

# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	17/02141/FUL	<b>Item</b>	<b>02</b>
<b>Date Valid</b>	17.11.2017	<b>Ward</b>	ST PETER AND THE WATERFRONT
<b>Site Address</b>	1 The Moneycentre 1 Drake Circus Plymouth PL1 1QH		
<b>Proposal</b>	Demolition of building and erection 21 storey (plus basement) mixed use development for student accommodation (554 bedrooms), office (Class B1a), 105 bed hotel (Class C1), flexible ground floor commercial (Class A1, A2, A3 and/or A4) and associated works (access, parking, public realm/landscape, refuse storage)		
<b>Applicant</b>	CPP London Properties Ltd		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>16.02.2018</b>	<b>Committee Date</b>	<b>31.05.2018</b>
<b>Extended Target Date</b>	<b>13.07.2018</b>		
<b>Decision Category</b>	Service Director of SPI		
<b>Case Officer</b>	Miss Katherine Graham		
<b>Recommendation</b>	Grant subject to S106 Obligation with delegated authority to Service Director for Strategic Planning & Infrastructure to refuse if timescales are not met.		



The application has been referred to the Planning Committee by the Service Director for Strategic Planning and Infrastructure because the issues warrant debate by the Planning Committee

## **1. Description of Site**

The site is located on the eastern end of Mayflower Street where it meets Cobourg Street. Currently on the site is The Money Centre, built in 1976, a 7 storey office building with retail units on the ground floor and an adjacent 2 storey former nightclub to the south east. (currently empty). The main building is square in shape with concrete ramp surroundings and a wall that matched the building containing onsite parking. The site is surrounded by 4 roads with public walkway in the form of concrete slabbed pavements adjacent to the buildings on all four sides. To the northwest where the pavement meets Mayflower Street and to the northeast where it meets Cobourg Street, there are safety railings in place where the pavement meets the road. To the south east, on the edge of the former nightclub there is a small patch of grass with some trees. To the South West of the site, across an unnamed access road is the former Good Companions site which has been given planning permission for a 27 storey student accommodation. To the east of the site is the Jigsaw Garden, a green area of public realm, and directly to the North on the opposite side of Cobourg Street is the University main campus and the Roland Levinsky Building.

## **2. Proposal Description**

Demolition of building and erection of 21 storey (plus basement) mixed use development for student accommodation (554 bedrooms), office (Class B1a), 105 bed hotel (Class C1), flexible ground floor commercial (Class A1, A2, A3 and/or A4) and associated works (access, parking, public realm/landscape, refuse storage)

## **3. Pre-application Enquiry**

The application was subject to a comprehensive pre-application enquiry 16/01387/MAJ which was received 22.07.2016 and was ongoing until the planning application was submitted in Oct 2017.

The pre-application enquiry covered design, including 2 design review panel sessions, public realm, consideration of uses, including the level of office provision, retail and active ground floor uses, student accommodation, hotel (including consideration of apart hotel), transport, amenity matters, low carbon, flood risk and drainage, archaeology and heritage, secure by design and S106.

The design review panel welcomed early engagement at the first panel and considered that the proposals represented high quality architecture and a very competent scheme. The mix of uses and locations were supported. Recommendations were made in relation to bike sharing, introduction of retail on the eastern corner, the need for contextual wind and shadow studies, further details in terms of the levels, the office block being subtly architecturally distinctive, incorporation of green roofs, further design articulation, opportunities for public realm enhancements, design of the service street, consideration of how the proposal will contribute towards the cultural and historic identity of the city.

The second design review panel confirmed the support of the scheme, and considered that the proposal had positively progressed since the last panel session, and remained supportive of the height of the building. They also supported the hotel above the office, and considered it important that the building did not become symmetrical. Recommendations were made in relation to bicycle ramp and storage provisions, number of parking spaces, height of trees, the design of the "ladders" on the building, the use and design of the sky bar, further landscape details, the use of service runs,

opportunity for net gains in biodiversity and ecology, consideration of Drakes Leat and links to city wide cultural assets.

In addition, community consultation was carried out before the application was submitted. A Statement of Community Involvement has been submitted which confirms a dedicated website was set up to show the plans and received comments. A letter drop was carried out within the local area, and also an advert was placed in the local paper.

#### **4. Relevant Planning History**

84/00499/FUL - Former Barons Restaurant, Money Centre, Drake Circus, Plymouth. Change of use and conversion of job centre (Class A2) and restaurant (Class A3) to wine bar (Class A4). - Approved

08/01045/FUL - Formation of paved area for use as beer garden (Class A4) with stainless steel and glazed screening – Refused

17/01585/ERS103 - Request for a Screening Opinion. – Completed

Good Companions site 17-19 MAYFLOWER STREET PLYMOUTH

16/00554/FUL – Demolition of existing building, erection of 13-17 storey building (plus basement) comprising 267 student bedrooms, associated student support facilities, 462sqm of retail space (Class A1/A3), 420sqm of commercial office (Class B1) & associated external works

#### **5. Consultation Responses**

City Centre Company – Object. Comments: Support the proposed use of hotel and mixed use retail on the ground floor, but object to the proposed student accommodation. Also object to the reduced reprovision of floor space.

Economic Development –

Original Comment: Objection. Objects to the low reprovision of office floor space combined with the poor visual presence of the office entrance. If application is approved, asks that s106 be used to offset the loss of office space.

Updated comment - Removes objection. Given the improvements to the overall (higher level) visual presence of the office element of the development (than previously indicated) and the proposed increase in street level presence (by incorporating the small kiosk area into an expanded ground floor reception area and increasing the main door canopy size), EDs view is that this is the best site employment outcome likely to be achievable. And with a S106 employment space loss mitigation payment of c. £237,000 towards further local employment generation projects an acceptable overall outcome will be enabled. The development will accommodate up to 554 students, with not inconsiderable spending power, along with c.221 jobs and 105 hotel customers. This is considered to be a very useful compensatory city centre footfall/spend contributor. proposal will provide a deliverable quantity of quality office space and useful hotel accommodation (alongside the additional student accommodation) that is well aligned with Policy 6 of the submitted JLP and that the student concentration issue associated

with Policy DEV12 is reasonably addressed by the office, hotel and other elements of the proposal which retain 221 jobs on the site and bring up to 105 hotel customers to the area.

The approval and delivery of an Employment and Skills Plan should be required via the standard condition.

Environment Agency – No objection

Highway Authority – No objections subject to conditions/informatives.

Updated comment on amended plans - Ask for an additional informative to be added due to the likelihood of some overhang of the building, in particular the hotel / office entrance canopy.

Historic England – Original comments: Has concerns regarding the application on heritage grounds. Consider that the issues and safeguards outlined in pre app advice need to be addressed in order for the application to meet the requirements of paragraph 128 of the NPPF.

Updated comments: Updated wireline views demonstrate that the proposed building will not have an adverse impact on the setting of the Royal Citadel, nor the postwar City Centre estate. There will be a minor impact on the setting of the Grade I listed Charles Church; the proposed building appearing to the right of its tower in views from Exeter Street and - to a modest degree - competing for visual primacy in the townscape. The photomontages also demonstrate that the top of the proposed building is likely to coalesce with the spire of Sherwell Church (Grade II\*) in views from Drake's Place, but the spire's silhouette will remain preserved in views down North Hill. The harm to the setting of Charles Church and Sherwell Church is at the 'lower end' of the wide spectrum of impacts within the bracket of less than substantial harm, and we are content for your authority to weigh the minor harm against any wider public benefits offered by the proposals as per NPPF paragraph 134.

Historic Environment Officer – No objection

Lead Local Flood Authority - No Objection subject to appropriate mitigation through condition.

Low Carbon Team –

Original comments: Query what the arrangements for space heating of the various uses?

Do not currently support Combined Heat and Power (CHP) as this will constrain a connection to a District Heating (DH) network until it requires replacement (16- 18 years). Gas boilers could be provided instead if there is a delay in connection. The carbon savings will come through the connection to the DH network. Request S106 contribution of £175K to support delivery of the DH infrastructure.

Updated comments: The addendum energy statement, which addresses our comments about the omission of CHP from the scheme and space in the plant room. Recommend condition requiring further details in terms of compliance with best practice (CIBSE CPI), and future-proofing in terms of valve connections and ducting through the external walls.

Natural Infrastructure Team - No objections subject to conditions/informatives.

Natural England – This development falls within the ‘zone of influence’ for the Plymouth Sound and Estuaries SAC, as set out in the (emerging) Local Plan. It is anticipated that new housing development in this area is ‘likely to have a significant effect’ upon the interest features of the SAC/SPA, when considered in combination, through increased recreational pressure. As such we advise that mitigation will be required to avoid such an effect occurring and enable you to reach a conclusion of “no likely significant effect”. You should not grant permission until such time as this mitigation has been secured.

Plymouth University – Object. Comment: Don’t believe there is a need for the student residential accommodation proposed.

Updated comments: Remain not supportive. “The commentary about student accommodation appears to be trying to justify an unmet demand within the city. The University believes there is no evidence for that, particularly taking the current supply into account including those schemes currently being developed. We assert this point because it goes far beyond any arrangements the University of Plymouth might have in place and, more accurately, is a reflection of student demographic forecasts, both nationally and locally, together with the trend being experienced in this region showing a strong preference by some students to commute rather than reside in a hall of residence. Our overall observation is therefore that, for the years to come, the supply should more or less be in balance with the demand levels in the city.”

Police Architectural Liaison –

Original Comments: Object due to concerns regarding access to the building. There is currently no system in place to control who enters the building and suggests a system is put in place (i.e. a swipe card system).

Updated comment : Objection removed due to clarity given, the application does include a swipe card system and security desk.

Public Health - No objections subject to conditions/informatives.

Public Protection Service – No objections subject to conditions/informatives.

Urban Design – Original comments:

The use of Plymouth limestone is supported. There is concern over the use of simulated materials. Suggested we can review this material through condition. The use of steel spandrel in this environment is a concern, as it is not well suited to marine environment. Aluminum is the preferred material for spandrel panels.

