended purpose and safe for use.

4 **CONDITION: ARCHAEOLOGICAL WORKS**

PRE-COMMENCEMENT

No construction shall be commenced until the applicant (or their agent or successors in title) has secured and implemented a programme of archaeological work to include archaeological trial trench evaluation, aimed at providing information of the location, nature and extent of any surviving archaeological remains which may be present.

The development shall be carried out in strict accordance with the approved scheme, or such other details as may be agreed in writing by the Local Planning Authority.

All of the above to be agreed in accordance with a written scheme of investigation (which shall previously have been submitted to and approved in writing by the Local Planning Authority)

Reason:

The site may contain archaeological deposits and/or human burial remains which would warrant appropriate investigation and/or recording in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies DEV21 and DEV 22 of the Submitted Plymouth and South Hams Joint Local Plan and paragraph 128 of the National Planning Policy Framework 2012.

Justification: The site may contain archaeological deposits and/or human burial remains which would warrant appropriate investigation and/or recording before development takes place.

5 CONDITION: EMPLOYMENT AND SKILLS

PRE-COMMENCEMENT

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

Reason:

To ensure employment and skills development in accordance with Strategic Objective 6 and

Policy CS04 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and in accordance with Policy DEV4 of the Submitted Joint Local Plan).

Justification: To ensure the development including construction provides employment and training opportunities to the local area.

6 **CONDITION: PROVISION OF DRAINAGE WORKS**

PRE-COMMENCEMENT

No development shall take place until an updated drainage and surface water management strategy including detail plans has been submitted to and approved in writing by the Local Planning Authority.

The detail shall include:

1. An up to date drainage plan identifying the use of silt traps for all soakaways.
2. That there is no risk of surface water re-emergence from the infiltration drainage system.
3. Confirmed that all soakaway features are located a minimum of 5m from all buildings, structures or public highways.
4. (infiltration drainage systems), a ground investigation study (including an assessment of the underlying geology) to assess and confirm the anticipated path the water will take having been discharged to the proposed soakaway, in order to confirm that water will not follow a pathway that ultimately impacts upon third party land or property.

The development should thereafter be undertaken in full accordance with the approved detail which shall be fully operational prior to the opening of any part of the development hereby approved.

Reason:

To ensure that satisfactory infrastructure works are provided in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV37 of the Submitted Joint Local Plan 2017 and paragraphs 94 and 100-103 of the National Planning Policy Framework 2012

Justification: To ensure the drainage strategy is fit for purpose and will not result in an increase in flood risk or pollution.

7 **CONDITION: CODE OF PRACTICE**

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.

The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. Noise and vibration from equipment and activities associated with construction including piling
- ii. Hours of work
- iii. Lighting
- iv. Measures to control the emission of dust and dirt during construction including wheel washing facilities (this section can be contained within a separate Dust Management Plan if the applicant wishes)
- v. A scheme for recycling/disposing of waste resulting from demolition and construction works
- vi. Pest control
- vii. Contamination where applicable
- viii. Incorporate a method statements to demonstrate how the drainage system and the wider water environment is to be protected from silt and pollution from the parking and access road areas, and also from surface water run off during construction.

The development shall be constructed in accordance with the approved management plan.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 -123 of the National Planning Policy Framework

Justification: To ensure that the construction impacts of the scheme are appropriately managed in relation to the surrounding users amenity.

8 **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 construction of the access road next to G1. The statement shall detail how trees are to be protected during construction. It shall include measures for protection in the form of barriers to provide a 'construction exclusion zone' and ground protection in accordance with Section 6.1 of BS: 5837:2012 Trees in relation to Design, Demolition and Construction - Recommendations. 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 protection and longevity of the Retained Trees on the site.

9 **CONDITION: EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED**

PRE-COMMENCEMENT

Notwithstanding the approved tree protection plans, prior to the commencement of development an updated Tree protection Plan shall be submitted to and approved by the Local Planning Authority showing the proposed building layout and the protection measures required for the retention of the 9 retained trees along William Prance Road as well as G1 Monterey Pines. Development shall be undertaken in accordance with these approved details.

The existing trees which are to be retained in accordance with the approved plans and particulars; and

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

Paragraphs (A) and (B) above shall have effect until the expiration of 5 years from the commencement of development.

Reason:

To ensure that trees 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 protection and longevity of the Retained Trees on the site.