Updated (summarised): Following extensive design negotiations, significant changes have been made to the scheme and the proposal has evolved positively and the design supported. The proposed mix of uses is supported. The level of active floor use is commendable, and maximum flexibility in the ground floor uses is supported. The regrading of levels and upgrading of public realm will improve attractiveness and accessibility. This is a prominent site which occupies a key corner at the gateway to the city centre, and every frontage is publicity visible. Officers are pleased that the footprint of the scheme has been amended to address its primary street frontages. Massing of the scheme is also supported . The site is within the Tall Building Zone of Opportunity in the Core Strategy, City Centre AAP and Design SPD.

The architectural expression responds positively to the site's geometry and in particular the curved Eastlake Street / Cobourg Street corner, creating an appropriately memorable form to mark this entryway to the City Centre.

The proposed materials palette has also developed through negotiation with officers to the point where it can be supported.

It is important that the large areas of soffit in the undercroft areas are well-detailed and finished with a high quality material which will weather attractively and not be vulnerable to staining.

Positive that public realm will be delivered as part of the scheme, including structural tree planting and granite block paving.

Conditions recommended in relation to: roof accretions, rainwater detailing (should be internal), lighting strategy, bike stands, illuminated Drakes Leat feature, soffit details.

South West Water – No objection

## **6. Representations**

One letter of representation querying whether an aviation light will be installed.

## **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) and City Centre and University Area Action Plan.

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

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

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

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

The JLP is at an advanced stage of preparation having now been 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.

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:

- Affordable housing and Planning obligation SPD
- Development guidelines SPD
- Sustainable Design SPD
- City Centre Area Action Plan

## **8. Analysis**

1. This application has been considered in the context of the development plan, the submitted Joint Local Plan, the Framework and other material policy documents as set out in Section 7.

2. The Core Strategy policies of most relevance to the determination of this application are CS01 (Sustainable Communities), CS02 (Sustainable Design), AV03 (Plymouth City Centre Area Vision), CS04 (Future Employment Provision), CS06 (City Centre), CS13 (Evening / Night Time Economy Uses), CS15 (Overall Housing Provision), CS19 (Wildlife), CS20 (Sustainable Resource Use), CS21 (Flood Risk), CS22 (Pollution), CS26 (Sustainable Waste Management), CS28 (Local Transport Considerations), CS32 (Designing Out Crime), CS33 (Community Benefits/Planning Obligations) and CS34 (Planning Application Considerations). All policies with a 'CS' prefix referred to below are those of the Core Strategy.

3. The site is located within the area of the city centre covered by City Centre and University Area Action Plan (AAP) proposal CC11 (Cornwall St, part of the Core Retail District). Policies CC01 (Place making and the Historic Environment), CC03 (City Centre Public Realm), CC04 (A Sustainable City Centre Neighbourhood), and CC05 (CHP, District Heating and Cooling) are also relevant. All policies/proposals with a 'CC' prefix referred to below are those of the City Centre and University AAP.

4. The policies of most relevance from the Joint Local Plan policies DEV1 Protecting health and amenity, DEV10 Delivering high quality housing, DEV 12 Purpose built student accommodation in Plymouth policy area, DEV14 Maintaining a flexible mix of employment sites, DEV20 Place shaping and the quality of the built environment, DEV 21 Conserving the historic environment, DEV22 Development affecting the historic environment, DEV 24 Landscape character, DEV28 Protecting and enhancing biodiversity and geological conservation, DEV30 Trees, woodlands and hedgerows, DEV 31 Specific provision relating to transport, DEV34 Delivering low carbon development, DEV 37 Managing flood risk and water quality impacts, PLY6 Improving Plymouths city centre, SPT2

Sustainable linked neighbourhoods, SPT9 Strategic principle for transport planning and strategy and SPT10 Balanced transport strategy for growth and healthy and sustainable communities.

5. Principle

The principle of the development is subject to whether the principle of student accommodation and the loss of the existing office are acceptable. The design of the building is also a key consideration.

6. The proposal is for a 105 bed hotel (Class C1) and, flexible ground floor commercial (Class A1, A2, A3 and/or A4). These uses are all considered acceptable within this city centre location. Hotel accommodation is needed within the city centre area (Plymouth Hotel Market Study). Joint Local Plan Policy PLY6 advises that there should be a vibrant mix of uses including visitor accommodation, and the hotel use is considered consistent with this policy.

7. The Council's urban designer has commented: "The proposed use mix is supported. The high density residential and hotel uses will bring life to this part of the City Centre, including much needed activity outside of retail business hours, in accordance with policy and masterplan objectives to diversify land uses in the City Centre and move away from the single use zoning legacy of the 1943 Plan."

8. The site forms part of site allocation CC11 Cornwall Street as part of the City Centre and University Area Action Plan. This policy envisages a comprehensive redevelopment of the blocks between Cornwall St and Mayflower St to both the east and the west of Armada Way (to facilitate Dept Store in western block) including retail, residential, parking and new links to Drakes Circus. As the JLP emerges, the Area Action Plan carries less weight. The AAP policy whilst still a material consideration, is considered to be more out of date, and the new site allocations of the JLP will supersede this policy.

9. The retail element of this scheme will be consistent with the AAP policy. The office, student and hotel uses fall outside the uses proposed under CC11, but is consistent with adjacent site allocations CC15 The Northern Triangle and CC16 University Campus.

10. Whilst this proposed scheme is not consistent with the site allocation policy of the AAP, there is no objection to the scheme, as the AAP carries less weight. This is a consistent approach taken with Good Companions planning application (16/00554/FUL).

11. The Money Centre site is not subject to a site allocation as part of the Joint Local Plan.

12. Office accommodation and employment provision

An Office Market Report and Economic Impact Assessment have been submitted with this application. The latter report advises that there are 475 Full Time Equivalent jobs at the Money Centre. The Office Market Report advises that the existing office is inefficient in terms of the central core area and floor to ceiling height and it suffers from temperature regulation difficulties. It also states that the property is at the end of its physical and economical life due to the Mechanical and Engineering (M&E) systems, glazing, internal office fittings, cladding, difficult access for disabled and



poor energy efficiency. The existing building is 12,339 sqm (Gross Internal Area/ GEA). The total net office space is approx. 6091sqm (excluding ancillary uses).

13. The Office Market Report also states that the Plymouth office market is subject to weak demand and poor development viability. In addition it states that they “cannot see any circumstances in the short or medium term, in which investment in refurbishment of the building to meet modern office standards would be viable. The retail units are not fit for purpose.”

14. In this context, officers have sought the onsite re-provision of office as mitigation for the loss of the existing office space. The key consideration has been what level of re-provision is acceptable, and the visual presence of the office space in the street scene.

15. The amount of office proposed on site is 1821sqm. This is a small increase from the amount submitted with the application originally (1720 sqm). The proposed office now has a street corner frontage on Cobourg and Mayflower Street, and entrance from Mayflower Street. The entrance also has a glazed canopy shared with the hotel, which will further emphasize its presence on the street scene.

16. The elevational design of the office is different to the hotel , which is located above the office. It has a more glazed design which also emphasizes its appearance on the street scene. The visual presence of the office was considered especially important by Economic Development officers in order to ensure the office can be Grade A quality. A condition can be added to ensure the office has deliverable features of Grade A accommodation. This includes strong visual presence (addressed as above), quality lobby and other interior finishes and high spec capabilities/facilities throughout in respect of lift and Heating Ventilation and Air Conditioning systems, digital connectivity, security and accessibility.

17. In addition to the above, S106 contributions have been agreed which will contribute towards the re-provision of employment space within the city centre and towards the STEM coordination role.

- £25k to go towards the STEM coordination role.
- £212k towards re-provision of office in the city centre.

18. The Economic Impact Assessment also advises that the development will generate 422 FTE construction jobs, increased expenditure within the city centre, and permanent employment of 374 full time jobs.

19. On this basis, the Economic Development Officer has not objected to the revised proposal. A condition can be recommended to require the production, approval and delivery of an Employment and Skills Plan. This is normally a requirement for developments of this scale.

20. DEV14 of the Joint Local Plan advises that the change of use of existing employment sites will only be allowed where the following applies:

- i. The proposal is specifically provided for by the local plan to deliver wider strategic objectives, or

The proposal is not provided for by the local, plan, and therefore this criteria is not applicable.

- ii. There are overriding and demonstrable economic, regeneration and sustainable neighbourhood / communities benefits from doing so, or

It is considered that whilst there will be the loss of a larger quantum of office space, the replacement with a reduced amount, but upgraded in terms of quality, will provide an uplift in city centre office accommodation. The proposal also provides a hotel, which has been identified as a need in the city centre in the Plymouth Hotel Market Study. This is considered to provide a demonstrable economic and regeneration benefit for the application.

- iii. There is no reasonable prospect of a site being used for employment use in the future.

As noted previously, the Office Market Report has identified a number of issues with the existing building, as well as concluding that the building would not be viable for refurbishment in the short or medium term. It is considered that there is no reasonable prospect of the existing building being used for employment use. However it is also considered that the redevelopment of the site can reasonably be used for employment use, although not to the current extent.

21. Core Strategy policy CS04 Future Employment Provision states for the City Centre and Waterfront area:

“2. Developing the City Centre’s role as the core location for new office development, with particular emphasis on the Derry’s Cross / Millbay area.

3. Supporting the development of tourism, leisure and creative industries, with particular emphasis on the City Centre and Waterfront regeneration areas and the University area.”

22. As noted previously, whilst the amount of office space will be reduced, the quality will be increased, and therefore will respect the city centres role for new office development. In addition, the proposed hotel will support the development of the tourism within the city centre area.

23. Overall, the proposal is considered to comply with policies DEV14 of the Joint Local Plan and Core Strategy Policy CS04.

24. Current occupiers

There are two main tenant occupiers of the office block. The applicants have confirmed that they have shared their proposal for the building at a very early stage with the intention to redevelop the building and have sought to keep them updated in terms of progress. It is noted that no comments have been received from the tenants of the building as part of this application process. Officers have queried how the existing businesses will be addressed in any future redevelopment, including any

transitional arrangements, however these matters are not within the control of the applicant, and they have been unable to confirm the future business plans of the current tenants. It is understood that the current leases have expired, but the leases were “held over” while further discussions took place with the tenants. The applicants have confirmed that “the aim of these further discussions is for all parties to agree a flexible and workable solution that allows the occupier’s business to continue at the premises in the short term, whilst they identify their own business needs and property requirements for the future.” One early result of these discussions is that a further 3 year lease has been agreed in order to address the short term business needs of the tenants. Normally a 2 year planning consent would be attached to this type of consent however given the justification in this case, a 3 year consent is proposed to be attached. It should also be noted that Economic Development officers have been in touch with the tenants and have identified potential alternative premises in Plymouth.

25. Purpose Built Student Accommodation (PBSA)

This application has sought to address the student accommodation policies on the basis of the following evidence:

Student Accommodation Management Plan

Plymouth Market Report on Student Accommodation (Knight Frank October 17)

Future proofing Study

Plymouth Student Supply and Demand Report

Planning Statement

Economic Impact Assessment

26. At the strategic level policy CS15 of the Core Strategy identifies that 17,250 new homes are required to be built in the city by 2021, and these are required to meet the current and future needs of the population including students. The Core Strategy does not go any further in terms of dealing with PBSA.

27. The Development Guidelines SPD contains detailed guidance (paragraphs 2.8.46-2.8.54), including detailed guidance on transport considerations and standard of accommodation. Paragraph 2.8.46 is particularly relevant in setting the general approach: “16. Purpose-built student accommodation in the form of cluster flats and studio developments, in accessible locations, with on-site management staffing, relieves the pressure on family-sized dwellings in popular locations such as Mutley and Greenbank and Derriford and reduces the need for students to commute by car. The Council supports this form of student accommodation as long as it is well designed, provides a decent standard of accommodation and is suitably located to minimise any negative impacts on residential amenity.”

28. Referring to the JLP policy PLY6, this advises development should diversify the city centre, including “(v) student accommodation, but only where it is targeted to support prioritized regeneration opportunities and delivers new housing and/or office accommodation and ground floor active uses as part of mixed use development.”

29. This development proposes office and hotel accommodation and ground floor active uses, as part of a mixed use development. Taking into account the current challenges facing the building , e.g.

its inefficiency and unviable as an office use in the medium to long term, it is considered that this proposal represent a regeneration opportunity, and one that should be prioritised due to its strategic location.

30. JLP DEV12 sets out 11 criteria for purpose built student accommodation, which are numbered and addressed below.

1. The development meets an identified need for the type of accommodation proposed.

31. The National Planning Policy Framework (NPPF) makes no direct reference to the housing requirements of students; however, the Framework is clear that plan areas should provide a wide choice of quality homes that are inclusive. Furthermore, NPPF Paragraph 50 encourages LPAs to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. The evidence document for student accommodation in Plymouth provides information relating to the current and projected housing needs of students and this information is inextricably linked to Policy DEV12 criterion 1.

32. Two reports (Plymouth Market Report on Student Accommodation and Plymouth Student Supply and Demand Report ) have been submitted to address this policy requirement.

33. The first report concludes that there 75.2% of the total student population cannot get access to PBSA, or 65.8% of students if the pipeline developments are built. However officers were concerned that this report did not consider those students living at home.

34. A second report has been produced. This report has taken into account those students living at home, not in attendance and living at their own residence. This has concluded that 57% of students would not be able to access Purpose Built Student Accommodation (PBSA), or 48% of students would not be able to access PBSA including pipeline proposals.

35. Through the Council's own monitoring of student accommodation, officers have more up to date figures. This concludes that 44% of students would not be able to access PBSA including pipeline developments. Going one step further, this would reduce to 40% should the Money Centre and the current application at RAOB, 41 North Hill (17/02091/FUL) be completed.

36. The 2nd report also differentiates between core demand and returner demand, core demand being 1st years students, returner demand including 2nd, 3rd years and post graduates. If considering only meeting the needs for 1st year students, then this need has already been met, which is confirmed in the JLP evidence base document for student accommodation in Plymouth: "At present, there are a sufficient number of rooms available in PBSA to accommodate the needs of all first year students enrolled in the City's Higher Education Institutions." On this basis, if the considering providing PBSA to meet the need for 1st year students, there would be an oversupply of PBSA. However the policy does not specify any specific year, therefore the key principle for consideration is whether 2nd and 3rd years and post graduates should be taken into account when considering the need for student accommodation.

37. The Plymouth Student Accommodation report goes on to state: “All students will have an accommodation need, although not all students will have an interest or need to live in PBSA, shared forms of accommodation, for example, are thought to be the preference of many part-time and post graduate students.” It also states: “Typically, students are less likely to remain in PBSA after their first year of study; this pattern of behaviour is influenced by a number of factors including accommodation costs, location, quality, independence, friendship group influences and contract flexibility.”

38. On this basis, consideration of the needs of 2nd, 3rd years and post graduates is appropriate, however there are less likely to be met by PBSA. The agents have been challenged on this point, in terms of how this development has been developed to meet the needs of these students. In response, the following has been confirmed:

38.1. - *State of the art ensuite study bedrooms arranged in cluster flats, with generous amenity areas in each of these at circa 4sqm per person (kitchen and dining specifically). High quality specification of fixtures & fittings*

38.2. - *Clusters flats of typically 5-8 beds, rather than 10-12 beds. Commercial experience tells us that smaller clusters provide 2nd & 3rd year students with the option of taking whole cluster units with friends, more akin to a typical house share. It is suggested that 2nd and 3rd years wish to live in their now established friendship groups, which is addressed through the cluster flats. The quality of this accommodation with ensembles is suggested to be of better quality than current HMO and other accommodation currently provided. Smaller clusters enable ‘residential living’ and the transition towards ‘post grad’ studio living or thereafter independent living, when entering the ‘workplace’;*

38.3. - *The generous amenity spaces/common areas (over 1,100sqm) within the building will also be a strong determining factor in attracting 2nd and 3rd year students to stay living within PBSA schemes eg ‘Break-out’ space, library, games room and tv/film room. These are similar to a PRS scheme, this is about creating a community that tenants don't want to leave. The intention is to attract students to remain within the accommodation for a sustained period of time, and certainly for the duration or remainder of their academic course (which includes the possibly of post-graduate studies). The clear intent is to offer a facility that goes well beyond the accommodation alone, but to provide facilities and a professional service which is holistic in its approach.*

38.4. - *The location of the site in close proximity to the University and the train station is beneficial to all demographics of students.*

38.5. - *Proximity to the Charles Seale-Hayne Library facility, located approximately 100m to the north of the application site, is a 24/7 campus operation which arguably is of greatest appeal/need to 2nd and 3rd year students. Experience shows us that the deeper into a course a student is, such as 2nd and 3rd years, the greater is the study time demand and the proximity of accommodation to such good libraries is then commensurately even more important.*

39. In addition, the structural design of the building means that the floor plan could be altered to adapt to changing student living patterns and needs.

40. The agents have also provided details of two potential operators, one of which specifically targets 2nd and 3rd year students, along with post grad students. This requires a city centre location, premium hospitality services, accommodation supported by generous amenity spaces, creation of a home away from home experience.

41. Overall, it is considered that sufficient evidence and justification has been suggested to show that the development would meet the needs of 2nd, 3rd year and post graduates, and therefore would meet an identified need.

42. The University of Plymouth has objected to this application on the basis that it does not consider there to be an unmet demand for student accommodation. However on this basis of the evidence above, it is considered that that submission has addressed this policy criteria.

2. The development is in an appropriate location, which is easily accessible to university/college facilities by sustainable travel modes.

43. The application site is located directly opposite and adjacent to the University. The location is therefore considered to be in an appropriate location.

3. The proposal does not result in an excessive concentration of student accommodation in one locality.

44. There are a number of PBSA and student bed spaces within the locality of the site, and this application will add to this concentration. 1,534 PBSA bed spaces are existing or planned within the area surrounding the proposal site, with 1,455 PBSA bed spaces within approximately 200 metres of the site. Furthermore, the proposal would increase the total number of PBSA bed spaces to 2,009 within a 200 metre radius of the site, which is disproportionate to the number of non-student residential accommodation available in the same area. This concentration is heightened due to the lack of residential accommodation within the locality however for this same reason this means the level of concentration will not lead to harm against residential amenity.

45. This level of concentration is also considered acceptable for this location given the proximity to the University, and city centre location. The city centre masterplan (pg 95) for Mayflower Street states that "There is a need for a general intensification of floor space and land uses in the City Centre. This area typifies that need with a predominance of single and two storey single use buildings. Residential, student and in particular office accommodation should be introduced over active ground floor uses to bring a new identity and vibrancy to an underused area of the City Centre." It is considered that this concentration is consistent with the masterplan proposals to intensify uses, including student uses, in this location.

4. The proposal does not result in a harmful loss of an existing use.

46. The proposal will result in the loss of the existing office. As considered in paragraphs 12 – 24 above, the loss of the office is not considered to be harmful, due to the mitigation proposed (re-provision of office and SI06).

5. The layout, design and facilities provided within the development is of a high standard and meet identified student needs including adequate laundry provisions, communal space and social learning facilities.

47. The accommodation is predominantly cluster led with 59 cluster flats (450 beds) with shared kitchen/common rooms and 104 studio flats. The student accommodation includes facilities such as launderette, cinema, library, fitness centre, flexible spaces that can be used for study or relaxation and a sky garden. It is considered that this is of a high standard that meets student's needs.

6. The development does not conflict with adjacent uses or the general amenity of the surrounding area.

48. The adjacent uses include the University itself, which will clearly be an appropriate neighbouring use. In addition to this, there are a mix of uses along Mayflower Street, including office, A1 retail and A3 Café/restaurant. It is considered that the proposed student accommodation would not conflict with these uses.

7. Appropriate management plans are submitted ensuring that a positive and safe living environment is created for students and to minimise the potential negative impacts on the local community.

49. A management plan has been submitted with this application. This details:

- service delivery
- health and safety
- maintenance
- cleaning
- post and deliveries
- complaints procedure
- the move in/move out process.
- Travel plan
- Waste and recycling plan
- Fire management plan

50. It is considered that this management plan will minimise the potential negative impacts upon the surrounding area. It is worth noting there is limited residential within the locality.

8. Detailed arrivals plans are submitted ensuring that adequate facilities are in place to accommodate vehicular movements in particular at the start and end of terms.

51. The above mentioned management plan includes the move in/move out process. This confirms that the move in period is spread across 3 to 4 days. Students will need to book time slots and additional staffing support will be provided to assist. It also states move in plans will be coordinated with nearby student accommodation, which is particularly relevant for this site. The proposed layout includes a layby and modest number of parking spaces which can be used for this process.