10 **CONDITION: CONSTRUCTION DUST MANAGEMENT PLAN**

PRE-COMMENCEMENT

No development shall take place, including any works of demolition and/or construction, until a Construction Dust Management Plan (CDMP) has been submitted to, and approved in writing by, the local planning authority (unless dust has been specifically covered within a Construction Environmental Management Plan). The approved CDMP shall be adhered to throughout the construction period and must detail what specific dust suppression and mitigation techniques will be used and should adhere to best practice guidance such as IAQM Guidance.

Reason:

To protect the residential and general amenity of the area from dust and to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Justification: To protect the residential and general amenity of the area from dust.

11 **CONDITION: TN03 ACCESS CONTRACTORS**

PRE-COMMENCEMENT

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

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Policy DEV31 of the emerging Joint Local Plan 2017.

Justification: to ensure safe construction access on to the surrounding road network.

12 **GRAMPIAN CONDITION: DETAILS OF NEW JUNCTION**

PRE-COMMENCEMENT

No development shall take place until details of the junction between the proposed service road and William Prance Road have been submitted to and approved in writing by the Local Planning Authority; and no part of the development shall be occupied until that junction has 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 and Policy DEV31 of the Submitted Joint Local Plan 2017.

13 **CONDITION: EXTERNAL MATERIALS AND DETAILING**

PRE-COMMENCEMENT

Notwithstanding the approved plans no development shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. This shall be accompanied by details of the connections and junctions of adjacent materials, protruding features and reveals, louvres, curtain walling/ glazing and the details of flashings/copings and the plinth to adjacent materials.

Details shall include samples where specified, if possible in the form of a single composite panel erected on site (accompanied by a written specification) to enable consideration of individual materials side-by-side

The relevant part of the building shall thereafter be constructed only in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policies DEV20 and PLY38 of the Submitted Joint Local Plan and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

14 **CONDITION: ADDITIONAL LAND**

PRE-OCCUPATION

Prior to the occupation of the proposed retail store and/ or the office building an interim landscaping strategy for the area of land shown on approved plan 28098-CDS-BP-XX-00-DR-A-900001 P4 Proposed Site Plan - Upper Level, as Plot B Development Site' shall be submitted to and approved by the Local Planning Authority. The landscaping strategy shall be implemented within 3 months of the approval of these details and permanently retained thereafter.

For the avoidance of doubt the area shall not be used for the parking of vehicles.

Reason.

To ensure that the land is maintained in an acceptable condition until its future development and to ensure that unauthorised and unregulated parking is not taking place and in accordance with Policies CS02, CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006- 2021) 2007 and Policies DEV1, DEV2 DEV31 of the Submitted Joint Local Plan 2017.

15 **CONDITION: PROVISION OF CONNECTION ROUTE**

PRE-OCCUPATION

Prior to the occupation of the proposed retail store and/ or the office building the connection route shown on approved plan 28098-CDS-BP-XX-00-DR-A-900001 P4 PROPOSED SITE PLAN - UPPER LEVEL, which connects the central roundabout to the new junction with William Prance Road shall be provided for vehicle and pedestrian access.

Reason:

To ensure the safe access into the site for all modes of travel and limit the impacts on the wider highway network and in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006- 2021) 2007 and Policy DEV31 of the Submitted Joint Local Plan 2017.

16 **CONDITION: PHASED START TIMES FOR OFFICE BUILDING**

PRE-OCCUPATION

Prior to the occupation of the office building a strategy which phases the start time of office staff shall be submitted to and approved by the Local Planning Authority which sets out how the office staff start times will be phased to reduces travel in peak morning hour. Once approved the strategy shall be complied with until the opening of the Forder Valley Link Road.

Reason:

Reason: in the interest of the safe and efficient operation of the strategic road network and in accordance with the requirements of paragraph 32 of the NPPF

17 **CONDITION: PHASED OCCUPATION OFFICE BUILDING**

PRE-OCCUPATION

Prior to the occupation of the office building a 'Phased Office Occupation Strategy' shall be submitted to and approved by the Local Planning Authority which sets out how the occupancy of the building will be phased. Once approved the strategy shall be complied with in the occupation of the office building.

Reason:

In the interest of the safe and efficient operation of the strategic road network and in accordance with the requirements of paragraph 32 of the NPPF

18 **CONDITION: VISITOR INFORMATION STRATEGY**

PRE-OCCUPATION

Prior to the occupation of the office building a 'Visitor Information Strategy' shall be submitted to and approved by the Local Planning Authority which promotes access to the site through sustainable means. Once approved the strategy shall remain in place permanently thereafter.