9. All proposals are future proofed in terms of design to support potential alternative uses as appropriate

52. The planning statement confirms that internal partitioning could be removed without significant impact upon the building structure / appearance, which would allow for alternative uses of the site in the future. Floor to ceiling heights are circa 2.4m, which is typical of residential accommodation (Class C3) or alternatively to provide office space (Class B1a) should the market demand. At officers request further plans have been submitted which shows how the student flats could be altered to create residential apartments. As a car free residential use would be acceptable in this location, this policy criteria has been addressed.

10. The levels of on street parking required can be reasonably accommodated or regulated through parking control measures

53. The only on street parking within this locality is a small amount of Mayflower Street, which is regulated through pay and display. There are also a number of public car parks within the locality.

11. There is adequate storage for recycling/refuse and cycles

54. The basement has a 300 unit cycle store the students use. It also contains a large refuse store, which is separated from the refuse store for the other uses.

55. The pre amble (6.45) to DEV 12 states that the policy responds to the following issues:

- The need to prevent an over-supply of PBSA, especially where vacant PBSA is not flexible enough to be used to serve another housing or economic need.
- The need to prevent an over-proliferation of PBSA, leading to unbalanced communities.
- The need to protect residential amenity and the supply of family homes.

56. It is considered that the proposal addresses the above points. Overall, the policy criteria under PLY6 and DEV12 are considered to have been met. It should be noted that this policy received objections as part of the Joint Local Plan consultation, is not currently adopted and we are therefore unable to give this policy significant weight.

57. Overall, the proposed student accommodation is considered to comply with Core Strategy policy CS01 and CS15, the Development Guidelines SPD and Joint Local Plan policies SPT2, PLY6 and DEV12.

58. Design

The scheme is for a 21 storey building plus basement, in a prominent site which occupies a key corner at the gateway to the City Centre from the University, Plymouth College of Art, North Hill



and The Box cultural centre. Every frontage of the site is publicly visible. On this basis it is important the design reflects this important location. Officers have had extensive design negotiations with the developer and architect and significant changes have been made to the scheme as a result. In general, officers consider the proposal has evolved very positively and its design can be supported. The architectural expression responds positively to the site's geometry and in particular the curved Eastlake Street / Cobourg Street corner, creating an appropriately memorable form to mark this entryway to the City Centre. In addition the revisions to accent the office and hotel entrances are welcome and improve the legibility of these components.

59. The design has been reviewed twice during the pre-application stage through Design Review Panel. The panel considered that the proposal represents high quality architecture and a very competent scheme and supported the mix of uses. A series of recommendations were made, and many details have been addressed such as the incorporation of green roofs, addressing the change in levels, making the office block architecturally different, and the provision of wind and shadow studies.

60. As the proposal is for a tall building, the application has been supported by a Townscape and Visual Assessment. Due to its height, it has to sit comfortably with the existing Roland Levinsky building and Beckley Point, and also the approved schemes at Good Companions and Mayflower House. The building is located partially within and partially adjacent to the zone of opportunity for tall buildings, as contained within the Sustainable Design SPD. On this basis it is considered that the principle of a tall building in this location is acceptable. Officers support the optimisation of development on the site. As this is a gateway site, a tall building is considered beneficial here, not just in terms of optimising activity in the City Centre, but in terms of an urban marker to assist with way-finding. Officers were concerned that earlier iterations of this scheme did not place the tallest component of the building on the prominent Cobourg Street / Eastlake Street corner. However, further to negotiation officers are happy that this has been reviewed, such that the tower accent is now located in this position, close to the axis of North Hill, to assist with the legibility of the Eastlake Street entryway to the City Centre.

61. As previously noted, the mix of uses is supported. There is now a good level of active ground floor use, particularly on the site's primary street frontages that will assist with creating a vibrant street scene. Maximum flexibility in the active ground floor use types is supported, to give the units the best chance of success. The regrading of levels on the north frontage and the removal of the defunct subway ramps, coupled with the improvements to the public realm will increase the attractiveness of these units and accessibility to them. The re-provision of office space as negotiated, adds to the sustainable use mix and will further support the viability of the active ground floor units. A condition is recommended to deal with details of the shop front, to ensure these features are of a good quality and do not undermine the integrity of the architecture over time. A condition is also recommended to ensure the active ground floor windows remain transparent and are not obscured (e.g. by the addition of vinyl / screens / advertisements).

62. The proposed materials palette has also developed through negotiation with officers to the point where it can be supported. Brick was originally proposed but now removed from the scheme at the request of officers. The addition of natural Plymouth limestone is very much welcomed and creates a strong link with local geology and historic buildings in the immediate context. The use of Portland limestone links with mid-20th Century buildings in the City Centre precinct and is also welcomed. The ceramic cladding panels proposed match well with their natural stone counterparts and can be supported in principle, subject to the cladding having a gloss finish to minimise dirt adherence. A condition is recommended to agree samples of all the materials. One key area to

review is the large soffit area in the undercroft area, to ensure they are well-detailed and finished with a high quality material which will weather attractively and not be vulnerable to staining. Officers consider it is fundamentally important that the building materials weather attractively. Traffic spray and pollution from the ring road is a particular issue which must be taken into account here. A condition is recommended to deal with this issue.

63. Conditions are also recommended in relation to:

- Roof details: to ensure the roof remains uncluttered and that no addition structures are added unless absolutely essential (and those that are assessed as essential should be screened from the public realm).
- Rainwater detailing: rainwater detailing/run-off from the building (rainwater must be taken down internally and rainwater pipes must not be added to the detriment of the quality of the elevations).
- Lighting strategy: A feature lighting strategy is sought to highlight the gateway role of the building at night and support a positive sense of arrival to the City Centre.
- Bike stands: The Sheffield cycle stands are welcomed, but they should be relocated close to the building entrances, because at present they would obstruct pedestrian movement along Eastlake Street and Cobourg Street.
- Illuminated Drakes Leat feature: The illuminated Drake's Leat viewing feature is welcomed in the revised agreed position on Eastlake Street where it will be more visible given the higher pedestrian footfall here.

64. Consideration has also been given to the city centre masterplan dated Feb 2017. The masterplan proposes a pavilion/kiosk building within Jigsaw gardens, and at officers request this has been shown on the visualisations in order to ensure the proposed scheme will not conflict with any future development. The proposal is also not considered to conflict with site allocations Cornwall Street East (JLP policy PLY10) and Mayflower Street East (JLP policy PLY9).

65. The masterplan framework for Mayflower Street identifies one of the priorities for change is to intensify the urban block of Mayflower Street, including taller buildings and a greater mix of uses. It also notes that at key connecting streets there are opportunities for taller buildings in landmark and gateway locations at the entrances to the City Centre grid, and it is considered that the proposal is one such location. The proposal is considered to be consistent with the urban design principle for Mayflower Street, as the Money Centre building has been identified as a site for potential landmark building and the potential to improve the building line along Mayflower Street.

66. Overall, the proposed design is considered to be of a high quality, that addresses its gateway location, and to comply with Core Strategy policy CS02, Area Action Plan policy CC01 and JLP policy DEV20.

67. Public Realm and Microclimate

A Landscape Design Strategy has also been submitted with this application. This identifies key landscape design points including enhancing pedestrian routes, views, treescape, incorporating street furniture, and use of high quality landscape materials. In addition an Arboricultural Survey and

Impact Assessment has been submitted with this application. This identifies 3 eucalyptus trees of moderate quality which are subject to a TPO and 2 holly of low quality. These will be lost through the proposed development, due to the footprint and construction area of the proposed scheme. Enhanced tree planting is proposed to mitigate against the impact of this development, and a total of 18 trees are proposed.

68. The landscape scheme proposed has been subject to extensive negotiation throughout the course of the application. Site surveys have been undertaken to gain an understanding of how the landscape scheme will work. This resulted in changes to the design so that appropriate sized tree pits can be incorporated into the scheme. This has also ensured that the tree will be of a decent scale for this location. The trees at the entrance are located in grassed areas. The level changes and grassed areas are finished in areas with low walls that will also function as informal seating. A feature hard landscape scheme is proposed, with the use of a palette of granite paving, Plymouth limestone and Portland stone. Officers consider that these are quality materials. A condition is added to deal with the final details of the landscape scheme. The scheme includes a Drakes Leat viewing feature, with a glass top and the leat illuminated below. The implementation of this will be dependent on the surviving archaeology, and so will be reviewed by condition.

69. A wind microclimate assessment has been submitted with this application. This has reviewed the existing site, the proposed development with existing surroundings and the proposed development with the consented Good Companions scheme fully implemented. This has shown that without mitigation, the area of the site to the north west would be subject to a funneling effect, which will impact upon the hotel and office entrances. The worst case scenario would be as the current situation, e.g. if Good Companions is not built. On this basis mitigation has been proposed in the form of additional tree planting on the opposite side of Mayflower Street outside Cobourg House (4 trees), and 2 trees to the north of the site. In addition perforated wind breaks are proposed on either side of the hotel and office entrances. Officers consider that these mitigation measures are acceptable, and can be considered to further enhance the scheme.

70. Overall, officers consider the landscape scheme will make a significant improvement to the public realm. By addressing the levels, it will also make the space more accessible to people with disabilities or for whose mobility is impaired by other circumstances. The overall quality of the public realm, including materials and introducing street trees will help the area play its role as an important arrival point to the City Centre. The proposal is considered to comply with Core Strategy policy CS02, Area Action Plan policy CC01 and JLP policy DEV20.

#### 71. Heritage

Heritage Statement has been submitted in support of this application. Whilst the application site is not located within a conservation area nor contains any listed buildings, there are a number of listed buildings within the locality which will need to be assessed in terms of setting due to the height of the building. The Heritage Statement identifies 18 heritage assets within the vicinity of the site that could be affected by the proposal.