Reason:

The Local Planning Authority considers that such measures need to be taken in order to reduce reliance on the use of private cars 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 and Policy DEV31 of the Submitted Joint Local Plan July 2017.

19 **CONDITION: CAR PARKING MANAGEMENT STRATEGY**

PRE-OCCUPATION

No part of the development hereby proposed shall be occupied until the applicant has submitted to the Local Planning Authority for approval a site-wide Car Parking Management Strategy. The said Strategy will provide details relating to the allocation and

management/use of all agreed car parking areas both for customers and staff (including 30 spaces for staff who carshare). From the date of occupation of the site, the occupier shall operate the approved Car Parking Management Strategy.

Reason:

To ensure that the use of all car parking areas are properly managed and thereby ensure that the development does not lead to on-street kerbside car parking occurring within the surrounding area yet limit the availability of car parking to staff in order to support the aims and objectives of the approved Travel Plan in encouraging the use of sustainable modes of transport as an alternative to the private car in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Policy DEV31 of the Submitted Joint Local Plan July 2017.

20 **CONDITION: CAR PARKING MANAGEMENT STRATEGY FVLR**

PRE-OCCUPATION

Notwithstanding the requirements of condition 19, No part of the development hereby permitted shall be occupied until a car park management plan has been submitted to and approved in writing by the Local Planning Authority. The car park management plan shall set out measures to restrict the number of cars parked on the site which are in use by office or store staff to no more than 50 at any time. The approved car park management plan shall be implemented and enforced until such time as the Forder Valley Link Road improvement scheme linking William Prance Road in Derriford and the junction of Forder Valley Road and Novorossiysk Road, is in operation, in general conformity with the scheme shown on Plymouth City Council's General Arrangement Plan drawing reference PL1651185/HW/406 is in place and open to traffic.

Or;

Until an alternative scheme offering equal or improved capacity benefit to the above referenced Forder Valley Link Road improvement scheme, to be agreed by the Local Highway Authority (in consultation with Highways England), is in place and open to traffic.

Reason:

In the interest of the safe and efficient operation of the strategic road network and in accordance with the requirements of paragraph 32 of the NPPF

21 **CONDITION: TN25 TRAVEL PLAN**

PRE-OCCUPATION

No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority.

The said Travel Plan shall include:

- o Staff travel planning prior to relocation of staff to the office
- o Appointment of Staff travel plan coordinator prior to office staff relocation
- o The promotion of cycle to work/ cycle purchase schemes
- o Promotion of bus access routes to staff
- o Promotion of park and ride facilities to staff
- o Formation of Staff Car-share group
- o Full engagement with Plymotion
- o Facilitating Cycle training to staff (commuter tutor)
- o Provision of dedicated staff changing facilities at the offices and retail store.
- o Providing incentives for bus travel before relocation of staff to the office
- o Commitment to join Northern Corridor Travel Plan Forum
- o Staff car park management strategy
- o Provision of Real Time Bus Display in the atrium building
- o Facilitating 'Dr Bike' safety checks
- o Facilitating Cargo Bike Loan Scheme (provided by PCC)
- o Establishing Active travel group for staff
- o Encourage staff and all site users to use modes of transport other than the private car to get to and from the premises.
- o 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
- o The name, position and contact telephone number of the person responsible for its implementation. From the date of occupation the occupier shall operate the approved Travel Plan.

The travel plan shall remain permanently in operation from the occupation of the building and permanently thereafter, unless otherwise agreed with the Local Planning Authority.

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 and Policy DEV31 of the Submitted Joint Local Plan July 2017.

22 **CONDITION: CYCLE PROVISION**

PRE-OCCUPATION

Prior to the operation of any part of the development a minimum of 104 spaces for bicycles to be securely parked shall be installed in accordance with the approved plans. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Policy DEV31 of the Submitted Joint Local Plan 2017.

23 **GRAMPIAN CONDITION: TN16 MAXIMUM CAR PARKING PROVISION**

PRE-OCCUPATION

No part of the development shall be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for a maximum of 348 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.

Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Policy DEV31 of the Submitted Joint Local Plan 2017.

24 **CONDITION: TN05 PEDESTRIAN/CYCLE ACCESS**

PRE-OCCUPATION

Neither the retail or office buildings hereby proposed shall be occupied until a means of access for both pedestrians and cyclists (which shall include zebra crossings on the access road) has been constructed in accordance with plans to be submitted to and approved in writing by the Local Planning Authority.

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 and Policy DEV31 of the Submitted Joint Local Plan 2017.

25 **CONDITION: SERVICE YARD MANAGEMENT PLAN**

PRE-OCCUPATION

A site specific Service Yard Management Plan (SYMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the service yard being brought in to operation.

The plan must detail all measures necessary to limit and control noise generating activities from the servicing of the units and deliveries including measures to:

1. Prevent delivery vehicles from waiting or parking anywhere outside the curtilage of the service yard.
2. Prevent vehicles from having engines idling or their refrigeration units running whilst stationary.
3. A curfew must be introduced on the use of any tannoy system. Any such tannoy is not to be used from 23.00-07.00hrs.
4. Acoustic prevention measures will be introduced to the service yard gates (if applicable). This includes installing cushioned chains and rubber pads to reduce noise from the operation of the gates.
5. A process of identifying and replacing defective roll cages is to be put in place and monitored. The movement of roll cages outside in the service yard shall be prohibited between 23.00hrs and 07.00hrs Monday - Sunday unless otherwise agreed previously in writing with the Local Planning Authority.

6. The SYMP shall set out in detail instructions to drivers and staff from the vehicle journey to the service yard, the unloading process, and the exit procedure from the site. This must include measures such as ensuring fridges are switched off on arrival, ensuring vehicle radios switched off in the service yard and keeping engine revs to a minimum.

The SYMP must detail how the noise control measures will be monitored. All measures necessary to limit and control noise generating activities from the servicing of the units and deliveries identified within the SYMP shall be implemented on site prior to the operation of each unit and shall thereafter be so retained and maintained unless otherwise agreed in writing with the Local Planning Authority.

Reason:

To ensure that nearby residents and hotel guest do not experience unacceptable levels of noise disturbance and to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

26 **CONDITION: SOFT AND HARD LANDSCAPE WORKS**

PRE-OCCUPATION

The soft and hard landscape works hereby approved and shown on the approved plans, BP582_DRG01 REV C, BP582_DRG02 REV B, BP582_DRG03 REV C, BP582_DRG04 REV D, BP582_DRG05 REV C, BP582_DRG06, BP582_DRG07, Materials Palette (by New leaf Studio) shall be completed prior to the first occupation of any of the proposed units hereby approved and permanently retained thereafter. If within a period of 5 years any tree dies or is substantially damaged it shall be replaced with a tree of the same size and species provided in accordance with that shown on the approved plan in that location.

Reason:

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

27 **CONDITION: SUSTAINABILITY**

PRE-OCCUPATION

The development hereby approved shall be completed in accordance with the submitted Energy Statement prepared by the Bailey Partnership (dated June 2017). Including the installation of 399kWp Solar Photovoltaic Cells .

Unless otherwise agreed previously in writing with the Local Planning Authority, the Solar Photovoltaic Cells shall be installed as shown on 28098-CDS-BP-00-R1-DR-A-061014 REV P1 PROPOSED GA ROOF PLAN, prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, the Submitted Joint Local Plan Policy DEV34 and relevant Central Government guidance contained within the NPPF.

28 **CONDITION: LANDSCAPE MANAGEMENT PLAN**

PRE-OCCUPATION

A Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The plan must include the long term objectives, indicate the ownerships and responsibilities and set out maintenance operations for the first year following implementation of the scheme and for a further 4 years following establishment.

Reason:

To ensure that due regard is paid to the continued enhancement and maintenance of amenity is afforded by the changed landscape in accordance with Core Strategy Policies CS18 and CS34.

29 **CONDITION: MAINTENANCE AND MANAGEMENT OF DRAINAGE SYSTEMS**

Prior to the operation of the drainage and surface water measures required by condition 6. Details of the long term management and maintenance of the drainage and surface water management systems shall be submitted to and approved in writing by the Local Planning Authority. Development shall be permanently managed and maintained in accordance with the approved scheme thereafter.

Reason:

To ensure that satisfactory infrastructure works are maintained in accordance with Policy CS21 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 94 and 100-103 of the National Planning Policy Framework 2012 and Policy DEV37 of the Submitted Joint Local Plan.

30 **CONDITION: PLANT EQUIPMENT**

Prior to the installation of any plant equipment full details of the location, design, appearance and full specification shall be submitted to and approved by the Local Planning Authority. The Plant equipment shall be installed in accordance with the approved detail.