72. These are a mix of:

Listed Buildings: ( Church of St Luke City Library Annexe – Grade II, Library and Museum – Grade II, Charles Church – Grade I , Lanyons Almshouses (Lanyon House) – Grade II , Sherwell Church and Associated Buildings Including Shelly Hall – Grade II\*, Nos. 3 To 10 and Attached Forecourt Walls –

Grade II , 7. 15 Portland Villas – Grade II , 16 Portland Villas and Attached Garden Walls and Gate Piers at the Front – Grade II , Christadelphian Hall including Attached Garden Walls and Gate Piers at the Front – Grade II , 18 Portland Villas and Attached Garden Walls and Gate Piers at the Front – Grade II, 19 Portland Villas and Attached Garden Walls and Gate Piers at the Front – Grade II, Nos. 20 and 21 Portland Villas and Attached Garden Walls and Gate Piers at the Front – Grade II, Nos. 3, 5 and 7, Eton Place – Grade II ).

73. Registered parks and gardens: (Mount Edgumbe Registered Park and Garden (Grade I) and associated listed buildings (Grade I, II\* and II), including the Mount Edgumbe Folly – Grade II )

74. Conservation Areas: (The Hoe, Barbican, Ebrington Street and Union Street ) and the City Centre as a non-designated heritage asset (as identified by the heritage statement).

75. The Heritage Statement confirms the proposed development will have “no harm” to the significance of these heritage assets through changes to their settings, and having reviewed this statement, officers agree with this conclusion.

76. Historic England’s (HE) original comments advised that they consider the site to be suitable for a tall building. However, they were concerned that insufficient information had been provided to allow an accurate analysis of the potential impact the proposals of several highly-graded heritage assets. HE then requested wireline views from particular heritage assets in order to ensure the development is not having a harmful impact upon these assets.

77. The areas of concern was maintaining the visual primacy of the church towers of Tavistock Road in the context of views down North Hill e.g. Sherwell Church (Grade II\* listed) and the more distant St Matthias (Grade II listed). Also requested was views to allow analysis of whether the proposed building would appear above the Royal Citadel, a Scheduled Ancient Monument and wireline views from Armada Way, including the Civic Centre area.

78. An addendum to the Townscape and Visual Assessment was submitted to address the concerns raised by Historic England. This has included various wireline views as requested and it is considered that sufficient information has now been provided for assessment in accordance with paragraph 128 of the NPPF. HE have now confirmed that the proposal will not have an adverse impact on the setting of the Royal Citadel, nor the postwar City Centre estate. HE goes on to state there will be a minor impact on the setting of the Grade I listed Charles Church, as the proposed building will appear to the right of its tower in views from Exeter Street. The photomontages also demonstrate that the top of the proposed building is likely to coalesce with the spire of Sherwell Church (Grade II\*) in views from Drake’s Place, but the spire’s silhouette will remain preserved in views down North Hill. As the harm to the setting of Charles Church and Sherwell Church is at the ‘lower end’ of the wide spectrum of impacts within the bracket of less than substantial harm, HE are content for the LPA to weigh the minor harm against any wider public benefits offered by the proposals as per NPPF paragraph 134. It is considered that the public benefits of the proposal including the regeneration of a gateway location site, including provision of a hotel, the release of HMOs into the housing market and public realm enhancements, outweighs the negligible harm caused to the setting of Charles Church and Sherwell Church.

79. HE have also referenced their own guidance for tall buildings, and are broadly satisfied it meets the criteria, albeit not commenting upon the materials and surface materials.

80. Due to the presence of Drakes Leat, the application site is of archaeological interest. This has been reviewed by the historic environment officer, and there is no objection, subject to a condition securing and implementing a programme of archaeological work. Part of the proposal is to create a feature of Drakes Leat, and therefore creates an opportunity to better reveal the significance of that asset.

81. Overall, the application is considered to safeguard the historic environment in compliance with Core Strategy policy CS03, protect the character and special interest of heritage assets in accordance with Joint Local Plan policy DEV21 and conserve the historic environment in accordance with Joint Local Plan policy DEV 22.

82. Amenity

A Daylight and Sun light Assessment has been submitted with this application, in order to assess the skylight and sunlight levels of the proposed development, and to assess the impact that the proposed development may have on the skylight and sunlight of the approved Good Companions building and the Roland Levinsky building. This looks at guidance set out in BRE Report 209, Site Layout Planning for Daylight and Sunlight: A guide to good practice, Second Edition, 2011 (BR 209), and BS 8206-2 Code of Practice for Daylighting. This concludes that 82% of the rooms will achieve “Average Daylight Factor” (ADF) as referred to the guidance, which is considered an acceptable level. When looking at the communal areas, a lower amount of 38% achieve the sunlight target (Annual Probable Sunlight Hours). This is reduced due to the orientation of some of the units. Overall, whilst some communal areas achieve lower levels of sunlight, the majority of the room achieve a good level of daylight and will provide an acceptable level of amenity.

83. The Design and Access Statement confirms the accessibility requirements. This includes

- all entrances are flush
- lifts are DDA compliant
- the hotel has one fully accessible unit per floor
- 2% of student units fully accessible
- 3 blue badge parking bays provided
- 2 existing blue badge bays retained.

84. The Secure by Design statement confirms that the entrance is restricted with barriers and staffed, along with CCTV. The overall development has external lighting and passive surveillance. The Police Architectural Liaison Officer has no objections to the proposed scheme, is in accordance with Core Strategy policy CS34 and JLP policy DEV10.

85. The Environmental Noise Impact Assessment submitted with this application demonstrates that the noise climate outside the building will not give rise to any significant adverse effects on health and quality of life. The hotel and office will use mechanical ventilation and double glazing with acoustic properties. The student accommodation will use natural ventilation and double glazing with

high acoustic properties. These measures can be used to ensure there will be no noise impact upon future occupiers of the building.

86. The proposal is considered to provide satisfactory daylight, sunlight, outlook, privacy and the protection from noise disturbance for the proposed student accommodation and therefore complies with Joint Local Plan policy DEVI.

87. Impact upon amenity

The Good Companions student development, whilst not yet constructed, would be located directly to the south west of the application site, with a shared access road. The two developments would be 13.5m at the closest point. In terms of privacy, the proposed scheme has been designed so that only two bedrooms per floor located at the south west corner of the development, could give rise to any overlooking. The Good Companions scheme proposes oriel windows which means its windows will not directly overlook the Money Centre site.

88. The previously referred to Daylight and Sun light Assessment has also calculated the Vertical Sky Component, which seeks to clarify whether the new development will have a noticeable impact upon the skylight reaching Good Companions and Roland Levinsky. The Roland Levinsky building is not residential, so there are no amenity issues. In any case, the proposed development will only have a noticeable impact upon two windows, which is not considered significant. There will be more of an impact upon Good Companions. This will impact upon 86 out of 135 windows of Good Companions, however 40 of these windows would be affected by the existing Money Centre building. It is considered that whilst there will be some overshadowing of Good Companions, given the scale of the proposed development, which is of the similar scale to the approved Good Companions scheme, the relationship between the two buildings would be appropriate.

89. There are no other residential properties whose amenity could be affected by the development. The proposal is considered to provide satisfactory daylight, sunlight, outlook, privacy and the protection from noise disturbance for existing homes (or in this case approved students accommodation) and therefore complies with Joint Local Plan policy DEVI.

90. Highways

A Transport Assessment and Framework Travel Plan have been submitted with this application.

91. The site currently contains the Moneycentre, predominantly office based uses but also including café, retail and a public house. The entire site is proposed to be demolished. To support the proposal the application includes a Transport Assessment (TA) which outlines the existing uses and provides a comparison to the proposed uses. The Moneycentre has the benefit of a ground floor parking area and as such would have generated a level of traffic to and from the building. The TA indicated that the existing use could generate 88 two way trips in the morning peak hour and 67 two way trips in the afternoon. The proposed use will generate considerably less trips to the site than this.

92. The site is highly accessible and is located in the City Centre, with Coach, Bus and Train services very close by. Therefore the proposal is likely to generate a high demand of sustainable travel options and significant pedestrian and cycle activity in the surrounding area. As such the

proposal includes for localised improvements to the public realm, to include surfacing, lighting and planting.

93. Any works within the Highway must be subject to a Section 278 Agreement, under the provisions of the Highways Act 1980. The design includes amendments to a lay-by and also tree planting, with the latter requiring commuted sums for their future maintenance. This also applies to any bespoke furniture that may be placed within the Highway boundary. Clear demarcation between Highway and Private areas will be required.

94. The full design of the public realm and Highway improvements will be approved in detail as part of the S278 but the submitted draft plans are acceptable in principle. Therefore a suitably worded condition has been recommended. Any Traffic Regulation Orders (TRO's) which may need amendment as a result of alterations to the highway must be included as part of the S278 process and all paving details must conform to the Plymouth Paving Manual requirements.

95. The transport officer suggested that the land outside of the applicants control will need to be secured and approved by way of a Section 106 obligation, however officers propose to deal with this by Grampian condition.

96. The transport officer has raised concern with regard to any A5 hot food takeaway use, and has requested a condition to prevent this use. However, as this has not formed part of the application proposals, this condition is not considered necessary.

97. In this City Centre location, and similar to other recently approved developments, a car free development is appropriate. However in this instance a small internal car park is provided for use by hotel guests who may arrive out of normal hours. The use of this car park will be managed by the concierge staff at the building. A disabled space has been included within the car park and this space has suitable dimensions and access.

98. In order to ensure that visitors have an ability to drop off or collect from the building a layby is proposed on the western side. This provides access to the internal parking, access to two disabled bays, for student use, and is of suitable dimension to cater for servicing deliveries and refuse collection. Tracking has been provided to demonstrate this.

99. Internal to the building the applicant proposes to provide storage for up to 300 cycles and additional cycle racks are to be provided within the public realm areas.

100. To provide a suitable management regime for parking and access the applicant has provided details of a Student Management Plan and also a Framework Travel Plan. Both plans will be subject of appropriate conditions but the submitted information provides an overview of how parking will be managed.

101. During the start and end of student terms the disabled spaces and layby will be made available for short term dropping off / collection. Times and use will be managed by the Management Company. This approach has been adopted on other similar developments in the City Centre area.

102. Although the development is effectively car free the Travel Plan will be available for residents, employees and visitors to the site. Modal shift targets are not as critical in this location as sustainable travel will be the most popular choice of travel to and from the site. However the Travel Plan should be secured by way of a planning condition and the applicant will be required to recruit a Travel Plan Co-ordinator who will manage the plan and liaise with the City Council Travel Plan team accordingly.