Reason:

To ensure that the location, materials and equipment proposed will not impact the visual appearance of the building and are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV20 of the Submitted Joint Local Plan and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

31 **CONDITION: TN24 USE OF LOADING AREAS**

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 and Policy DEV31 of the Submitted Joint Local Plan 2017.

32 **CONDITION: BS4142:2014 NOISE - COMBINED TOTAL RATING LEVEL**

The combined rating level (site wide) including all plant, machinery and vehicles shall not exceed a rating level of 42 (including any applied penalties) between the hours of 07:00 - 23:00; and a rating level of 34 (including any applied penalties) shall not be exceeded between the hours of 23:00 - 07:00 at the nearest noise sensitive receptor. Ratings should be calculated in accordance with BS4142:2014.

Reason:

To protect noise sensitive receptors in the vicinity from any harmfully polluting effects such as noise to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

33 **CONDITION: VERIFICATION - NOISE ASSESSMENT**

Within three months of the site being operational, a noise assessment shall be conducted and submitted to the LPA for approval, to ascertain current background levels. A BS4142:2014 assessment shall then be undertaken in order to assess whether the standards set out in condition* is being complied with. If the levels are not being met the applicant shall submit to the Local Planning authority a strategy (including implementation programme) to bring the noise levels in line with the required levels. Once approved the strategy shall be implement in line with the implementation programme and the measure shall be permanently retain thereafter.

Reason:

To ensure that the noise standards in condition 32 are met/ to demonstrate compliance to protect noise sensitive receptors in the vicinity from any harmfully polluting effects such as noise to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

34 **CONDITION: HOURS OF DELIVERIES AND COLLECTIONS**

No deliveries or collections shall be taken at or dispatched from the site outside the following hours:

08:00 - 22:00 Mondays - Saturday

09:00 - 17:00 Sundays and Bank Holidays

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects, such as noise, vibration and to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Policy DEV1 of the Submitted Joint Local Plan.

35 CONDITION: HOURS OF USE RETAIL STORE

The A1 retail store shall only be open for customers during the following hours: -

08:00 - 22:00 Mondays - Saturday

10:00 - 17:00 Sundays and Bank Holidays

Reason:

To protect sensitive receptors and general amenity of the area from any harmfully polluting effects, such as noise and to comply with

policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Policy DEV1 of the Submitted Joint Local Plan.

36 CONDITION: LAND QUALITY 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 must be reported in writing immediately to the Local Planning Authority. 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 this condition has been complied with in relation to that contamination.

An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme shall be prepared which is subject to the approval in writing of the Local Planning Authority. It is recommended that the applicant contacts the Local Planning Authority for further advice on what information should be included in such reports. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the environment, future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors; and to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

37 CONDITION: BIODIVERSITY

Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy (dated June 2017).

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.

38 CONDITION: RESTRICTION ON A1 RETAIL STORE SUBDIVISION

Notwithstanding the provision of section 55 (2) (i) of the Town and Country Planning Act 1990 and the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any provision equivalent to the Act or Order in any statutory instrument revoking and re-enacting the Act or Order with or without modification, the A1 Retail Store hereby approved shall be permanently retained as a single unit and shall not be subdivided to create additional unit(s).

Reason:

The consideration of the application has been considered based upon the floor space proposed trading as a single unit, consideration has not been given to multiple stores and their potential impact the proposal is therefore restricted in accordance to Policy CS08 of the Plymouth Local Development Framework Core Strategy (4) 2007, Policy 41 of the Submitted Joint Local Plan, and paragraph 24 of the National Planning Policy Framework 2012.

39 CONDITION: RESTRICTIONS OF CAFE

Notwithstanding the provisions of section 55 (2) (i) of the Town and Country Planning Act 1990 or any provision equivalent to the Act or Order in any statutory instrument revoking and re-enacting those Acts or Order with or without modification.

A café shall be permitted as part of the overall offer of the A1 Retail Store extending to a maximum of 177 square metres.

The café use hereby permitted shall not be operated independently of the retail Store. In the event that the café use is ceased, the floor area occupied by it shall revert to the range of goods and form of retailing permitted by the terms of Condition 41.

The designated area shall only be used as a coffee shop, serving coffee, other hot and cold drinks, sandwiches and other light refreshments for consumption on the premises and for no other purpose including any other purpose within Class A3 of Part A of Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)(or any Order revoking and re-enacting or amending that Order).."