103. Due to the location of the site and its proximity to open public areas, and the highway, it will be crucial for the developer to provide a Code of Practice during the demolition and construction phases. The plan must demonstrate how the project will be delivered with minimal disruption or issues on to the Highway Network.

104. With the provision of conditions, the development is considered to comply with Core Strategy policies CS28, CS34 and JLP policies SPT9, SPT10, PLY6 and DEV31.

105. Biodiversity and Impact upon European Marine Site

The Preliminary Ecological Appraisal (PEA) submitted with this application has identified limited existing biodiversity features (woodpigeons nest and herring gull). There are biodiversity enhancements in the form of increased density of tree cover, which will provide improved foraging and nesting opportunities. The sky garden provides raised planters and planted green spaces proposed on the roofscape. Further enhancements are proposed through urban bee nesters and “insect hotels” on walls of building and 2 bird boxes. The Natural Infrastructure Team originally requested further information in relation to the PEA that was submitted. An updated appraisal was submitted and is now considered acceptable. Conditions are recommended in relation to complying with the PEA, implementing the landscape scheme, and a landscape management plan.

106. Natural England identifies that this development falls within the ‘zone of influence’ for the Plymouth Sound and Estuaries Special Area of Conservation (SAC). It is anticipated that new housing development in this area is ‘likely to have a significant effect’ upon the interest features of the SAC/SPA, when considered in combination, through increased recreational pressure. Natural England requires mitigation of this impact and advises that consent should not be granted until mitigation has been secured. This mitigation is normally secured through the CIL, and appears on the Regulation 123 list. However as this development is not CIL liable, this mitigation will be secured through S106, as detailed further below.

107. Overall, the proposal is considered to comply with Joint Local Plan policy DEV10, DEV 24, DEV 28, DEV 30 and Core Strategy policies CS01, CS19, CS34.

108. Sustainability

The Energy Statement submitted with this application confirms that the estimated CO2 savings are 24.8%, which is in compliance with Core Strategy Policy CS20 and Joint Local Plan policy DEV34.

109. Originally the Low Carbon Officer had concerns about the use of the Combined Heat and Power (CHP) system proposed, as this would contain the potential for future connection to a District Heat network. On this basis the updated strategy is to provide gas boilers to temporarily



supply the heating, and once the district heat network has commenced, the plant room in the basement can be used to house the installation of the heat exchanger required for the direct heating. On this basis, the Low Carbon Officer has no objections to the proposal and recommends a condition which will review the details in terms of compliance with best practice and future-proofing in terms of valve connections and ducting through the external walls. The project has been designed to connect to district energy network, and therefore complies with Joint Local Plan Policy DEV34 and PLY 6.

#### 110. Drainage and Contaminated Land

A Flood Risk Assessment has been submitted with this application, along with a Surface Water Management Plan. The site is located in the flood zone 1 (lowest flood risk), however is located in a critical drainage area. A Surface Water Management Plan therefore proposes an attenuated discharge to the combined sewer together with other features such as permeable paving. The Environment Agency has commented and advised that they have no objections to this proposal and consider that the proposed drainage strategy can achieve a betterment compared to the existing situation in terms of minimising the risk of sewer flooding and pollution of the water environment. The Lead Local Flood Authority has also been consulted and also have no objection subject to a planning condition. The proposal complies with DEV37 of the JLP and Core Strategy policy CS21.

111. In terms of contaminated land a Geotechnical and Geo-environmental desktop study has been submitted. Public Protection have reviewed this and agree with its conclusions. Conditions are recommended to deal with contamination as development progresses.

#### 112. Other Impacts

##### 113. Construction Impacts

A Construction Environmental Management Plan (CEMP) and Site Waste Management Plan have been submitted with this application. This includes details of construction hours, agreement to prepare a construction traffic management plan, noise and vibration mitigation and monitoring, piling, blasting/demolition, dust and air pollution mitigation, how to prevent mud on the road, pest control, reference to contaminated land and waste management. The Public Protection Service have advised the CEMP is acceptable. However it is considered a condition is still relevant is that further details can be agreed when a contractor is in place.

##### 114. 5 year Housing Supply

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

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

116. For the reasons set out in the Authority’s Annual Monitoring Report (January 2016) Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2016-21 against the housing requirement set out in the Core Strategy which was set prior to the economic downturn. Plymouth can however identify a net supply of some 4,163 dwellings which equates to a supply of 2.17 years when set against the housing requirement as determined by the requirements of the NPPF or 1.8 years supply when a 20% buffer is also applied.

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

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

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

119. For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of date, granting permission unless:
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
  - specific policies in this Framework indicate development should be restricted”

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

121. Due to the need to accelerate housing delivery a 2 year consent rather than a 3 year consent has been secured by condition. This is in accordance with Strategic Objective 10(8) (Delivering Adequate Housing Supply) and paragraphs 10.34, 17.1 and 7.13 of the Core Strategy and Policy 46 of the Plymouth Plan

## **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 Local Planning Authority has assessed that this development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to its size or nature, under our current charging schedule.

## **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.

Local Green Space £135,619.20

For the provision and maintenance of recreation at West Hoe Park

Playing Pitches £244,009.24

For the provision and maintenance of junior playing pitch facilities at Central Park

Strategic Greenspace £302,489.54

For the provision and maintenance of general improvements at Central Park

Sports facilities £193,346.00

For the provision and maintenance of sports facilities at Brickfields

S106 for mitigation of Recreational Impact upon the European Marine Site £8501.10

Highway Works: (£250,000) towards crossing improvements in the Charles Cross Improvement Scheme

Low Carbon £175,000 for District Energy Infrastructure within the city centre

Employment: Total mitigation: £237,000

- £2,000k to go towards a STEM (Science Technology Engineering Maths) coordinator role.

- £212,000 towards the provision of office space within the Train Station redevelopment project

Public Art: £10,000 a year for 5 years City Centre Public art festival

Monitoring Fee: £20, 010

## **12. Equalities and Diversities**

The design and access statement confirmed that the scheme is fully accessible throughout.

- All entrances are flush.
- All lifts are DDA compliant.
- Hotel has one fully accessible unit per floor.
- Student residential has 2% units fully accessible in line with residential policy.
- Offices have fully accessible WCs.
- Design detail will take account of a variety of visual and sensory impairments.
- Tactile and strong colour/graphic considerations will feature throughout.
- Three blue badge vehicular parking bays are provided.
- Two existing external blue badge bays will be perpetuated on the service road.

The public realm improvements will help to make the space more accessible.

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

## **13. Conclusions and Reasons for Recommendation**

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords fully with the adopted development plan, the emerging Joint Local Plan, the Framework and other material policy documents as set out in Section 7. Officers consider that the scheme would bring significant regeneration benefits to this part of the City Centre. This includes a good mix of uses which make efficient use of land, provide for Grade A Office space, retail/café , hotel floor space and purpose-built student accommodation. The introduction of these uses fully supports regeneration objectives for the City Centre by introducing new facilities that will significantly improve the environment on this heavily trafficked walking route, as well as new residents and workers who will support shops, business and other facilities and bring safety and security improvements to the wider City Centre. The design of the proposal at this gateway location to the city centre is considered to be of high quality and will enhance the character of the area.

#### **I4. Recommendation**

In respect of the application dated **17.11.2017** it is recommended to **Grant subject to S106 Obligation with delegated authority to Assistant Director for Strategic Planning & Infrastructure to refuse if timescales are not met.**

#### **I5. Conditions / Reasons**

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

##### **I      CONDITION: APPROVED PLANS**

18th Floor Plan Proposed Eighteenth Floor Plan A10982 D0118 Rev P4 received 04/05/18  
19th Floor Plan Proposed Nineteenth Floor Plan A10982 D0119 Rev P4 received 04/05/18  
20th Floor Plan Proposed Twentieth Floor Plan A10982 D0120 Rev P4 received 04/05/18  
South East Elevation Proposed South East Elevation A10982 D0200 Rev P5 received 04/05/18  
North East Elevation Proposed North West Elevation A10982 D0201 Rev P5 received 04/05/18  
North West Elevation Proposed North East Elevation A10982 D0202 Rev P5 received 04/05/18  
South West Elevation Proposed South West Elevation A10982 D0203 Rev P5 received 04/05/18  
Proposed Sections Proposed Section A-A A10982 D0300 Rev P3 received 04/05/18  
Proposed Sections Proposed Section B-B A10982 D0301 Rev P3 received 04/05/18  
Perspectives Proposed Perspective Views Sheet 1 of 2 A10982 D0400 Rev P3 received 04/05/18  
Perspectives Proposed Perspective Views Sheet 2 of 2 A10982 D0401 Rev P3 received 04/05/18  
Existing Site Plan Lower Level Site Plan Survey A10982 F0001 Rev P2 received 04/05/18  
Existing Site Plan Higher Level Site Plan Survey A10982 F0002 Rev P2 received 04/05/18  
Topographical Survey Utilities and Topographic Detail Survey A10982 F0003 Rev P1 received 04/05/18  
Existing Site Plan Existing Basement to Lower Ground Floor Plan A10982 F0100 Rev P3 received 04/05/18  
Existing Site Plan Existing Ground to Third Floor Plan A10982 F0101 Rev P3 received 04/05/18  
Existing Site Plan Existing Fourth to Seventh Floor Plan A10982 F0102 Rev P3 received 04/05/18  
Roof Plan Proposed Sky Garden and Green Roof LON\_0807\_09 - received 04/05/18  
Landscaping Proposed Landscape Layout LON\_0807\_07 Rev E received 01/05/18  
Site Location Plan Site Location Plan A10982 D0001 Rev P3 received 04/05/18  
Basement Plan Proposed Basement Floor Plan A10982 D0098 Rev P4 received 04/05/18  
Lower Ground Floor Plan Proposed Lower Ground Floor Plan A10982 D0099 Rev P4 received 04/05/18  
Ground Floor Plan Proposed Ground Floor Plan A10982 D0100 Rev P5 received 04/05/18  
1st Floor Plan Proposed First Floor Plan A10982 D0101 Rev P4 received 04/05/18  
2nd Floor Plan Proposed Second Floor Plan A10982 D0102 Rev P4 received 04/05/18  
3rd Floor Plan Proposed Third Floor Plan A10982 D0103 Rev P4 received 04/05/18