Reason:

The consideration of the application has been considered based upon information provided in relation to the operation of the store and the floor space proposed, consideration has not been given to higher level of good sales and as such the sale of goods is restricted in accordance to Policy CS08 of the Plymouth Local Development Framework Core Strategy (4) 2007, Policy DEV16 of the Submitted Joint Local Plan, and paragraph 24 to 27 of the National Planning Policy Framework 2012.

40 **CONDITION: RESTRICTIONS OF PERMITTED DEVELOPMENT**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no change of use of the proposed A1 retail Store and/ or the B1a Office units to any other use falling within Classes A2, A3, C3, D2 or B8 of Part 3 of Schedule 2 to that order shall be carried out without the consent in writing of the Local Planning Authority.

Reason:

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

41 **CONDITION: RESTRICTIONS THE SALE OF GOODS**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 and the provision of section 55 (2) (i) of the Town and Country Planning Act 1990 or any provision equivalent to the Act or Order in any statutory instrument revoking and re-enacting those Acts or Order with or without modification and the Town and Country Planning (Use Classes) Order 2005, the following goods and services shall be permitted to be sold:

- DIY and/or garden goods;
- Household furniture including lighting;
- Carpets, wall and floor coverings;
- Automotive accessories;
- Office furniture and supplies.

The sale of the following goods shall also be permitted but limited to the floorspace specified below:

1. Bicycles, recreational goods (i) and camping goods Up to 450sqm.
2. Clothing and footwear Up to 75sqm.
3. Confectionery Up to 50sqm.
4. Electrical goods Up to 150sqm.
5. Furnishings Up to 250sqm.
6. Household goods/homewares Up to 200sqm.
7. Kitchens and kitchenware Up to 350sqm.
8. Pets and pet supplies Up to 350sqm.
9. Stationery/arts and crafts Up to 225sqm.
10. Toiletries/personal Up to 200sqm.
11. Toys Up to 150sqm.

(i) Recreational goods include camping, items for outdoor pursuits including play equipment for the garden.

For the avoidance of doubt the A1 premises shall not be used for the sale of food or other convenience goods beyond that allowed by this condition.

Reason:

The consideration of the application has been considered based upon information provided in relation to the Range of goods and floor space proposed, consideration has not been given to higher level of good sales and as such the sale of goods is restricted in accordance to Policy CS08 of the Plymouth Local Development Framework Core Strategy (4) 2007, Policy DEV16 of the Submitted Joint Local Plan, and paragraph 24 to 27 of the National Planning Policy Framework 2012.

42 **CONDITION: FLOOR SPACE RESTRICTIONS**

Notwithstanding the provision of section 55 (2) (i) of the Town and Country Planning Act 1990 and the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any provision equivalent to the Act or Order in any statutory instrument revoking and re-enacting the Act or Order with or without modification, no more than 6,300 sqm of floor space with in the retail store hereby approved (as shown on the approved plans) shall be used for net sales area of the store and no more than 845 sqm net sales area for the garden centre. For the avoidance of doubt no other areas of the entire site shall be used for the sale of goods

Reason:

The consideration of the application has been based upon information provided in relation to the operator offer and floor space proposed, consideration has not been given to higher level of good sales and as such the sale of goods is restricted in accordance to Policy CS08 of the Plymouth Local Development Framework Core Strategy (4) 2007, Policy DEV16 of the Submitted Joint Local Plan, and paragraph 24 to 27 of the National Planning Policy Framework 2012.

Informatives

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

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

2 **INFORMATIVE: CODE OF PRACTICE FOR CONSTRUCTION AND DEMOLITION**

A copy of the Public Protection Service, Code of Practice for Construction and Demolition can be downloaded via:

<http://www.plymouth.gov.uk/sites/default/files/ConstructionCodeOfPractice.pdf>

3 **INFORMATIVE: EMPLOYMENT AND SKILLS PLAN CONTACT DETAILS**

The developer is advised to make early contact with Emma Hewitt, Building Plymouth Skills Co-ordinator (email: emma.hewitt@plymouth.gov.uk) for guidance on preparing your Employment and Skills Plan along with confirmation of the KPI targets which will relate to the type and build value of your development, based on the CITB National Skills Academy for Construction Client-

Based Approach.

4 **INFORMATIVE: CONDITIONAL APPROVAL NEGOTIATION**

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