4th Floor Plan Proposed Fourth Floor Plan A10982 D0104 Rev P4 received 04/05/18  
5th Floor Plan Proposed Fifth Floor Plan A10982 D0105 Rev P4 received 04/05/18  
6th Floor Plans Proposed Sixth Floor Plan A10982 D0106 Rev P4 received 04/05/18  
7th Floor Plan Proposed Seventh Floor Plan A10982 D0107 Rev P4 received 04/05/18  
8th Floor Plan Proposed Eighth Floor Plan A10982 D0108 Rev P4 received 04/05/18  
9th Floor Plan Proposed Ninth Floor Plan A10982 D0109 Rev P4 received 04/05/18  
10th Floor Plan Proposed Tenth Floor Plan A10982 D0110 Rev P4 received 04/05/18  
11th Floor Plan Proposed Eleventh Floor Plan A10982 D0111 Rev P4 received 04/05/18  
12th Floor Plan Proposed Twelfth Floor Plan A10982 D0112 Rev P4 received 04/05/18  
13th Floor Plan Proposed Thirteenth Floor Plan A10982 D0113 Rev P4 received 04/05/18  
14th Floor Plan Proposed Fourteenth Floor Plan A10982 D0114 Rev P4 received 04/05/18  
15th Floor Plan Proposed Fifteenth Floor Plan A10982 D0115 Rev P4 received 04/05/18  
16th Floor Plan Proposed Sixteenth Floor Plan A10982 D0116 Rev P4 received 04/05/18  
17th Floor Plan Proposed Seventeenth Floor Plan A10982 D0117 Rev P4 received 04/05/18

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 and in accordance with Core Strategy Objective 10(8) (Delivering Adequate Housing Supply) and Policy SPT3 of the Plymouth and South West Devon Joint Local Plan

## **3 CONDITION: PRE COMMENCEMENT CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN**

### PRE-COMMENCEMENT (PRE-DEMOLITION)

Prior to commencement (including demolition of the building), a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. This shall include mitigation included within the Air Quality Assessment produced for XC02 dated Oct 2017. The CEMP shall also describe how surface water run off is to be managed during construction to reduce the risk of pollution and to the water environment. Development shall be carried out in accordance with the approved plan throughout the implementation of the scheme hereby approved.

Reason:

To ensure the development does not impact upon water quality and to avoid conflict with Policy CS21 and CS22 and to ensure wildlife habitats are protected to comply with Policies CS19 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and DEV2 and DEV37 of the Plymouth and South West Devon Joint Local Plan (2014 - 34).

Pre Commencement Justification: To ensure that wildlife habitats and water quality are adequately protected from the development.

#### **4 CONDITION: PROGRAMME OF ARCHAEOLOGICAL WORK**

##### **PRE-COMMENCEMENT (PRE-DEMOLITION)**

No construction (including demolition) shall be commenced until the applicant (or their agent or successors in title) has secured and implemented a programme of archaeological work, 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 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 Plymouth and South Hams Joint Local Plan and paragraph 128 of the National Planning Policy Framework 2012.

Justification for pre-commencement: To ensure that any archaeological deposits (potentially the Drake's Leat) can be appropriately investigated and recorded prior to any potentially destructive below-ground works.

#### **5 CONDITION: APPROVAL AND DELIVERY OF EMPLOYMENT AND SKILLS PLAN**

##### **PRE-COMMENCEMENT(POST-DEMOLITION)**

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

Skills Plan unless a variation to the strategy is agreed in writing in advance by the Local Planning Authority.

Reason:

To ensure employment and skills development in accordance with policy CS04 of the Plymouth Local Development Framework Core-Strategy (2006-2021) 2007 and DEV 14 and DEV19 of the Plymouth and South West Devon Joint Local Plan (2014 - 34).

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

## **6 CONDITION: LANDSCAPE DESIGN PROPOSALS**

### PRE-COMMENCEMENT (POST-DEMOLITION)

No development shall take place (except demolition) until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall substantially accord with the principles set out within Landscaping Layout (Dwg No. LON\_0807\_07 Rev: E) and include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting, pedestrian guardrails, details of the Drake's Leat viewing window etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant; planting plans including the location of all proposed plants their species, numbers, densities, type (i.e. bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012 and DEV20, DEV24 and DEV30 of the Plymouth and South West Devon Joint Local Plan (2014 - 34).

Pre Commencement Justification: To ensure the landscaping can be properly incorporated within the development proposals.

## **7 CONDITION: WIND MICROCLIMATE**

### PRE-COMMENCEMENT (POST-DEMOLITION)

No development shall take place (except demolition) until full details of wind microclimate mitigation have been submitted to and approved in writing by the Local Planning Authority. These details shall substantially accord with the mitigation measures detailed within the Microclimate Mitigation Addendum (prepared by RWDI dated 01/02/2018), unless an alternative strategy is agreed in writing, and include the type, size and number of mitigation features (i.e. tree / landscaping / screen). These



works shall be completed prior to first occupation of the building unless otherwise agreed with the Local Planning Authority.

Reason:

To ensure that satisfactory wind mitigation and associated landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012 and DEV20, DEV24 and DEV30 of the Plymouth and South West Devon Joint Local Plan (2014 - 34).

Pre Commencement Justification: To ensure the wind mitigation landscaping can be properly incorporated within the development proposals.

## **8 CONDITION: DRAINAGE**

### **PRE-COMMENCEMENT (POST DEMOLITION)**

No development approved by this permission shall be commenced (except demolition) until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:

a)

An assessment of the impact of surface water run off from off the site on the proposed drainage system should be completed. This should also include an assessment of the impacts of changing ground levels within the site that may shift the existing flood risk to properties downstream.

b)

Confirmation of ownership and responsibility of the proposed drainage system should be submitted. Details of flood resilience and management of surface water flows within the property should be submitted.

Unless otherwise agreed with the Local Planning Authority, prior to occupation of the site, the drainage shall be implemented in accordance with the agreed details and timetable. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To reduce the risk of flooding to and from the development, and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory surface water management and disposal during and after development. The drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure in accordance with policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, policy DEV37 of the Plymouth and South West Devon Joint Local Plan and paragraphs 94 and 100-103 of the National Planning Policy Framework 2012.

Justification: Necessary because of the essential need to ensure the drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure and water environment.

## **9 CONDITION: CONTAMINATED LAND**

### PRE-COMMENCEMENT (POST DEMOLITION)

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

#### Section 1. Site Characterisation

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

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

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

#### Section 2. Submission of Remediation Scheme

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

### Section 3. Implementation of Approved Remediation Scheme

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

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

### Section 4. Reporting of Unexpected Contamination

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, DEV 2 of the Plymouth and South West Devon Joint Local Plan (2014 - 34) and paragraphs 120 - 123 of the National Planning Policy Framework 2012.

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

## 10 **CONDITION: STREET DETAILS**

### PRE-COMMENCEMENT (POST DEMOLITION)

No development shall take place (excluding demolition) 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, DEV 31 of the Plymouth and South West Devon Joint Local Plan (2014 - 34) and paragraph 32 of the National Planning Policy Framework 2012.

Justification: To ensure that the development can reasonably accommodate the external design, layout, levels, gradients and materials that are acceptable to the local planning authority.

## **11 CONDITION: ACCESS/HIGHWAY IMPROVEMENTS (GRAMPIAN)**

### **PRE-COMMENCEMENT (POST DEMOLITION)**

No development except demolition shall take place until details of the proposed access into the development from the unnamed service road to the south west of the site, and improvements to the existing highway (including infilling of layby and tree-planting) have been submitted to and approved in writing by the Local Highway Authority. No occupation of the building shall be permitted until the Highway works shown on the approved plans have been completed.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, DEV31 of the Plymouth and South West Devon Joint Local Plan (2014 - 34) and paragraph 32 of the National Planning Policy Framework 2012.

Justification: To ensure that the development can be safely accessed.

## **12 CONDITION: DISTRICT HEAT CONNECTIVITY**

### **PRE-COMMENCEMENT (POST DEMOLITION) / PRE-OCCUPATION**

Prior to the commencement of the development (excluding demolition), a report identifying how the development has been designed to be compatible with and allow future connection to a local district heating network (in line with current best practice) shall be submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in advance in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason:

In accordance with the Plymouth Local Development Framework Core Strategy (Adopted 2007) and the draft Joint Local Plan Policy DEV34 and relevant Central Government guidance contained within the NPPF.

Justification: To ensure that the development has been designed to be compatible with district heating prior to construction.

## **13 CONDITION: DESIGN DETAILS**

### **BEFORE RELEVANT WORKS:**

Further details of the following elements of the building design shall be submitted to and approved in writing by the Local Planning Authority prior to their construction on site. 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:

- a/ Retail / Student / Hotel / Office commercial frontage / shopfront details, including details of general location of signage (including high level signage)
- b/ Details of the proposed siting, design and external materials of any roof plant (including AC units), services or lift rooms and any wall or roof vents, ducts, pipes, extracts, window cleaning apparatus or other accretions to the roof or elevations including photovoltaic panels;
- c/ Entrances (including canopies);
- d/ Typical window openings to demonstrate reveals and heads;
- e/ Details and samples of all cladding materials, including joints, fixing details, junctions between different materials
- f/ External Rainwater details
- g/ External feature lighting strategy for the building
- h/ Notwithstanding the details as shown on the approved plans, location of the cycle stands shall be agreed
- i/ Details of the soffit material

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

Reason:

To ensure that the materials and design details used are of sufficient quality and in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, DEV20 of the Plymouth and South West Devon Joint Local Plan (2014 - 34) and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

#### **14      **CONDITION: COMPLETION OF ROAD AND FOOTWAYS****

##### **PRE OCCUPATION**

All roads and footways forming part of the development hereby permitted shall be completed in accordance with the details approved under condition 11 above before any occupation of the development.

Reason:

To ensure that an appropriate and safe access is provided in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, DEV31 of the Plymouth and South West Devon Joint Local Plan (2014 - 34) and paragraph 32 of the National Planning Policy Framework 2012.

#### **15      **CONDITION: PROVISION OF PARKING AREA****

##### **PRE-OCCUPATION**

Each parking space shown on the approved plans shall be constructed, drained, surfaced and made available for use before the unit of accommodation that it serves is first occupied and thereafter that space shall not be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, DEV31 of the Plymouth and South West Devon Joint Local Plan (2014 - 34) and paragraph 32 of the National Planning Policy Framework 2012.

## **16      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 will 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. The development shall be fully implemented in accordance with the approved landscape management plan.

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 and Draft JLP DEV10 and DEV24.

## **17      CONDITION: BIN STORES**

### **PRE-OCCUPATION**

The refuse and recycling storage areas shown on the approved plans shall be provided in accordance with those plans prior to the occupation of the unit(s) to which they relate. The stores shall thereafter be maintained free of obstruction and used only for their intended purpose unless agreed in writing by the Local Planning Authority. All waste and recycling associated with the development shall thereafter be stored only in the storage areas shown on the approved plans, except on the day of collection when bins can be presented for collection from the outside of the building.

Reason:

To ensure that the amenity of the area is protected and that highway and pedestrian safety is not compromised by waste storage receptacles in accordance with policy CS34 of the Plymouth Local Development framework Core Strategy 2007 and DEV31 and DEV33 of the Plymouth and South West Devon Joint Local Plan (2014 - 34).

## **18      CONDITION: TRAVEL PLAN**

### **PRE-OCCUPATION**

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

implementation. From the date of the commencement of the use the occupier shall operate the approved Travel Plan.

Reason:

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

## **19      **CONDITION: CONTAMINATED LAND REMEDIATION****

### **PRE-OCCUPATION**

Following completion of measures identified in the approved remediation scheme under Condition 9, a verification report (referred to in the replaced PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, DEV 2 of the Plymouth and South West Devon Joint Local Plan (2014 - 34) and paragraphs 120 - 123 of the National Planning Policy Framework 2012.

## **20      **CONDITION: MAINTENANCE AGREEMENT****

### **PRE-OCCUPATION**

Prior to the occupation of the building, a scheme for ongoing maintenance of the building shall be submitted and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason:

To ensure that the materials and design details used are of sufficient quality and subject to appropriate maintenance in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, DEV20 of the Plymouth and South West Devon Joint Local Plan (2014 - 34) and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

## **21      CONDITION: ACCESS (CONTRACTORS)**

### GENERAL

Adequate road access during construction for contractors shall be provided from the unnamed service road to the south west of the site, unless otherwise 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, DEV31 of the Plymouth and South West Devon Joint Local Plan (2014 - 34) and paragraph 32 of the National Planning Policy Framework 2012.

## **22      CONDITION: BIODIVERSITY**

### GENERAL

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 (which is detailed in section 5 of the Preliminary Ecology Appraisal dated 8th September 2017) and Landscape Ecology Management Plan.

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, Joint Local Plan Policies SPT11 & DEV28 and Government advice contained in the NPPF paragraphs 109, 118.

## **23      CONDITION: STUDENT ACCOMMODATION**

### GENERAL

The student accommodation units within the buildings shall only be occupied by students in full-time education, by a warden (who may not be in fulltime education), by student delegates attending university conferences or courses during vacation periods (No such delegate shall occupy the premises for more than four weeks in any calendar year), or any registered student of any college or university, provided that the student is studying for a qualification at Higher Education level on a course that satisfies the criteria on eligibility for council tax exemption for student occupation of premises that is in force at the date of this planning permission, or any future such criteria as apply from time to time and for no other purpose.

Reason:

The accommodation is considered to be suitable for students in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV12 of the Submitted Plymouth and South West Devon Joint Local Plan July 2017, and paragraph 61 of the National Planning Policy Framework 2012, but its occupation by any other persons would need to be the subject of a further planning application for consideration on its merits



## 24 **CONDITION: STUDENT BEDROOMS**

### GENERAL

No more than 554 student rooms at the property shall be used as bedrooms. Only the rooms labelled "bed, studio or flat" on the approved plans shall be used as bedrooms. The Local Planning Authority must give written approval to any variation of these requirements.

Reason:

The proposed layout, together with the use of the remaining rooms for communal facilities, has been assessed and considered acceptable in planning terms and any other arrangement would need to be assessed on its merits. This condition is in accordance with policy CS15 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV12 of the Submitted Plymouth and South West Devon Joint Local Plan July 2017, and paragraph 61 of the National Planning Policy Framework 2012.

## 25 **CONDITION: STUDENT OPERATIONAL MANAGEMENT**

### GENERAL

The Student Accommodation Management Plan (submitted to the Local Planning Authority on 30th October 2017) shall be adhered to strictly at all times unless an alternative management plan is agreed in writing by the Local Planning Authority.

Reason:

In the interests of neighbours' amenities and to provide a ready point of contact for any person who needs to address an issue in relation to the use of the property, in accordance with policies CS15 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Plymouth's adopted Development Guidelines Supplementary Planning Document 2010, Policies DEV1 and DEV12 of the Submitted Plymouth and South West Devon Joint Local Plan July 2017, and paragraph 123 of the National Planning Policy Framework 2012.

## 26 **CONDITION: HOTEL SPECIFIED USE RESTRICTION**

### GENERAL

The hotel premises shall be used for a hotel use and for no other purposes (including any other purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, PLY6 of the Plymouth and South West Devon Joint Local Plan (2014 - 34) and paragraphs 61 and 123 of the National Planning Policy Framework 2012.

## **27      **CONDITION: COMMERCIAL UNITS SPECIFIED USE RESTRICTION****

### **GENERAL**

The commercial premises shall be used for A1, A2, A3 or A4 and for no other purposes, except for the provisions of Schedule 2, Part 3, Class V of the Town and Country Planning (General Permitted Development) (England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, PLY6 and DEV20 of the Plymouth and South West Devon Joint Local Plan (2014 - 34) and paragraphs 61 and 123 of the National Planning Policy Framework 2012.

## **28      **CONDITION: OFFICE SPECIFIED USE RESTRICTION****

### **GENERAL**

The office floorspace shall be used for B1a Office use; and for no other purposes (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, PLY6 and DEV14 of the Plymouth and South West Devon Joint Local Plan (2014 - 34) and paragraphs 61 and 123 of the National Planning Policy Framework 2012.

## **29      **CONDITION: ACTIVE FRONTAGE WINDOW VINYL****

### **GENERAL**

Notwithstanding Section 55(2)(a) of the Town and Country Planning Act 1990 (as amended), the windows relating to the commercial units hereby approved at lower-ground and ground floor level shall remain visually transparent - free from any applied vinyl advertisements, screens or any other features that could restrict views in to or out of the premises at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To maintain the character and appearance of the shopping frontage and the safety and security benefits brought by overlooking through these windows, in accordance with Policies CS32 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, DEV20 of the Plymouth and South West Devon Joint Local Plan (2014 - 34) and paragraph 61 of the National Planning Policy Framework 2012.

### **30 CONDITION: INTERIM SITE RESTORATION MEASURES**

#### **GENERAL**

In the event that redevelopment of the site has not commenced within 6 months of the date that demolition of the existing (above ground) building(s) has been commenced, a scheme of site restoration works, including the erection of two metre high hoardings around the perimeter of the site shall be submitted to the Local Planning Authority (within the same time period) for approval in writing. The scheme shall be implemented in accordance with that approval within 3 months of that approval unless otherwise agreed in writing by the Local Planning Authority, and shall be maintained as such until redevelopment of the site commences.

#### **Reason:**

In order to preserve the visual amenity of this part of the City Centre in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, DEV20 of the Plymouth and South West Devon Joint Local Plan (2014 - 34) and paragraphs 61-66, 109, 110 and 123 of the National Planning Policy Framework 2012 .

### **31 CONDITION: NOISE IMPACT MITIGATION**

#### **GENERAL**

The development shall be carried out in accordance with the mitigation measures as detailed in the Environmental Noise and Impact Assessment , produced by XC02 dated Oct 2017, unless an alternative strategy is agreed in writing.

#### **Reason:**

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

#### **Informatives**

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

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

#### **2 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 pro-active way with the Applicant including pre-application discussions and a draft Planning Performance Agreement and has negotiated amendments to the application to enable the grant of planning permission.

### **3 INFORMATIVE: PUBLIC HIGHWAY ENGINEERING**

No work within the public highway should commence until engineering details of the improvements to the public highway have been approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into. The applicant should contact Plymouth Highways for the necessary approval.

### **4 INFORMATIVE: PUBLIC HIGHWAY APPROVAL**

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

### **5 INFORMATIVE: ROADWORKS**

Any of the roadworks included in the application for adoption as highways maintainable at public expense will require further approval of the highway engineering details prior to inclusion in an Agreement under Section 38 of the Highways Act 1980. The applicant should contact Plymouth Highways for the necessary approval.

### **6 INFORMATIVE: CODE OF PRACTICE**

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

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

### **7 INFORMATIVE: SECTION 177**

The applicant should contact the Highway Authority to facilitate a Section 177 licence and associated fees in accordance with this authority's procedure for the overhang of the highway by the building, or part, hereby permitted.

### **8 INFORMATIVE: SUICIDE PREVENTION: ROOF GARDEN**

Public Health England guidance on suicide prevention in public spaces has been published. In order to prevent suicide in public spaces they make recommendations for the design of fencing on bridges and high buildings, these should be:

- o At least 2.5 metres in height
- o No toe or foot holds

- o An inwardly curving top is recommended as it is difficult to climb from the inside
- o The barrier should be easier to scale from the outside, in case an individual wishes to climb back to safety.

The developer should ensure they have taken these recommendations into consideration regarding the design of any proposed roof terraces. Roof terraces appear on the proposed plans.

## **9 INFORMATIVE: ALCOHOL LICENSING**

Plymouth City Council is working to ensure that alcohol plays a positive and proportionate role in the city. Evidence shows that some neighbourhoods experience disproportionate levels of alcohol related harm. In these areas it is not appropriate to increase the availability of alcohol. Therefore it is unlikely that additional alcohol licenses will be granted for premises in these neighbourhoods.

The application is just outside the Council Cumulative Impact Policy area. Applications for additional alcohol sales licenses within this area are likely to be refused unless the provision of alcohol is ancillary to other activities, such as the provision of food.

## **10 INFORMATIVE: AVIATION LIGHT**

The applicant is advised to make contact with the Local Aviation Authority to determine if an aviation light is required on top of the building.